

UNITED NATIONS
General Assembly
FORTY-SIXTH SESSION
Official Records

FOURTH COMMITTEE
15th meeting
held on
Wednesday, 6 November 1991
at 3 p.m.
New York

SUMMARY RECORD OF THE 15th MEETING

Chairman: Mr. FLEMMING (Saint Lucia)

CONTENTS

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued)

AGENDA ITEM 100: ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH ARE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA (continued)

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued)

AGENDA ITEM 101: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued)

This record is subject to correction.

Corrections should be sent, under the signature of a member of the delegation concerned, within one week of the date of publication to the Chief of the Official Records Editing Section, Room 1002750, United Nations Plaza, and incorporated into copy 2 of the record.

Corrections will be issued in the next available issue of the separate corrigendum for each meeting.

Distr. GENERAL
A/C.4/46/SR.15
13 November 1991

ORIGINAL: ENGLISH

The meetina was called to order at 3.45 p.m.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered by other agenda items) (continued) (A/46/23 (Part VI), chap. X, **para.** 23)

Draft resolution I

1. Ms. TAHIR-KHELI (United States of America) said that her delegation appreciated the efforts the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples had made to draft a single, consolidated resolution on the various small Territories, an improvement over the corresponding individual resolutions **of** the past.

2. Her **Government** had reviewed the omnibus resolution very carefully and had no objection to most of it, including the **introductory** section and the section on American Samoa. It continued, however, to have serious reservations **concerning** the sections on Guam and the United States Virgin Islands. In view of the importance of reaching a consensus on such a resolution was important, she requested formally that the Chairman should conduct additional consultations with a view to finding a compromise solution.

3. Mr. VYAS (India) said that the Special Committee on decolonization had put a great deal of effort into drafting the resolution before the Committee, in which, apart from focusing on specific aspects of the 10 small Territories, also contained in its **introductory** part certain basic principles of decolonization as they applied to those Territories. Those principles and positions were important in themselves and it was equally important that they should have the backing of all members of the Committee. In view of the reservations just expressed, the Chairman should undertake consultations to preserve the consensus, in which India would cooperate.

4. The CHAIRMAN suggested that the Committee should **authorize** him to conduct the necessary consultations on draft resolution I and report thereon at the subsequent meeting.

5. Mr. van LIEROP (Vanuatu) said that he supported that suggestion.

6. It was so decided.

AGENDA ITEM 100: ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH ARE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA (continued) (A/46/23 (Part III), chap. IV, para. 12)

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued) (A/46/23 (Part III), chap. V, para. 11)

AGENDA ITEM 101: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued) (A/46/23 (Part IV), chap. VI, para. 18)

Draft decision and draft resolutions

7. **The CHAIRMAN** said that intensive consultations were still in progress by all the regional groups, in particular the Group of African States, on the remaining draft proposals to be adopted under agenda items 100, 19 and 101.

8. **Mr. ADOUKI** (Congo), speaking on behalf of his own delegation, said that a series of initiatives by the Congo since the previous session, during which he had been Chairman of the Fourth Committee, had made his delegation's position well known. Those initiatives and the results of informal consultations in the Committee were reflected in document A/46/555.

9. His delegation had explored all possible ways of breaking the impasse in the Committee on the draft resolutions under consideration and had concluded that the Abuja Declaration on South Africa adopted by the twenty-seventh Assembly of Heads of State and Government of the Organization of African Unity and the **Harare Communiqué** adopted at the Conference of Heads of Government of Commonwealth Countries could serve as the basis for draft texts that would receive the greatest possible number of votes.

10. Therefore, in the same spirit as currently prevailed on the international scene, his delegation wished to propose the following amendments.

11. In the draft resolution on activities of foreign economic and other interests (A/46/23 (Part III), chap. IV, para. 12), the eighth preambular paragraph should be replaced by the following text:

"Gravely concerned that certain countries, transnational corporations and international financial institutions have continued their economic relations with South Africa,".

The ninth preambular paragraph should be replaced by the following text:

(Mr. Adouki, Cargo)

"Recognizing the crucial and decisive role the imposition of international sanctions has played in applying the necessary pressure on the South African regime to undertake significant measures towards the eradication of apartheid,".

Paragraphs 6, 7 and 8 should be replaced by paragraph 13 of General Assembly resolution **45/176 A**, and subsequent paragraphs renumbered accordingly. Existing paragraph 16 should be replaced by the following text:

"Appeals, to mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts to mobilize international public opinion against the relaxation of existing measures against the regime, in order to accelerate the process of institutional change;".

12. In the draft decision on military activities and arrangements by colonial Powers in Territories⁵ under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (document A/46/23 (Part III), chap. V, **para. 11**), paragraph 5 should be replaced by the following text:

"The General Assembly welcomes the important changes taking place **in** South Africa aimed at facilitating the commencement of substantive constitutional negotiations. The Assembly notes that, these developments notwithstanding, the fundamental basis of apartheid, including the undemocratic constitution, is yet to be addressed;".

Paragraph 6 should be replaced by the following text:

"The General Assembly notes with grave concern revelations **of** covert funding and collusion by the South African regime with certain political organizations and reports of the involvement of its security forces in perpetrating acts of violence;".

Paragraph 7 should be replaced by the following text:

"The General Assembly deplores the continued military, nuclear and intelligence operations between South Africa and certain countries, which constitutes a violation of the arms embargo imposed against South Africa by the Security Council in its resolutions 418 (1977) and 558 (3.984) and urges the strict enforcement by Member States until a new post-apartheid South African Government is firmly established with full democratic control and accountability;".

Paragraph 8 should be replaced **by** the following text:

(Mr. Adouki, Congo)

"The General Assembly urges the Security Council to remain vigilant in the monitoring and the reporting of violations of the arms embargo imposed by its resolutions 418 (1977) and 558 (1984) and to **provide** information on a regular basis to ~~the~~ Secretary-General for **general** distribution to Member States;".

The following new paragraph 9 should be inserted after paragraph 8, and subsequent paragraphs renumbered accordingly:

"9. The General Assembly is particularly mindful in that **regard** of the Abuja Declaration on South Africa adopted **on** 5 June 1991 by the **Assembly** of Heads of State and Government of the Organization of African Unity, at its twenty-seventh session, the report of the Tenth Conference of Ministers for Foreign Affairs of Non-Aligned Countries, adopted at **Accra** on 7 September 1991, and the **Harare** Communique of the Commonwealth Heads of Government Meeting of 21 October 1991."

13. In the draft resolution on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the **specialized** agencies and the international institutions associated with the United Nations (A/46/23 (Part IV), chap. VI, **para. 18**), the fifteenth preambular paragraph should be replaced by the following text:

"Noting with serious concern the continuing efforts of the acts of aggression and destabilization that have been committed by South **Africa** against neighbouring independent African States,".

The following text should be inserted as a new sixteenth preambular paragraph:

"Noting with appreciation that assistance has continued to be extended to refugees from southern Africa through the Office of the United Nations High Commissioner for Refugees,".

The current eighteenth (new nineteenth) preambular paragraph should be replaced by the following text:

"Gravely concerned th t while the international community has generally adhered to the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, some Member States have continued relations with South Africa in the political. diplomatic, economic, nuclear, military and other fields,".

Operative paragraph 19 should ~~be~~ replaced by the following text.:

"Urges all States, **especially** those that continue to have economic, financial, military and nuclear links to South Africa, to adhere fully to the Programme of Action contained in the Declaration on Apartheid and it::: Destructive Consequences in Southern Africa and to honour their obligations under Security Council resolution 421 (19'17) of 9 December 1977;".

14. . . . **SHAHEED** (Syrian Arab Republic) said that he had **refrained** from raising a point of order during the statement of the **representative** of the Congo, but that he wished clarification from the Chairman. It had **been** decided that the previous Friday evening was to have been the **dendlino for the** submission of any amondments to the draft resolutions under consideration and, in his recollection, there had never been any agreement to extend that deadl ine, which should thus **have been** respected.

15. Although all representatives obviously had the right to make whatevov submissions they wished, the representative of the Congo had taken 25 minutes to read out oral amendments - which, it should be noted, he was submitting *on* behalf only of his own delogation and not of the African Group. They should have been submitted in writing so that the other delegations could have followed the texts properly and have had the opportunity to obtain instructions from their Governments. It was not fair to delegations and not; in the interest of the Committee to conduct its business in such a manner.

16. **The CHAIRMAN** explained that the deadline had not been a deadline **agreed** to by the Committee, but only a suggestion and an appeal by the Chairman,

17. The African Group was, indeed, still consulting on the draft resolutions, and even if the amendments just orally proposud had not been submitted, he would now have asked the Committee to give the African Group more time.

18. He agreed with the representative of Syria that any delegation had the right to submit amendments, and in the interest of fairness he must give the members of the Committee time to consider the draft amendments proposed by the Congo. If the representative of Syria was insisting that the Committee should not consider those amendments and that it should proceed to take action on **the** remaining draft resolutions during the current week, he would have to make a formal motion to that effect.

19. **Mr. SHAHEED** (Syrian Arab Republic) observed, as Rapporteur of the Special Committee, that he could recall no previous instance in which resolutions agreed upon by an overwhelming majority of members of the Special Committee had **been** subsequently amended or **criticized** in the Fourth Committee by a member of the Special Committee. The procedure followed by the delegation of the Congo was incorrect since it was without precedent. The proposed amendments would have been gladly received if they had been submitted by the African Group or its current Chairman. Syria found it unacceptable that such a situation should **be** created, particularly by a member of the Special Commi t tee.

20. Mr , **ADOUKI** (Congo) said that he understood Syria's concerns. **Howeve r**, he pointed out. **that** the Fourth Committee had at. the forty-fifth session held a series of informal meetings on issues **relating** to the Committee's work, the conclusions of which had been **officially** reported in document A/46/555. The document had been well received in the plenary **Assembly**, and had the support of the majority of members of the Committee. Given that endorsement, his

(Mr. Adouki, Congo)

delegation had no reason to believe that draft amendments drawn from the conclusions in that document would not attract equal support.

21. He apologized for presenting the amendments orally. His intention was not to create controversy, but rather to try to break the impasse in the Committee on the draft resolutions under consideration. Both the Special Committee, of which the Congo was a member, and the Fourth Committee must keep step with changing times, and the wording and content of draft resolutions must reflect the world situation as it was.

22. He did not expect unanimous support for the proposed amendments, but was simply trying to open a door.

23. Mr. SHAHEED (Syrian Arab Republic) said that, as Rapporteur of the Special Committee, it was his duty to defend its decisions. The Special Committee had tirelessly discussed the draft resolutions in question for an entire month and the vast majority of its members had finally agreed upon them, despite the fact that the Secretary of the Special Committee had not assisted it in the final stage of its work because he had had to go on leave. He proposed that the Chairman should call a meeting of the Special Committee to discuss the very serious precedent created by the Congo's initiative and take a united position on the proposed amendments.

24. The CHAIRMAN agreed with the representative of Syria that a situation in which draft resolutions submitted by the Special Committee presented no problems for any delegation would be preferable, but that was not currently the case. It was true that there was no precedent for such an extensive reopening of discussions on the draft resolutions adopted by the Special Committee. However, the Fourth Committee was the master of the Special Committee, not vice versa, and it was competent to review any work done by the Special Committee. Indeed, even the resolutions of the Fourth Committee itself could in principle be amended by the plenary Assembly. The delegation of the Congo could therefore not be ruled out of order for proposing its amendments.

25. He also agreed that time was needed to consider and to consult with capitals on the extensive changes proposed by the Congo, which would be issued in writing the following morning. He had permitted an initial oral presentation in order to generate interest. The African Group would also undoubtedly be continuing its own discussions and taking the traditional lead in the consultations on the draft resolutions in question. The Special Committee should also meet if it wished; as it could not do so during the General Assembly session without the approval of the Committee on Conferences, he would leave it to the representative of Syria to arrange an informal meeting. He himself would engage in consultations, and would be available at all times. He therefore called on all delegations to consult with a view to submitting final proposals to the Fourth Committee at a meeting the following week. In response to a query by Brazil, he said that the Committee would at

(The Chairman)

that meeting vote first on the amendments proposed by the Congo and then on the draft resolutions contained in document A/46/23. Even at the time of the vote, however, any delegation had, of course, the right to propose amendments.

26. Mr. MONGELLA (United Republic of Tanzania) said he agreed with the representative of Syria that the Special Committee should meet, and asked whether the Congo's amendments were open to modification.

27. The CHAIRMAN said that he hoped he could speak for the representative of the Congo and say that his amendments were not carved in stone.

28. Mr. YOSSIPOV (Bulgaria) said that Bulgaria would uphold the right of any delegation to introduce amendments or proposals in the Committee. Rule 78 of the rules of procedure did not, moreover, exclude the introduction of oral amendments.

29. As a member of the Special Committee, Bulgaria would not take part in any meeting of it called by the Rapporteur. In the meetings of the Special Committee, his own delegation had abstained on various provisions of the draft resolutions and even voted against a number of them. A further meeting now would only mire its members in sterile discussion. He wondered, incidentally, why the Chairman of the Special Committee should not be the one to call such a meeting.

30. The CHAIRMAN said that since it would not be a formal meeting, it was up to the members of the Special Committee to decide if they wanted to hold it. He himself would attend, and would encourage any cross-regional meeting that would further consultations.

31. Mr. SHAHEED (Syrian Arab Republic) said that he was compelled to provide further clarification following the Bulgarian statement. Although he himself had sought clarification, he had not been so foolish to oppose the right of any delegation, including that of the Congo, to take the floor. Had he wished to do so, he would have done it before the Congolese representative had spoken. The comments of the Bulgarian delegation merely complicated matters. Since the Bulgarian delegation had announced that it would not attend the suggested meeting of the Special Committee, he would not have to invite it to such a meeting.

32. Mr. KADRAT (Iraq) said that he thought a meeting of the Special Committee would be very useful.

33. The CHAIRMAN again asked all delegations to consult widely among themselves so that the Committee could complete its work the following week.

The meeting rose at 4.50 p.m.