

SUMMARY RECORD OF THE 39th MEETING

Chairman: Mr. SOBY (Egypt)

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Distr. GENERAL  
A/C.3/34/SR.39  
23 November 1979  
ENGLISH  
ORIGINAL: SPANISH

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

#### ORGANIZATION OF WORK

1. The CHAIRMAN informed members that, in view of the state of the Committee's work, it would be obliged to hold a night meeting immediately after the current meeting. He pointed out that, in future, it might perhaps be necessary to hold more night meetings and even to meet on Saturdays.
2. With regard to agenda item 83 (Office of the United Nations High Commissioner for Refugees: report of the High Commissioner), he announced that it would be discussed on the dates originally planned in the Committee's programme of work, namely, on Monday, 12 November, and on Tuesday, 13 November, so that the High Commissioner could attend all four meetings devoted to that item. In order to ensure the proper organization of the general debate, which would begin on the morning of Monday, 12 November, he suggested that the list of speakers on agenda item 83 should be closed on 9 November at 6 p.m. and that that item should be discussed during the two meetings held on 12 November and the two held on 13 November; he also suggested that a fifth meeting should be devoted to that item only if 15 or more speakers were already listed for each of the four meetings planned.
3. It was so decided.
4. Mr. WANG Jiechen (China) asked about the status of the documentation concerning item 83 and whether the Committee would receive a report by the Secretary-General on Indo-Chinese refugees.
5. Mr. PAPADEMAS (Secretary of the Committee) said that the Committee would have before it the report of UNHCR, which had already been distributed, an addendum to that report, which would be published on Monday, 12 November at the latest, a report of the Secretary-General concerning the meeting held in July 1979 on the question of refugees from South-East Asia and measures adopted in compliance with the decisions taken at that time, which would also be issued on either 9 or 12 November, in addition to various communications and notes verbales on that item from Governments.
6. Mr. OBADI (Democratic Yemen) said that that very morning the meeting of the Working Group on the Drafting of the Convention on the Elimination of Discrimination against Women had not had interpretation services in Arabic and that there was a delay in the translation of summary records into Arabic. Moreover, many of the reports to the General Assembly were not yet available in Arabic.
7. Ms. MARKUS (Libyan Arab Jamahiriya) supported the remarks of the representative of Democratic Yemen and reminded the Committee that Arabic was a working language of the Committee and of its working groups. She asked the Secretariat to consider Arabic on an equal footing with the other official and working languages.
8. Mr. PAPADEMAS (Secretary of the Committee) said that that morning the Working

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Group on the Drafting of the Convention on the Elimination of Discrimination against Women had met in the Economic and Social Council chamber, which had only five booths for interpreters; in other words, there were not enough for the six working languages of the Committee. With a view to correcting that situation, he suggested that the Committee should cede some of its meeting time to the Working Group or that the Working Group should hold its meetings at night or else on Saturday. As to the availability of documents in Arabic, in document A/C.5/33/L.49, which had been published the previous year, the Fifth Committee had explained the problems related to documentation in that language.

9. Mr. OULD SID'AHMED VALL (Mauritania) supported the remarks made by the representatives of Democratic Yemen and the Libyan Arab Jamahiriya. He added that, according to the Journal for that same day, some groups which did not need interpretation in all working languages were meeting in rooms that had facilities for all languages.

10. Mrs. SIBAL (India) said that the Working Group on the Drafting of the Convention on the Elimination of Discrimination against Women experienced difficulties in holding its meetings in the Economic and Social Council chamber. If it could not be assigned another room having facilities for interpretation in six languages, the Working Group would prefer to meet at night or on Saturday mornings. Furthermore, the Working Group would henceforth have to hold two meetings each week, instead of one, in order to complete its work.

11. The CHAIRMAN said that the Secretariat would do everything possible to meet the needs expressed by the Chairman of the Working Group. In addition, the Secretary of the Committee would look into the situation described by the representative of Mauritania and would report back to the Committee.

AGENDA ITEM 82: 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 (continued) (A/C.3/34/L.27 and L.30)

12. Mr. NDOMBI (Congo) said that the sponsors of draft resolution A/C.3/34/L.27, including his delegation, would take account of the wishes of the various States with regard to paragraph 4 of that document. His delegation supported the amendments in document A/C.3/34/L.30, since it had always supported the just struggle of the Palestinian people and believed that there could be no solution to that problem without the effective participation of the Palestinians themselves.

13. Mr. SENE (Senegal) said that his delegation would vote in favour of draft resolution A/C.3/34/L.27. There was no need to comment on the amendment proposed by Uruguay to paragraph 4, since the decision taken in Monrovia had been irregular in terms of voting procedure. Because of a misunderstanding with the officers of the Committee, his delegation had not been able to express its views on the legality of partial agreements and separate treaties; accordingly, it would confine itself to taking part in the political debate.

(Mr. Sene, Senegal)

14. He realized that the Jewish people had been subjected to repression and persecution in the course of history, but he observed that Israel was currently oppressing the Palestinian people and the Arab peoples in the occupied territories. Moreover, the black peoples were being oppressed by the racist and minority régimes in southern Africa, and he reminded members of the Committee that the practice of slavery had been a holocaust for the black people and the most horrible instance of genocide in the history of mankind.

15. His delegation would vote in favour of the amendments in document A/C.3/34/L.30, in support of the inalienable right of the Palestinian people to self-determination, and it considered that the new paragraph accurately reflected the decision taken at the Monrovia Summit Conference. It was important to face current international realities and to admit that the Palestine Liberation Organization was gaining increasingly widespread recognition as the sole legitimate representative of the Palestinian people. It was also important to bear in mind the right of that people to a national home and to free homeland within recognized and guaranteed frontiers, whether shared with the Arab States or with the State of Israel. That was the only way to achieve a just and lasting peace in the region.

16. Mr. LUNGU (Zambia) said that he would vote in favour of the amendment proposed in document A/C.3/34/L.30. In his opinion, the reaffirmation of the inalienable rights of the Palestinian people to self-determination and independence was duly reflected in draft resolution A/C.3/34/L.27 and he would accordingly support both documents under consideration.

17. Mr. HASSA (Jordan) said that his delegation had sponsored the amendments in document A/C.3/34/L.30 as an indication of Jordan's constant support for the right of the Palestinian people to self-determination and independence and in order to draw attention to the many obstacles to the progress of peoples towards self-determination, including partial agreements and separate treaties.

18. He expressed surprise at the differences of view which existed among delegations, even on trivial matters, when thousands of people in the world who were awaiting the results of the work of international organizations were suffering from hunger, malnutrition, torture and all kinds of discrimination. His delegation called upon all countries to unite to achieve the objectives of justice and equality in the world.

19. Mr. OKOTH (Uganda) said that his delegation, which was one of the sponsors of draft resolution A/C.3/34/L.27, could not accept the draft amendments in document A/C.3/34/L.30. The basic idea behind the amendments had already been rejected by the African group. The Fourth Committee had considered the question in depth and the proposals which appeared in the amendments in document A/C.3/34/L.30 could have been included in document A/C.4/34/L.2/Rev.1, which had been adopted by that Committee.

20. Uganda's position on the problem of the Middle East was well known. It was reflected in paragraphs 11, 13 and 14 of draft resolution A/C.3/34/L.27 and remained firm and unchanged.

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21. Mrs. JOKA-BANGURA (Sierra Leone) said that her delegation had expressed its support for the principle of the self-determination of peoples on many occasions, particularly in the Special Committee of 24, of which Sierra Leone was a member. Its position on the question of the Middle East and Palestine was also well known.
22. Sierra Leone was one of the sponsors of draft resolution A/C.3/34/L.27 and it considered that paragraphs 3, 11, 13 and 14 of the text adequately covered all aspects of the problem. Consequently, her delegation rejected the amendments in document A/C.3/34/L.30.
23. Mr. NSAHLAI (United Republic of Cameroon) said that the withdrawal of the United Republic of Cameroon from the list of sponsors of draft resolution A/C.3/34/L.27 had been announced on 2 November. The reason for that withdrawal had been that the conditions under which it had agreed to sponsor the document had changed when the African group, at the final stage of preparing the draft resolution, had decided to delete from the text the paragraph which had subsequently been included in the amendments contained in document A/C.3/34/L.30. His delegation regretted that it had had to withdraw from the list of sponsors of the draft resolution, but it continued to support the spirit of the draft resolution and would vote in favour of it.
24. It might still be worth trying to arrive at a compromise solution on paragraph 4 if the members of the African group and the sponsors of the draft amendments in document A/C.3/34/L.30 could meet for that purpose.
25. Mrs. NGUYEN BINH THAN (Viet Nam) said that her delegation wished to become a sponsor of draft resolution A/C.3/34/L.27. Because of its firm commitment to the cause of the Arab peoples and of the Palestinian people, and its respect for the non-aligned movement, her delegation supported the amendments in document A/C.3/34/L.30. She hoped that there would be a consensus in the Committee on the subject and that the new paragraph would be included in draft resolution A/C.3/34/L.27.
26. Mr. PAPADEMAS (Secretary of the Committee) said that the resolutions adopted at Monrovia and mentioned in the fourth preambular paragraph of draft resolution A/C.3/34/L.27 had been issued by the United Nations in document A/34/552, which had been circulated in connexion with agenda item 23. That document was available to interested delegations.
27. Mrs. WARZAZI (Morocco) said that her delegation had always considered it a duty to support resolutions of the United Nations concerned with the self-determination of peoples. Nevertheless, that year the inclusion of new elements which were not within the Committee's competence made draft resolution A/C.3/34/L.27 unacceptable. Her delegation would have to vote against the draft resolution if operative paragraph 4 was retained. The Committee could not endorse a political decision of a regional organization, much less oblige States to comply with the terms of such a decision.
28. That trend was dangerous and the Committee should not set precedents by including references of a clearly political nature in United Nations resolutions.

(Mrs. Warzazi, Morocco)

Her delegation hoped that good sense would prevail and that the paragraph would be eliminated from the draft resolution. If that happened, it would vote in favour of the draft resolution.

29. Mrs. MORRISON (Lesotho), speaking on behalf of the sponsors of draft resolution A/C.3/34/L.27, asked for a suspension of the meeting so that the proposed amendments to the draft resolution could be considered by the sponsors.

30. She announced that the sponsors of draft resolution A/C.3/34/L.27 were the following: Algeria, Angola, Benin, Burundi, Cape Verde, Congo, Cuba, Egypt, Ethiopia, Ghana, Guinea-Bissau, Kenya, the Libyan Arab Jamahiriya, Madagascar, Mauritania, Mozambique, Sao Tome and Principe, Sierra Leone, Somalia, Sudan, Uganda, the United Republic of Tanzania and Viet Nam. The Comoros had withdrawn from the list of sponsors.

31. Mr. HERMIDA (Nicaragua) said that his delegation wished to become a sponsor of draft resolution A/C.3/34/L.27 and that it supported the amendments in document A/C.3/34/L.30.

32. Mr. AL-JABERI (Iraq) said that he supported the request for a suspension of the meeting and expressed the hope that the sponsors of draft resolution A/C.3/34/L.27 would endorse the amendments in document A/C.3/34/L.30.

The meeting was suspended at 4.30 p.m. and resumed at 5 p.m.

33. Mrs. MORRISON (Lesotho) said that the sponsors of draft resolution A/C.3/34/L.27 had considered carefully and in a spirit of compromise the various amendments which had been proposed.

34. With regard to operative paragraph 4 of the draft resolution, the sponsors had considered the amendments proposed by the delegation of Uruguay. They agreed to replace the word "endorses" by the words "takes note of" at the beginning of the paragraph provided that the phrase was expanded to read "takes note with satisfaction of". The sponsors could not accept the proposal that the paragraph should end with the words "the question of Western Sahara", the rest of the text being deleted. The invitation that would be made to Member States in the text which the representative of Uruguay proposed to delete should not give rise to any opposition.

35. With regard to the proposed amendment to operative paragraph 11, consisting of replacing the word "Africa" by the words "South Africa, Zimbabwe, Namibia", the sponsors felt that the existing wording should be retained.

36. With regard to the two amendments in document A/C.3/34/L.30, the sponsors of the draft resolution had considered them jointly. The explanations which had been given had convinced the sponsors that it was impossible to arrive at a consensus

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(Mrs. Morrison, Lesotho)

and, consequently, they felt it preferable to decide on those amendments by putting them to the vote.

37. The sponsors of draft resolution A/C.3/34/L.27 regretted that they had had to reject the amendment proposed by the delegation of Colombia to the last preambular paragraph. The word "indignant" had been used in previous resolutions of the General Assembly and therefore was considered acceptable.

38. Mrs. GUELMAN (Uruguay) said that the amendment to operative paragraph 4 submitted at the 38th meeting was a single amendment consisting of two parts. The second part depended on the first, since Member States could not be invited to spare no efforts for the effective implementation of a decision which had not been considered in the Committee. Her delegation did not understand why some delegations were insisting that a paragraph of a draft resolution submitted to the Third Committee, which was not concerned with the question of Western Sahara, would have greater impact than a draft resolution adopted in the Fourth Committee, where the subject had been discussed at length. She requested that the oral amendment she had submitted should be put to the vote.

39. Miss BOA (Ivory Coast) said that her delegation did not know the reasons why the sponsors of draft resolution A/C.3/34/L.27 had rejected the amendment she had proposed at the 38th meeting. Her delegation maintained the amendment and would insist that it should be put to the vote.

40. Mr. PARDO PARRA (Colombia) recalled that at the 38th meeting he had requested a separate vote on operative paragraphs 2 and 4 of draft resolution A/C.3/34/L.27; he therefore supported the request of the representative of Uruguay for a separate vote on operative paragraph 4. The amendment proposed by the delegation of Uruguay must, of course, be voted upon first.

41. With regard to the amendment to the last preambular paragraph which he had submitted at the 38th meeting, he considered that the word "concerned" was more appropriate than the word "indignant" but if the latter word had already been used by the General Assembly on a previous occasion, his delegation would not press its amendment and would merely place it on record.

42. Mr. BÂ (Mali) said that his delegation could agree to change the word "endorse" to "takes note with satisfaction" but considered that the second part of the paragraph strengthened the content of the first part and therefore appealed to the delegation of Uruguay to withdraw its amendment. In view of the excellent co-operation between OAU and the United Nations, he hoped that the paragraph would be accepted in full with the wording proposed by the sponsors.

43. Mr. AL-JABERI (Iraq) expressed gratitude to the African delegations which had sponsored draft resolution A/C.3/34/L.27 for the goodwill they had shown and for their recognition of the sincerity of the Arab group in submitting the amendments in document A/C.3/34/L.30, which reproduced a paragraph of resolution CM/Res.725 (XXXIII) of the OAU Council of Ministers. He stressed that there was

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(Mr. Al-Jaberi, Iraq)

genuine co-operation between the Arab countries and the African countries. The national liberation struggle in Palestine, Zimbabwe, Namibia and South Africa was a combined action of the two groups of countries, and when the Arab group had submitted the amendments in document A/C.3/34/L.30 it had merely wished to strengthen draft resolution A/C.3/34/L.27. He requested that the two draft amendments should be put to the vote.

44. Mrs. BIKE (Gabon) said that her delegation appreciated the efforts made by the sponsors of draft resolution A/C.3/34/L.27 to improve the wording of operative paragraph 4 but did not agree that the words "with satisfaction" should be added. She therefore requested a separate vote on the words "with satisfaction".

45. Miss ABOUL NAGA (Egypt) said that there had not been a consensus among the sponsors of draft resolution A/C.3/34/L.27 regarding the amendments in document A/C.3/34/L.30.

46. Mrs. SEMICHI (Algeria) proposed that, since the phrase "takes note with satisfaction of" was an amendment to the amendment proposed by the delegation of Uruguay at the 38th meeting, the Committee should first vote on that amendment, which had been proposed by the sponsors of draft resolution A/C.3/34/L.27.

47. After a procedural discussion in which Mrs. GUELMAN (Uruguay), Mrs. SEMICHI (Algeria), Mr. O'DONOVAN (Ireland), Mr. RIOS (Panama) and Mr. PAPADEMAS (Secretary of the Committee) took part, the CHAIRMAN said that he felt it necessary to request the Office of Legal Affairs for its opinion on the right of delegations to submit amendments or subamendments to texts, on what the different proposals constituted, and on the order of priority of voting.

The meeting rose at 6.05 p.m.