



**OFFICIAL RECORDS OF THE GENERAL ASSEMBLY
TWENTY-EIGHTH SESSION**

SPECIAL POLITICAL COMMITTEE

SUMMARY RECORDS OF MEETINGS

19 SEPTEMBER-3 DECEMBER 1973

UNITED NATIONS



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New York, 1975

INTRODUCTORY NOTE

The *Official Records of the General Assembly* for a given session consist of records of meetings, annexes to those records, supplements, certain documents specifically identified as *Official Records*, the *List of Delegations* and the *Check List of Documents*. Information on other documents, issued in offset or mimeographed form, is given in the *Check List* and in the relevant annex fascicles.

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Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

ABBREVIATIONS

EEC	European Economic Community
IBRD	International Bank for Reconstruction and Development
ICRC	International Committee of the Red Cross
ILO	International Labour Organisation
IMF	International Monetary Fund
NATO	North Atlantic Treaty Organization
OAU	Organization of African Unity
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNITAR	United Nations Institute for Training and Research
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East

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- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
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- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
- (c) Report of the United Nations Conciliation Commission for Palestine;
- (d) Reports of the Secretary-General.

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- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
- (c) Report of the United Nations Conciliation Commission for Palestine;
- (d) Reports of the Secretary-General.

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[Note. The items are listed in the order in which they appeared in the letters dated 19 September and 8 October 1973 (A/SPC/159 and Add.1) from the President of the General Assembly to the Chairman of the Special Political Committee. The numbers in brackets after the title of the item indicate the number of the item on the agenda of the General Assembly.]

The General Assembly at its 2123rd and 2144th plenary meetings, held on 21 September and 8 October 1973, decided to allocate the following items on the agenda of the twenty-eighth session to the Special Political Committee for consideration and report:

1. Policies of *apartheid* of the Government of South Africa [42]:
 - (a) Reports of the Special Committee on *Apartheid*;
 - (b) Reports of the Secretary-General.
2. United Nations Relief and Works Agency for Palestine Refugees in the Near East [43]:
 - (a) Report of the Commissioner-General;
 - (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
 - (c) Report of the United Nations Conciliation Commission for Palestine;
 - (d) Reports of the Secretary-General.
3. Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-Keeping Operations [44].
4. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories [45].
5. Effects of atomic radiation; report of the United Nations Scientific Committee on the Effects of Atomic Radiation [103].

GENERAL ASSEMBLY
TWENTY-EIGHTH SESSION
SPECIAL POLITICAL COMMITTEE

**Summary records of the 856th to 903rd meetings, held at
Headquarters, New York, from 19 September to 3 December 1973**

856th meeting

Wednesday, 19 September 1973, at 8.50 p.m.

Temporary Chairman: Mr. Leopoldo BENITES (Ecuador).

A/SPC/SR.856

Election of the Chairman

1. Mrs. CISSÉ (Guinea) nominated Mr. Károly Szarka (Hungary) as Chairman of the Committee.
2. The TEMPORARY CHAIRMAN, in the absence of further nominations and in accordance with rule 105 of the rules of procedure of the General Assembly, declared Mr. Szarka elected Chairman by acclamation.

Mr. Szarka (Hungary) was elected Chairman by acclamation.

The meeting rose at 8.55 p.m.

857th meeting

Monday, 1 October 1973, at 3.45 p.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.857

Statement by the Chairman

1. The CHAIRMAN, after thanking the representative of Guinea for nominating him for the office of Chairman, and thanking the members of the Special Political Committee for electing him, said that he would endeavour to be as fair and impartial as his predecessors. He introduced Mr. R. E. Guyer, Under-Secretary-General for Special Political Affairs, representing the Secretary-General, and his associates and also introduced Mr. K. Herndl, Secretary of the Committee. He then welcomed the representatives of the Bahamas, the German Democratic Republic and the Federal Republic of Germany, the three new States Members of the United Nations.

2. Mr. ROSE (German Democratic Republic) congratulated the Chairman on his election and thanked him for his words of welcome. As his country's Minister for Foreign Affairs had said in the General Assembly, the German Democratic Republic intended to co-operate constructively with all States in doing the work of the United Nations. The Chairman could count on the full co-operation of the delegation of the German Democratic Republic in carrying out the tasks entrusted to the Special Political Committee.

3. Mr. VON HASSELL (Federal Republic of Germany), after congratulating the Chairman on his election and thanking him for his words of welcome, assured him that the delegation of the Federal Republic of

Germany would co-operate fully with the Chairman in carrying out the tasks entrusted to the Special Political Committee.

Tribute to the memory of Mr. Amílcar Cabral, Secretary General of the Partido Africano da Independência da Guiné e Cabo Verde, and Mr. Salvador Allende, President of the Republic of Chile

4. Mr. ACOSTA (Cuba), after congratulating the Chairman on his election, asked that the Committee should observe a minute of silence in tribute to two men who had been champions of the same ideal and had died fighting for it in two different parts of the world: Mr. Amílcar Cabral, immortal leader of the Partido Africano da Independência da Guiné e Cabo Verde (PAIGC), and Mr. Salvador Allende, the constitutional President of Chile.

At the invitation of the Chairman, the Committee observed a minute of silence in tribute to the memory of Mr. Cabral and Mr. Allende.

Election of the Vice-Chairman

5. The CHAIRMAN, after thanking the representatives of the German Democratic Republic and the Federal Republic of Germany, recalled the new provisions of rule 105 of the rules of procedure of the General Assembly applicable to the election of the Vice-Chairmen of the Main Committees and invited the members of the Committee to nominate candidates.

6. Mr. AL-KHUDHAIRY (Iraq) nominated Mr. K. B. Singh (Nepal) for the office of Vice-Chairman.

7. Mr. RYDBECK (Sweden), speaking on behalf of the group of Western European States, nominated Mr. P. Bassette (Belgium) for the office of Vice-Chairman.

8. Mr. MARTINENKO (Ukrainian Soviet Socialist Republic) congratulated the Chairman on his election and, speaking on behalf of the group of Eastern European States, nominated Mr. Ladislav Šmíd (Czechoslovakia).

9. Since there were three candidates, a vote would have to be taken by secret ballot. It would be wrong, however, to accuse the Eastern European States of seeking too much representation among the officers of the Special Political Committee. The existing situation arose out of the fact that agreement had not been reached among the various regional groups concerning the distribution of the offices of Chairmen and Vice-Chairmen of the Main Committees of the General Assembly. In nominating a representative of an Eastern European country for the office of Vice-Chairman of the Special Political Committee, whose Chairman was the representative of an Eastern European country, and making it necessary to take a vote by secret ballot, that group of States had no intention of establishing any precedent.

10. The CHAIRMAN recalled the relevant provisions of rules 105, 134 and 96 of the rules of procedure of the General Assembly and then invited the members of the Special Political Committee to proceed to the vote for the election of two Vice-Chairmen.

At the invitation of the Chairman, Mr. Lennkh (Austria) and Mr. Barakat Ahmad (India) acted as tellers.

A vote was taken by secret ballot.

<i>Number of ballot papers:</i>	107
<i>Invalid ballots:</i>	0
<i>Number of valid ballots:</i>	107
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	107

Number of votes obtained:

Mr. K. B. Singh	100
Mr. L. Šmíd	59
Mr. P. Bassette	54

Mr. Singh (Nepal) and Mr. Šmíd (Czechoslovakia), having obtained the largest numbers of votes, were elected Vice-Chairmen of the Committee.

11. Mr. SINGH (Nepal) thanked the representative of Iraq for nominating him and the Committee for electing him.

12. Mr. ŠMÍD (Czechoslovakia) thanked the representative of the Ukrainian S.S.R. for nominating him and the Committee for electing him.

Election of the Rapporteur

13. Mr. RYDBECK (Sweden), speaking on behalf of the group of Western European States, proposed that the election of the Rapporteur should be postponed until the following meeting.

14. The CHAIRMAN said that if there was no objection, he would take it that the members of the Committee wished to postpone the election of the Rapporteur until the following meeting.

It was so decided.

Organization of the Committee's work (A/SPC/159)

15. Mr. SCALABRE (France) congratulated the Chairman and the Vice-Chairmen on their election.

16. Before the Committee proceeded to the organization of its work, he wished to observe that the question of the effects of atomic radiation, which the Special Political Committee had considered every year since 1960, was not on the General Assembly's agenda at the current session. It was true that in paragraph 4 of its resolution 2905 (XXVII) the General Assembly had stated that it concurred in the request of the United Nations Scientific Committee on the Effects of Atomic Radiation, contained in paragraph 4 of that Committee's report (A/8725 and Corr.1)¹ that it be relieved of the obligation to report to the General Assembly before the twenty-ninth session and noted that the Committee was not planning to meet before the end of 1973. However, in the same paragraph 4 of the resolution the General Assembly had included the following reservation: "unless asked to undertake new tasks either in the context of the United Nations environment programme or in response to any other special demand". The members of the Committee no doubt recalled that, at the twenty-seventh session (807th and 808th meetings), during the consideration of the text that was adopted later as resolution 2905 (XXVII), several members had requested that the meetings of the Scien-

¹ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 25.

tific Committee should be dispensed with only if no atmospheric nuclear tests were held before the end of 1973. It has also been pointed out recently that the percentage of iodine 131 in milk had increased. Furthermore, a number of heads of delegations, speaking recently from the rostrum at the General Assembly, had expressed their concern at atomic pollution of the air. For that reason he wished to ask today whether the changed circumstances and the information collected did not make it desirable for the Scientific Committee to meet. The Scientific Committee would not be called upon to draft a new report; it should simply complete the excellent report it had submitted to the General Assembly at its twenty-seventh session. That question was of the first importance in the view of several Governments, including in particular the French Government.

17. He also recalled that at the 2124th plenary meeting of the General Assembly, on 24 September 1973, Mr. de la Flor Valle, Minister for Foreign Affairs of Peru, had raised a problem which also called for urgent consideration when he had stated that his Government considered it imperative that the United Nations should strengthen the effectiveness of the Scientific Committee on the Effects of Atomic Radiation, to enable that Committee to complete its work with the assistance of all peace-loving countries, benefiting from their experience and provide, as objectively as possible, information requested by the countries affected by nuclear explosions, and that the Scientific Committee could no longer continue to depend on information supplied by nuclear States, since it was very often unable to detect such explosions or measure the magnitude of the radiation.

18. As representative of France, he was therefore sending a letter on the question to the Secretary-General, asking him to transmit the letter to the President of the General Assembly, in order to bring the French delegation's request before the Assembly.

19. Mr. COTTON (New Zealand) asked whether the representative of France was proposing that the Special Political Committee should take up the question of the effects of atomic radiation or wanted another Government to make that request. He recalled that the New Zealand Government was interested in the question.

20. Mr. SCALABRE (France) said he was aware that the Special Political Committee could not *ipso facto* take up that item. It was out of deference to the Special Political Committee that he had decided to submit to the Secretariat during the current meeting a request for the inclusion of that item in the agenda. If he had had more time, he would have sought the views of the members of the Committee. In all probability, his request would be considered by the General Committee of the General Assembly, which would add the item to the agenda and allocate the new item to the Special Political Committee. He was open to comments and suggestions from members of the Committee and thanked the representative of New Zealand for his intervention.

21. The CHAIRMAN after making sure that the reply of the representative of France was satisfactory to the representative of New Zealand, said that he wished to give some information on the Committee's programme of work. The four agenda items allocated to the Special

Political Committee were listed in the letter (A/SPC/159) dated 19 September 1973 from the President of the General Assembly. Since he could not consult each member of the Committee individually, he asked the members to communicate to him any comments they might have on the programme of work he was about to describe.

22. In view of the fact that none of the reports which the Committee was to consider had yet been circulated, it seemed probable that the first item to be taken up would again be the item on the policies of *apartheid* of the Government of South Africa (item 42). Consideration of the item should be concluded by the end of October. The item concerning the United Nations Relief and Works Agency for Palestine Refugees in the Near East (item 43) was expected to command the Committee's attention until mid-November. If the report of the Special Committee on Peace-keeping Operations was issued in the intervening period, the Committee could then take up the item concerning a comprehensive review of the whole question of peace-keeping operations in all their aspects (item 44) or, alternatively, consider the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (item 45). Consideration of each of those two items should take approximately one week.

23. He suggested that, as it had done in the past, the Committee should at its next meeting organize its work in a sufficiently flexible way to allow for an in-depth consideration of all the items assigned to it. Arrangements for the programme of work would also depend on the decision taken on the French representative's proposal.

24. Mr. BRUCE (Canada), referring to the point raised by the French representative, said that the New Zealand representative's question was of great interest to his delegation. He wished to know first of all whether it would be possible for the Scientific Committee on the Effects of Atomic Radiation to meet so as to permit the Special Political Committee to formulate an opinion, and secondly, whether, in view of the time factor, that Committee would have the scientific information required for the preparation of its report.

25. Mr. SCALABRE (France), replying to the Canadian representative's first question, said that the Scientific Committee would be able to meet at short notice, if a decision to convene it was taken without delay. In reply to the second question, he said that, to his knowledge, many documents that had been received after the Scientific Committee had completed the studies on which it had based its report (A/8725 and Corr.1), were already available to the Secretariat. Some of those documents had, moreover, already been circulated to Member States. The Scientific Committee could now usefully begin its work.

26. The CHAIRMAN reminded members that the following meeting, at which the Committee's time-table of work would be drawn up, would be held within the next few days. He again invited members who wished to discuss the organization of work to contact him as soon as possible.

The meeting rose at 5.55 p.m.

858th meeting

Friday, 5 October 1973, at 3.20 p.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.858

Election of the Rapporteur (concluded)

1. The CHAIRMAN invited the Committee to nominate candidates for the office of Rapporteur.
2. Mr. TUZEL (Turkey) nominated Mr. Massimo Castaldo (Italy).

Mr. Castaldo (Italy) was elected Rapporteur by acclamation.

Organization of the Committee's work (A/SPC/159, A/SPC/L.261)

3. The CHAIRMAN drew attention to the note (A/SPC/L.261) on the programme of work he had submitted to the Committee. The indicated order of items was the one proposed by the President of the General Assembly in his letter (A/SPC/159), to which no objection had been made. The estimated dates were based on the Committee's past experience.

4. Depending on the dates of issue of the reports on the last two items, it might become necessary to interchange the order in which the items would be considered. In addition, if the General Assembly decided to allocate to the Special Political Committee the item on the effects of atomic radiation, which France had asked the General Assembly to include in the agenda, some modifications in the programme of work would have to be made, as he had already indicated in his note.

5. Mr. SCALABRE (France) said that his delegation endorsed the programme of work suggested by the Chairman (A/SPC/L.261) and the plan to give first consideration to agenda item 42, pertaining to the policies of *apartheid* of the Government of South Africa.

6. The General Committee at its 208th meeting, on 3 October 1973, had proposed to the General Assembly that it should include the item on the effects of atomic radiation in its agenda and allocate it to the Special Political Committee. He was sure that although the General Assembly had not yet taken a decision, the eventual decision would be favourable.

7. At the practical level, two aspects of the question had to be taken into account. First, the United Nations Scientific Committee on the Effects of Atomic Radiation would have to be convened as soon as possible if the Special Political Committee was to have in good time the conclusions arrived at by the Scientific Committee. There would be no need for the Scientific Committee to draft a new report; it would simply have to examine the documents published during the past 18 months concerning all the nuclear experiments carried out during that period. A meeting of the Scientific Committee could be requested and held very quickly. As soon as the General Assembly had taken a decision regarding the inclusion of the new item in the agenda, the Special Political Committee would merely have to suspend its consideration of item 42 concerning the

policies of *apartheid* of the Government of South Africa for an hour or two in order to request a meeting of the Scientific Committee. Consideration of the Scientific Committee's conclusions could be postponed until the end of the Special Political Committee's work.

8. Secondly, in order to study the means for improving the effectiveness of the Scientific Committee's report, as had been requested by the Minister for Foreign Affairs of Peru speaking before the General Assembly on 24 September 1973 (2124th plenary meeting), the Special Political Committee would have to hear opinions and suggestions from the Scientific Committee itself. In that connexion too, the Special Political Committee would have to await the meeting of the Scientific Committee before taking up that aspect of the question.

9. Mr. SHERMAN (Liberia) said that he was opposed to any reduction of the time given to consideration of the first item on the Committee's programme of work. The question of the policies of *apartheid* of the Government of South Africa was too important, particularly in the opinion of the African countries, to permit interrupting consideration of it even for a moment. Moreover, the representative of France had himself recognized that the question of the effects of atomic radiation was merely a technical one.

10. Mr. SCALABRE (France) said that also his delegation attached too much importance to the question of *apartheid* to want to delay consideration of it. All it asked the Committee to do was to convene the Scientific Committee, which should take no more than half a morning. The date on which the Special Political Committee could take up the additional item would be decided by the Committee itself.

11. Mr. SIYOLWE (Zambia), supporting the statement of the representative of Liberia, emphasized that the question of the policies of *apartheid* of the Government of South Africa was of the utmost importance in the view of the African countries; he too opposed any interruption of the consideration of that question.

12. Mr. SCALABRE (France) reaffirmed the importance his delegation attached to the question of *apartheid* and said that he would accept the decision of the Special Political Committee, which could, if it wished, convene the Scientific Committee after concluding its deliberations on the other item on its agenda. He wondered, however, whether that would not be too late.

13. The CHAIRMAN drew attention to the fact that in the note (A/SPC/L.261) on the programme of work he had submitted to the members, he had suggested that the procedural aspects of the additional item which France had asked the General Assembly to include in the agenda might be considered at a suitable moment between 9 and 12 October. In the light of the views expressed at the current meeting, he suggested that the Special Political Committee should endeavour to find during the consideration of the first item on its pro-

gramme of work the time needed for briefly taking up the question of convening the Scientific Committee. If that proved impossible, the Special Political Committee could discuss the matter later.

14. If there were no additional comments, he would take it that the draft programme of work, as contained in his note, was adopted.

It was so decided.

15. The CHAIRMAN briefly reviewed certain aspects of the Committee's procedure. He requested the members to familiarize themselves with the rules of procedure of the General Assembly and with the recommendations of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly. He also asked that members should help to speed the Committee's progress by helping to open the meetings at the announced time and urged those scheduled to speak at the beginning of a meeting to arrive early and bring the texts of their statements. Representatives who wished to exercise their right of reply would do so at the end of the meeting. In addition, once the list of speakers had been closed, the order in which the speakers were listed would be respected. Any delegation that was unable to speak when its turn came and had not arranged to exchange turns with another delegation would be placed at the end of the list. The list of speakers on each item of the programme would be closed shortly after the opening of the debate on that item.

16. The Committee's official records were summary records, and members who wished to make corrections to provisional records should follow the procedure in-

dicated on the cover page of each record. He also recalled that the General Assembly had again approved the General Committee's recommendation (2123rd plenary meeting) that verbatim records of some of the Special Political Committee's meetings, or parts thereof, should be prepared if the Committee expressly requested it.

17. He urged members of the Committee to submit their draft resolutions as early as possible, in order that other delegations might take them into account in any statements they made during the debate.

18. Lastly, he recalled that in accordance with rule 155 of the rules of procedure of the General Assembly, the Administrative and Budgetary Committee (Fifth Committee) should be informed of any draft resolution involving expenditure and state its financial implications, before the General Assembly could vote on it.

19. Mr. SINGH (India) proposed that during the debate on the question of the policies of *apartheid* of the Government of South Africa the Secretariat should make available to members all the pertinent documents of the Working Group on *Apartheid*, the specialized agencies, the non-governmental organizations and the liberation movements.

20. The CHAIRMAN said that if there was no objection, he would take it that the proposal of the representative of India was acceptable to the members of the Committee.

It was so decided.

The meeting rose at 3.55 p.m.

859th meeting

Tuesday, 9 October 1973, at 11.15 a.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.859

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa (A/9160, A/9188, A/SPC/160, A/SPC/161):

- (a) Reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

1. The CHAIRMAN drew attention to the documentation before the Committee and to the report of the Secretary-General (A/9061) on the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa, held at Oslo in April 1973, which was to be considered by the General Assembly during the discussion of item 23¹ of its agenda.

¹ Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples:

(a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Report of the Secretary-General.

2. In a letter dated 19 September 1973 (A/SPC/160), the Chairman of the Special Committee on *Apartheid* had conveyed the Special Committee's request that the Special Political Committee should devote one or two meetings on 11 October 1973 to the Day of Solidarity with Political Prisoners in South Africa. If there were no objections to that request, he would take it that the Special Political Committee agreed with the proposal by the Special Committee on *Apartheid* and he would ask the Secretariat to arrange the meetings schedule accordingly.

It was so decided.

3. The CHAIRMAN noted that the letter from the Chairman of the Special Committee on *Apartheid* (*ibid.*) also contained a request that the South African liberation movements should be invited, in consultation with OAU to participate in the debates on the policies of *apartheid* of South Africa in the Special Political Committee. He had received communications containing requests for invitations to address the Committee from Mr. D. Sibeko, Head of the Mission to Europe and the

Americas of the Pan Africanist Congress of Azania; Mr. J. Ennals, Secretary-General of Amnesty International; and Mr. R. Chandra, Secretary-General of the World Peace Council. Since 1963 the Committee had consistently agreed to hear statements in connexion with the item pertaining to the policies of *apartheid* of the Government of South Africa by representatives of various organizations and institutions promoting the eradication of *apartheid*. There was ample precedent for acceding to the requests received; all such decisions had invariably been taken without objection. He suggested, therefore, that the Committee should again decide to accede to the requests put to it.

It was so decided.

4. The CHAIRMAN said he would inform the organizations concerned of the Committee's decision and would get in touch with the Executive Secretary of OAU in New York to determine who would address the Committee in connexion with the request by the Special Committee on *Apartheid*.

INTRODUCTORY STATEMENTS

5. Mr. BARAKAT AHMAD (India), Rapporteur of the Special Committee on *Apartheid*, said that the four reports he was introducing were dismal, depressing and disconcerting. The list of United Nations resolutions on *apartheid*, most of which remained unimplemented, ran to more than five pages.

6. The annual report of the Special Committee on *Apartheid* to the General Assembly was contained in document A/9022². The three reports contained in documents A/9168, A/9169 and A/9180 represented an attempt by the Special Committee to make a contribution to the search for an effective strategy of struggle against the *apartheid* régime and its policies. The reports were in many ways unusual.

7. The main report (A/9022) covered the work of the Committee in discharge of its mandate during the previous year. It also represented a major effort to assess the Committee's work during its first 10 years and the role played by the international campaign against *apartheid*, with a view to formulating a more effective programme of action in the light of the forthcoming United Nations Decade for Action to Combat Racism and Racial Discrimination, to be launched in accordance with resolution 2919 (XXVII) of the General Assembly. The annex to the report contained a comprehensive analytical review of developments in South Africa during the past year.

8. In drawing up its programme of work for 1973, the Special Committee had emphasized the need for action. It had taken vigorous action to discourage and prevent collaboration with South Africa in a number of areas, especially in military and economic matters and sports. The black workers, students and other groups struggling against *apartheid* had also received full attention.

9. The Committee had stepped up a very important aspect of its activity, namely consultation with anti-*apartheid* groups, aimed at achieving greater co-ordination of information and action. One of the most important developments in 1974 would be a conference of non-governmental organizations to formulate a pro-

gramme of action on colonialism and *apartheid* in southern Africa (*ibid.*, para. 294); the Special Committee had recommended that the United Nations should participate effectively in the preparations for the conference. It had also recommended that a special session of the Special Committee should be held in Europe in 1974 (*ibid.*, para. 290) to facilitate participation by anti-*apartheid* groups there. As requested by the General Assembly the previous year, the Committee had increased its co-ordination and co-operation with the specialized agencies and other United Nations bodies and with OAU. The report contained a thorough assessment of the role played by those bodies and a concrete programme of action for an integrated approach to the struggle against *apartheid* and colonialism.

10. In 1973 the Committee had taken an important step by approaching Governments at the highest possible level. Meetings had been held with the foreign ministers and other high Government officials of several countries with historical, political, economic and other ties with South Africa which the Committee felt might be persuaded to sympathize with its point of view. The visit by a delegation from the Special Committee to the Federal Republic of Germany (*ibid.*, paras. 164-170) was particularly significant in that respect. Further such high-level consultations were envisaged for the coming year; preliminary consultations during the current session of the General Assembly had been most encouraging. The Committee had again launched an earnest appeal to Member States from Western Europe, North America and Australasia to reconsider their attitudes and to join the Committee, which had two vacancies to be filled from those groups.

11. The Special Committee had also devoted special attention to the draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (*ibid.*, paras. 122-124), which was an important instrument in the campaign to isolate the illegal white minority régime. It hoped that the General Assembly would adopt the draft Convention at the twenty-eighth session.

12. The report contained a section—paragraphs 289 to 296—on the proposed programme of work for 1974, which included a number of recommendations made on the basis of the programme of action formulated by the Oslo Conference (International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa), held in April 1973, the resolution passed by the International Conference of Trade Unions against *Apartheid* in June 1973 (A/9169, annex I), and the Special Committee's consultations and missions. The programme emphasized concerted action by the United Nations and Member States, specialized agencies and intergovernmental and non-governmental organizations. A comprehensive programme was essential to ensure stronger action against *apartheid* at the launching of the Decade for Action to Combat Racism and Racial Discrimination.

13. Previous annual reports had dealt exhaustively with repressive measures against opponents of *apartheid*. Further information could be found in the Special Committee's review of developments in South Africa since October 1972 (A/AC.115/L.375) and its report entitled *Maltreatment and Torture of Prisoners in South Africa* (ST/PSCA/SER.A/13³). That report was

² Subsequently reissued as *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 22*.

³ United Nations publication, Sales No. E.73.II.K.1.

on sale at a cost of \$3.50, which represented almost the weekly wage of an unskilled worker in many countries, especially those where it would be read. He wondered whether copies of the report could be made available to delegates and whether the price could be reduced for individuals and institutions that would otherwise be unable to obtain a copy.

14. Paragraphs 264, 265 and 266 of the report (A/9022) contained a progress report on the educational material requested by the General Assembly in resolution 2775 B (XXVI). Unfortunately, despite his visit to UNESCO headquarters in August, he had been unable to expedite publication of the kit. The Committee might wish to consider the situation in view of the fact that the United Nations Decade for Action to Combat Racism and Racial Discrimination would begin in less than three months. Chapter IV of annex I to the report dealt with South African propaganda. During the past few years, the South African Government had taken a number of steps to improve its image in certain selected areas, particularly in countries which provided investments, tourists and skilled white immigrant labour. The targets of the South African image-builders were multinational corporations, bankers and politically influential groups. Despite the excellent work being done by some non-governmental organizations, the anti-apartheid movements, and the Secretariat's Unit on Apartheid and Office of Public Information (OPI), not the slightest impression had been made on those who mattered. He suggested that members might like to devote some time to the problem of the dissemination of information on apartheid. Paragraphs 256 to 270 of the report dealt with that important subject. The Special Committee had put forward several suggestions; it was hoped that they would be accepted.

15. During the past two years, OPI had done a very good job of improving itself. The periodical *Objective: Justice* had done justice to its name, although the editor was, perhaps, slightly restricted by OPI's mandate from the General Assembly. Statements in United Nations bodies did not provide pre-digested, easily readable and interesting features, and were not expected to. The OPI bulletin, entitled *United Nations and Southern Africa*, which was still trying to find its place, should be used for analytical articles and features. No information was available on OPI's work in Latin America or on how much literature had been produced in Spanish. He hoped that the new thematic emphasis and reorganization of OPI would improve apartheid publicity.

16. The report (A/9168) on the implementation by States of United Nations resolutions on apartheid was being submitted in accordance with the request contained in General Assembly resolution 2923 C (XXVII). It was a sad commentary on international morality. The responsibility for the ineffectiveness of international action, and hence for the continuation and aggravation of the crisis in South Africa and in southern Africa as a whole, rested not only on the South African régime but also on certain States and foreign economic and other interests which collaborated with that régime. The report was the first of its kind prepared by any United Nations body. It stemmed from a realization that an effective international campaign against apartheid must take into account the obstacles raised by foreign interests with a substantial stake—political, strategic or economic—in the perpetuation of the existing system of

oppression in southern Africa. The first chapter of the report provided a historical account of the evolution of the United Nations approach to the problem of racial discrimination in South Africa. The second chapter provided a general view of the complex network of foreign interests operating in South Africa and was supplemented by a number of annexes in which details of various aspects of collaboration had been painstakingly assembled. The report had involved a great deal of work over a comparatively short time and was in no way a full statement about the implementation of United Nations resolutions. It should be regarded as an interim report to be continuously expanded and updated by additional papers and studies to be prepared by the Secretariat or by experts. Propaganda by the South African régime and by foreign investors in South Africa must be combated actively, and world public opinion must be encouraged to take appropriate action to dissuade States and vested interests from collaborating with the South African régime. Annex I to the report contained a very useful compendium of pertinent United Nations resolutions.

17. The Special Committee had devoted considerable attention to the question of the implementation of the arms embargo. It was greatly concerned by the rapid military build-up in South Africa and the continued violations of the embargo by some Western States, which had resulted in a serious deterioration of the situation in South Africa and in southern Africa as a whole. The South African Government had continued to claim great advances in the local manufacture of arms, ammunition, military equipment and vehicles. The president of the South African Armaments Board had announced in November 1972 that South Africa was manufacturing 80 per cent of its arms. The representative of South Africa has said in his statement before the General Assembly on 5 October 1973 (2141st plenary meeting) that South Africa was one of the world's major producers of uranium and was engaged in assessing its capability of supplying enriched uranium as fuel for nuclear-power reactors.

18. Because of the gravely deteriorating situation in South Africa and in southern Africa as a whole, the Special Committee had submitted a special report (A/9180) to the Security Council and the General Assembly on recent developments in the military build-up in South Africa and the implementation of the arms embargo against South Africa. The annex to the report contained a number of examples of recent violations of the arms embargo and an assessment of the contribution that the Western Powers involved had made to South Africa's growing military self-sufficiency. The Special Committee was urging the Security Council to decide that the situation in South Africa constituted a threat to the peace under Chapter VII of the United Nations Charter and to take steps accordingly. It emphasized the need for full implementation of Security Council resolution 282 (1970) and recommended that the Security Council should call upon all States to ban the transfer to South Africa of advanced technology or information which could be used for military purposes and to refrain from importing military supplies manufactured by or in collaboration with South Africa. The Special Committee reiterated that there could be no exception to the arms embargo against South Africa and that there could be no valid distinction between the supply of sophisticated weapons for external aggres-

sion and the supply of small arms for internal repression.

19. One might reasonably ask whether the Security Council and General Assembly resolutions on the arms embargo, besides being ineffective, had not become irrelevant and redundant. If so, should not Council resolution 282 (1970) be supplemented by more positive action?

20. Turning to the Special Committee's report on the International Conference of Trade Unions against *Apartheid* (A/9169), he said that the United Nations had played a major role in the Conference, which had been attended by 380 delegates from more than 200 union organizations, representing 180 million workers from all over the world. It had marked a landmark in the development of the international campaign against *apartheid* in its recognition that the struggle of the oppressed workers of South Africa was the struggle of workers all over the world. The report was most timely in the light of the historic strikes by black workers in South Africa in the spring of 1973 and the demonstrations of solidarity with those oppressed workers by international and national trade unions.

21. As Australian dockers had recently demonstrated when they had refused to service South African ships in protest over the killing of African mineworkers in Carletonville, the workers could play a crucial role in the struggle against *apartheid*, and it was hoped that the Conference would lead to concerted action by the trade union movement. The Conference had unanimously adopted a resolution (*ibid.*, annex I) with a specific proposal for action by trade unions, in particular a boycott of South African ships and aircraft, a boycott of South African goods, pressure on economic and financial groups which collaborated with South Africa to discontinue such collaboration and action to stop emigration of white skilled workers to South Africa.

22. Those who continued to believe in the myth of South Africa as an outpost of Western civilization and the democratic form of government might ponder the opinion publicly expressed by Alan Paton, David Welsh and Neville Curtis that real power might, in fact, no longer be located either in parliament itself or even in the Nationalist Party but in the hands of perhaps a dozen men who controlled the army, communications, the police, the security police, the Nationalist Party, the Afrikaner Church and cultural institutions. Afrikaner intellectuals were disturbed by the situation, and Neville Curtis had expressed the view that the situation within South Africa was approaching a crisis which would either be staved off by further repression or explode into active conflict whose dimensions and impact might extend far beyond South Africa itself. He had said that unless there was a rapid change towards greater equality and a wider distribution of power, tragedy lay ahead, and that it was in the interests of the Western nations to make a far greater attempt to ensure that the tragedy was avoided and to align their interests with those of the majority of South Africans.

23. Mr. OGBU (Nigeria), Chairman of the Special Committee on *Apartheid*, said that in fulfilling its mandate the Special Committee had, for the past 10 years, reported to the General Assembly on developments concerning *apartheid* and had emphasized the threat posed by the policies of South Africa to the maintenance of international peace and security. It had noted

South Africa's arrogant defiance of the requests and demands of the General Assembly and the Security Council. It had documented the South African Government's continued disregard of its obligations under the United Nations Charter and the intensification of its racial policies, with resulting violence and bloodshed. It had called upon Member States and the international community as a whole to exert pressure on the South African régime until it abandoned its racial policies. However, South Africa had remained intransigent and had even reacted with increasingly brutal repressive measures.

24. The question of *apartheid* and the means to be used to combat it had been before the United Nations and the international community for 25 years; it was disheartening, after all that time, that the Special Committee was again discussing measures in connexion with the worsening situation in South Africa. The Special Committee considered that the General Assembly must act resolutely at the current session and take decisive steps to eradicate *apartheid*. It must insist that the scourge of racism in southern Africa be eliminated. It must insist on the full implementation of United Nations resolutions by all States. It must emphasize that it could no longer tolerate the attitude and criminal actions of the South African régime and that it would do all in its power to rectify the situation. Few if any Member States condoned South Africa's policy of *apartheid*, and all had, in one way or another, expressed abhorrence of that policy. However, there seemed to be a lack of will and determination to take appropriate action, and in that regard the Special Committee felt that an effective programme of international action was greatly overdue. The groundwork for such a programme had already been laid, and the elements of the programme had been formulated at the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid*, held at Oslo in April 1973, and at the International Conference of Trade Unions against *Apartheid*, held at Geneva in June 1973. If the proposals incorporated into the recommendations and conclusions of the report of the Special Committee (A/9022, chap. II) were adopted by the General Assembly, they could help to set the pace for renewed efforts during the United Nations Decade for Action to Combat Racism and Racial Discrimination. South Africa's intensification of its inhuman and repressive policy of *apartheid* had been shown by the cold-blooded murder of 12 African miners and injuries inflicted on 30 others at Carletonville in September 1973.

25. The Special Committee was therefore duty-bound to stress that the need for action had never been more urgent. The United Nations could not afford to coexist with *apartheid* for another decade while millions of black people were subjected to brutal oppression in violation of the principles of the Charter and in defiance of the resolutions of the United Nations. It was imperative to have a clear understanding of the aims and objectives of the United Nations in the years ahead.

26. South Africa's capabilities should be neither underestimated nor overestimated. It was economically stronger than it had ever been, had built up a powerful defence force and police, had acquired an enormous amount of military equipment and had rapidly developed an armaments industry. Its strength had been built up as a result of increasing financial, trade and

technical ties with certain countries which overtly or covertly disregarded United Nations decisions and their own stated policies. South Africa had increased its strength because those countries chose to rely on its minority régime rather than on the oppressed people of South Africa—because France, the United Kingdom and the United States of America, all permanent members of the Security Council, refused to accept their responsibilities and continued to ignore the resolutions of the Security Council. Some Western countries, particularly France, made a distinction between arms for internal repression and arms for external defence. Member States must declare categorically that they were not convinced by such arguments and that the implementation of the arms embargo must be strictly observed without exceptions or reservations. The Permanent Representative of France to the United Nations had recently conceded that his country had sold Mirage interceptor aircraft to South Africa, supposedly for defensive purposes. The Special Committee on *Apartheid* had submitted a special report to the General Assembly and the Security Council which drew attention to breaches of the arms embargo against South Africa (A/9180-S/11005). It had also prepared a report (A/9168) on the implementation of United Nations resolutions on *apartheid* for the consideration of the General Assembly.

27. Some Western corporations had recently argued that investment in South Africa would reduce the severity of *apartheid* and would bring about changes in South Africa's policy from within. However, the period of the most extensive foreign investment in South Africa had been precisely the period of the most intensive application of *apartheid*. It had been a period when the migrant labour policy was extended, when the disparity between the wages of whites and blacks had increased and when African workers had been deprived of elementary trade union rights. It was gratifying that more and more churches, trade unions and individuals had begun to realize the fallacy of the argument and the danger of it being used to legitimize both the investments and the *status quo* in South Africa. However, the pressure should be continued until complete disinvestment was achieved. The Study Project on Christianity in *Apartheid* Society had concluded that South Africa was in the early stages of a new historical process in which the initiative was passing into black hands and that the tempo of that process could only accelerate, despite any temporary setbacks to it. Earlier in 1973 there had been spontaneous strikes involving over 100,000 black workers; in a country where strikes by Africans were a criminal offence subject to severe punishment one could appreciate the courage and determination of the workers who had revolted against exploitation and oppression. Realizing how explosive the situation was, South Africa had responded by accelerating its Bantustan programme.

28. Despite the enormous effort and resources devoted to propaganda, the South African Government had not succeeded in deceiving world opinion, and it was therefore relying increasingly on new tactics. The Government and its supporters in the business community were trying increasingly to use blacks in South Africa to oppose international action against *apartheid*. For instance, a black trade unionist from South Africa had attended the International Conference of Trade Unions against *Apartheid* in order to oppose sanctions

against South Africa, and much of the Western press had given more coverage to her statement, which had not in fact been made at the Conference itself, than to the work of the Conference, in which 180 trade union organizations from all over the world, representing 200 million workers, had unanimously agreed on a plan of action against *apartheid* (see A/9169, para. 23). In 1973 a series of advertisements in newspapers in New Zealand, Australia, the United States of America and the United Kingdom launched by the Trust Bank of Cape Town featured a photograph of an African leader and a statement alleged to have been made by him against the economic isolation of South Africa. He would like to warn foreign Governments or companies that they would be making a great mistake if they tried to choose the leaders or the spokesmen for the black people of South Africa on the basis of whether their statements were convenient in terms of making a profit from *apartheid* in South Africa.

29. The genuine leaders of the indigenous population of South Africa were those who had led the people in the struggle for freedom and who were now in gaol or in exile. The so-called leaders chosen by the South African régime could not be recognized as the genuine spokesmen of the African people and, in fact, there was overwhelming evidence that the African people wanted no compromises on freedom and equality.

30. The General Assembly had decided on 5 October 1973 (2141st plenary meeting) to reject the credentials of the South African delegation; in so doing, it had taken a step forward whose importance should not escape the attention of all delegations. Member States must draw the logical conclusions from the decision of the General Assembly and act accordingly. On the eve of the tenth anniversary of OAU its President, General Yakubu Gowon, had stressed that no one in Africa preferred to take the path of armed struggle against the minority régimes and that the people who normally lived in Africa and wished to regard themselves as part of Africa should be permitted to do so. Africans had made every effort to assure the world of their desire for racial harmony in conditions of mutual respect and fundamental human rights for all the inhabitants of the continent. South Africa's minority régime should heed that message, or it would bear the responsibility for the consequences.

31. Mr. ZÁDOR (Hungary) said that the statements just made by the Rapporteur and the Chairman of the Special Committee on *Apartheid* required detailed examination by the Special Political Committee. In view of their importance, his delegation wished to propose that they should be reproduced verbatim.

32. The CHAIRMAN noted that at its 2123rd plenary meeting, on 21 September 1973, the General Assembly, acting upon the recommendation of the General Committee had once more authorized the Special Political Committee to have transcriptions made of statements of particular interest. If he heard no objection, he would take in that the Committee wished the texts of the two statements in question to be circulated to members.

*It was so decided.*⁴

33. Mr. SEIGNORET (Trinidad and Tobago), disclaiming any desire for special credit for his role as

⁴ The full text of the two statements was subsequently circulated in document A/SPC/PV.859.

Chairman of the Sub-Committee on the Implementation of United Nations Resolutions and Collaboration with South Africa established at the 236th meeting of the Special Committee, on 9 March 1973, paid a tribute to the way in which all members of the Sub-Committee had worked together to produce a report (see A/9022, paras. 174-177) whose subject matter was, in the words of the Rapporteur, dismal, depressing and disconcerting. He reserved his delegation's right to make its position known on the content of the report at a later stage.

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34. Mr. DAUNT (United Kingdom) said that his delegation had listened attentively to the Rapporteur and others who had spoken on the reports before the Committee. His delegation could not subscribe to everything that was said in the reports but was grateful for the clarity with which they were presented. It was in close sympathy with their main trend, deploring as his Government did the policies of *apartheid* pursued in South Africa.

35. However, his delegation was not clear as to the purport of the penultimate paragraph of the letter from the Chairman of the Special Committee (A/SPC/160). It did not wish to hold up a decision by asking for clarification, particularly in view of the advice from the Chairman of the Special Political Committee at the beginning of the current meeting that the Committee would be following a precedent already established in acceding to the request. In the past, his delegation had been content that requests for hearings should be accepted. It felt that, particularly in the absence of the South African delegation, it would be useful to have as much information as possible. That remained its view, and it interpreted the current decision as analogous to the previous decisions. No question of recognizing the movements arose, and his delegation regarded those who were to participate in the debates under the decision as doing so in their personal capacities. On that basis, his delegation had readily agreed to the invitation.

36. Mr. EVANS (United States of America) said that his Government continued to have doubts as to the wisdom of granting a hearing to members of South African liberation movements as representatives of political organizations rather than as individual witnesses. By extending such an invitation, the Special Political Committee had moved beyond its previous decision into an area where it gave the appearance of according non-governmental entities a status that could be regarded as constituting intervention in the internal affairs of sovereign States. Such a measure would clearly be contrary to the Charter of the United Nations.

37. His delegation continued to believe that the granting of a special status to representatives of liberation movements was unnecessary and inappropriate in view of their ability to receive a full hearing through normal Committee procedures. Furthermore, it believed that such action was potentially disruptive in the precedent that might be established. It wished to reiterate his delegation's position, however, that it had no objection to those representatives being received in an individual capacity.

38. Mr. DE LATAILLADE (France) said that while his delegation reserved the right to take the floor at a later stage of the debate on certain questions which had

been raised, it wished to reiterate its appreciation and respect for the sentiments which had been expressed with regard to *apartheid*. France utterly condemned that policy and had unequivocally stated its views in all United Nations bodies. The President of the Republic had very recently reaffirmed that France was fundamentally anti-racist and that the French Government was fundamentally anti-racist.

39. It was in that spirit that his delegation had not objected to the request under discussion, which, as the Chairman himself had stressed, merely continued the precedent established at the previous session. His delegation believed that it might be useful for persons outside the United Nations, speaking in a personal capacity, to participate in the discussions on the item. Needless to say, it was the view of his delegation that the presence of such persons in no way implied recognition of the movements to which they belonged.

40. Mr. BASSETTE (Belgium) said that he had asked for the floor not to question the decision taken at the beginning of the meeting to invite liberation movements to participate in the deliberations on the policy of *apartheid* of the South African Government but to explain his country's position. Clearly, the decision to hear organizations rather than individuals could be interpreted as recognition of those organizations as such. Furthermore, the participation of certain movements rather than others might imply recognition of those movements as the exclusive representatives of the population of South Africa.

41. His delegation was unable to accept such an interpretation. Belgium was unable to view those movements, however lofty the ideals which animated them, as the exclusive spokesmen for the population of South Africa. It viewed them merely as individuals who were in a position to make a useful contribution to the Committee's work. In that spirit and with that reservation, his delegation had not objected to participation by the organizations, whose representatives were traditionally heard by the Committee as petitioners in a different capacity in the consideration of the item.

42. Mr. SIYOLWE (Zambia), referring to the remarks made by the representatives of the United Kingdom, the United States of America, France and Belgium in connexion with the Committee's decision to invite the South African liberation movements to participate in its debates on *apartheid*, reminded members of the decision taken by the General Assembly at its 2141st plenary meeting, on 5 October 1973, to reject the credentials of the representatives of the South African racist régime. It was clear that the Committee and the United Nations as a whole had a responsibility to call the attention of the international community to the threat to international peace and security posed by that régime. The lawful rights of the representatives of the liberation movements of Azania (South Africa) should be recognized, since they spoke with the voice of the 16 million peace-loving people who made up the majority in that country.

43. His delegation opposed any delegation that supported the racist régime of South Africa and any move to frustrate the majority opinion in that country. The countries represented by the four previous speakers claimed to represent the principles of democracy, and yet their policies contradicted those principles. Any opposition to the recommendation that the liberation

movements should be accorded observer status could be interpreted as contravening the United Nations Charter. It was absurd to accord to a racist clique, which represented a misguided minority, the right to speak on behalf of the majority.

44. Mr. BOERTIEN (Netherlands) said that the Committee should support all efforts that might lead to a solution of the problem of *apartheid*. His own delegation had supported the Chairman's proposal that the South African liberation movements should be invited to participate in the debates on *apartheid*, on the understanding that the liberation movements in question were movements against *apartheid*.

45. Mr. TALEB (Algeria) expressed astonishment at the statements made by the representatives of the United Kingdom, the United States of America, France and Belgium, who had expressed reservations with regard to the participation of the South African liberation movements in the Committee's debates on *apartheid*. His delegation whole-heartedly supported the remarks made by the representative of Zambia in that connexion.

46. Mr. TEYMOUR (Egypt) endorsed the remarks made by the representatives of Zambia and Algeria. The General Assembly had, at its 2141st plenary meeting, decided by a substantial majority that the minority régime did not represent the people of South Africa and that its credentials should be rejected. He was surprised that voices had been raised against the decision to grant observer status to the representatives of the majority of South Africans who were suffering under the yoke of an inhuman régime.

47. Mr. SHERMAN (Liberia) said that the stand taken by the representatives of the United Kingdom, the United States of America, France and Belgium was not really surprising in view of the *de facto* position of their Governments on the question. His delegation respected their views on the matter of the credentials of the minority régime's representatives and trusted that they would not attempt to force the Committee—or at least the majority of its members—to adopt a position that was inconsistent with the rejection by the General Assembly of those credentials.

48. Mr. NJENGA (Kenya) dissociated his delegation completely from the statements made by the representatives of the United Kingdom, the United States of America, France, Belgium and the Netherlands and from their interpretation of the decision to accord observer status to the South African liberation movements. It was absurd to claim that that decision amounted to interference in the internal affairs of a Member State. The General Assembly had taken a clear stand on the issue of *apartheid*, and discussion of that issue in no way constituted interference in the affairs of those who practised that policy. The General Assembly had decided that the Pretoria régime represented only a minority of the people of South Africa. The true representatives of the people of South Africa were the liberation movements, and his delegation would oppose any attempt to deny them observer status.

49. Mr. NYAKYI (United Republic of Tanzania) expressed astonishment at the reservations of the representatives of the United Kingdom, the United States of America, France and Belgium with regard to the

Committee's decision to invite the representatives of the South African liberation movements to participate in its debates on *apartheid*. The representative of the United States had said that such an invitation constituted interference in the internal affairs of South Africa. However, the Committee's purpose over the years had been precisely to intervene in the internal affairs of South Africa. The argument advanced by the United States representative was an exaggeration of the doctrine of non-intervention. The Committee was dealing with the problems of 16 million people who were subjected to the most degrading system of racial discrimination. The liberation movements represented the views of those people, and those views deserved to be heard.

50. On the other hand, the statements made by the United States representative and others quite clearly reflected the views of the South African régime. He reminded those delegations which opposed the decision taken by the Committee that during the Second World War, in their struggle against Nazi Germany, they had been supported by resistance movements and that those resistance movements had been recognized as the representatives of the peoples concerned. The situation in South Africa was a similar one, and full recognition should be given to the accredited representatives of those fighting against the racist régime. Rather than oppose the invitation, the Committee should prepare itself for the day when the representatives of those liberation movements would participate in its work as accredited representatives of the people of South Africa.

51. Mr. POPOV (Union of Soviet Socialist Republics) said that his delegation's position on the item under consideration was well known: it had consistently spoken out against colonialism, racism and *apartheid* and in favour of those peoples which were fighting for their independence. Accordingly, his delegation had supported the request by the Special Committee on *Apartheid* that the South African liberation movements should be invited to participate in the Committee's debates on *apartheid*. It was sure that such participation would be useful to the work of the Committee.

52. Mr. ROYO (Panama) reiterated the position consistently taken by his delegation in various international bodies, which was one of support for the liberation movements in Africa and rejection of all policies based on racial discrimination.

53. Mr. SAHAD (Libyan Arab Republic) endorsed the remarks of previous speakers who had expressed surprise at the reservations of certain delegations with regard to the decision to permit the true representatives of the people of South Africa to participate in the Committee's debates. His delegation maintained its support of liberation movements in all parts of the world, particularly in Africa. It would welcome participation by the representatives of the liberation movements in the debates of the Committee itself or of any other United Nations body.

54. Mr. EKONG (Nigeria) said it was his understanding that the decision to invite the South African liberation movements to participate in the debates on *apartheid* had been taken because they were the authentic representatives of the people of South Africa. The decision was particularly appropriate in view of the recent rejection by the General Assembly of the credentials of

the minority régime's representatives. With regard to the argument that such an invitation constituted interference in the internal affairs of a Member State, the doctrine of non-intervention could not be taken seriously when put forward by those whose interventionist policies in Latin America and Asia were only too well known.

55. Mr. THOMPSON-FLÔRES (Brazil) said that his delegation's position on the granting of observer status to liberation movements so as to enable them to participate in the Committee's debates continued to be that stated in the Fourth Committee on 30 November 1972⁵ in the course of a similar debate.

56. The CHAIRMAN reminded members that the Committee had already taken a decision on the matter under discussion after he had cited the relevant request

⁵ Official Records of the General Assembly, Twenty-seventh Session, Fourth Committee, 2009th meeting.

from the Special Committee on *Apartheid* (A/SPC/160) and referred to the practice consistently followed by the Committee since 1963. He assured members that the statements made in that connexion would be adequately reflected in the official record of the meeting.

57. Two meetings of the Committee were scheduled for the following day, and, if there was no objection, he would take it that members agreed to include in the agenda for those meetings both the item currently under consideration and the question of the effects of atomic radiation, under agenda item 103, which the General Assembly had decided to allocate to the Committee for consideration.

It was so decided.

58. The CHAIRMAN reminded members that the Day of Solidarity with Political Prisoners in South Africa would be observed on 11 October 1973 and that the Committee would hold two meetings on that day.

The meeting rose at 1.25 p.m.

860th meeting

Wednesday, 10 October 1973, at 10.55 a.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.860

Tribute to the memory of Mr. Wilfred Jenks, Director-General of the International Labour Office

1. The CHAIRMAN paid a tribute to the memory of Mr. Wilfred Jenks, Director-General of the International Labour Office, in whom the world had lost a worthy international civil servant and, on behalf of the Special Political Committee, expressed his condolences to the family of Mr. Jenks and to the International Labour Office.

On the proposal of the Chairman, the members of the Committee observed a minute of silence in tribute to the memory of Mr. Jenks.

2. Mr. ALI (International Labour Organisation) thanked the members of the Committee and recalled that Mr. Jenks had, since before the establishment of the United Nations, been an ardent defender of the cause of international co-operation and of human rights and that he had participated in the drafting of the Declaration concerning the Aims and Purposes of the International Labour Organisation (the so-called Declaration of Philadelphia) and the basic ILO Conventions, including the Convention concerning Discrimination in respect of Employment and Occupation, as well as the Declaration concerning the Policy of *Apartheid* of the Republic of South Africa and the ILO Programme for the Elimination of *Apartheid* in Labour Matters in the Republic of South Africa.

AGENDA ITEM 42

Policies of *Apartheid* of the Government of South Africa (continued) (A/9160, A/9188, A/SPC/160, A/SPC/161):

- (a) **Reports of the Special Committee on *Apartheid*** (A/9022, A/9168, A/9169, A/9180);
- (b) **Reports of the Secretary-General** (A/9165)

3. Miss LOPES (Portugal), referring to the Committee's decision (859th meeting) to hear representatives of movements whose activities concerned South Africa, said that her delegation could not accept that decision, which was contrary to Article 9 of the United Nations Charter and called into question its fundamental principles.

4. The CHAIRMAN reminded the Committee that it had decided to devote its meetings on the following day, Thursday, 11 October 1973, to the Day of Solidarity with Political Prisoners in South Africa; representatives who wished to participate should give their names to the Secretary of the Committee before noon.

AGENDA ITEM 103

Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation (A/9192, A/SPC/L.262, A/SPC/L.263)

5. The CHAIRMAN recalled that the General Assembly on 8 October 1973 (2144th plenary meeting) had

decided to place on its agenda an additional item entitled "Effects of Atomic Radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation" and to allocate it to the Special Political Committee, as the latter had been informed by a letter from the President of the General Assembly (A/SPC/159/Add.1). When the Committee had drawn up its programme of work (858th meeting), it had anticipated that that additional item would be allocated to it and he had accordingly suggested that certain procedural aspects of the item should be considered as soon as possible, at a suitable time between 9 and 12 October. As no representative had asked to speak on the question of *apartheid*, it seemed a suitable time to consider the preliminary aspects of the question of the effects of atomic radiation.

6. He drew the Committee's attention to a draft resolution on that subject submitted by France (A/SPC/L.262), and to the note by the Secretary-General (A/SPC/L.263) containing a statement of the financial and administrative implications of the draft resolution, issued in conformity with rule 155 of the rules of procedure of the General Assembly.

7. Mr. DE SOTO (Peru), speaking on a point of order, said that the question of the effects of atomic radiation should be the subject of a very thorough and very detailed discussion. In addition, as the Minister for Foreign Affairs of Peru had said on 24 September 1973, during the general debate in the General Assembly (2124th plenary meeting), the effectiveness of the Scientific Committee on the Effects of Atomic Radiation should be enhanced. The draft resolution in question did not appear to have been conceived in that spirit. In the circumstances, he wondered if it would be appropriate for the Special Political Committee to interrupt its debate on a question which was one of the most important before the General Assembly and which merited the attention of world public opinion. Therefore, under rule 121 (c) of the rules of procedure of the General Assembly, he moved the adjournment of the debate on the effects of atomic radiation.

8. Mr. TALEB (Algeria) said that he too thought the question of the effects of atomic radiation should not take priority over the question of *apartheid*, which should receive the sustained and uninterrupted attention of the Committee. He therefore requested the Committee to abide by the programme of work that it had adopted at its 858th meeting and not take up the question of atomic radiation until it had concluded its consideration of the question of *apartheid*.

9. Mr. SCALABRE (France) said that the draft resolution submitted by his country met the concern expressed by the Peruvian representative because, by its operative paragraph 2, the General Assembly would request the Scientific Committee to transmit to it, in its report, any opinions and suggestions which it might have regarding the further enhancement of its effectiveness. He assured the representative of Algeria that his own delegation fully understood the great importance of the question of *apartheid* and the concern which had been expressed with regard to that matter; it desired not to delay a discussion of such importance. However, it had understood that no representative had asked to speak on that question at the current meeting.

10. The question of atomic radiation had two aspects: the meeting of the Scientific Committee and the discussion of its conclusions. The Special Political Committee was not being asked to embark on a substantive discussion at that time, for it had no information before it. It could, however, proceed immediately to request the convening of the Scientific Committee and he observed that if it did not act promptly it might not have time to examine at the current session the conclusions and suggestions which that Committee might make regarding the further enhancement of its effectiveness.

11. Mr. BARJUCH (Colombia) agreed with the Peruvian representative that the programme of work which had been agreed upon should be followed and the consideration of the question of *apartheid* should be concluded before the question of the effects of atomic radiation was taken up.

12. Mr. NANDAN (Fiji) shared the view expressed by the representatives of Peru, Colombia and Algeria. The question was of the greatest importance and complexity and the Committee would have to weigh carefully the provisions of any draft resolutions by which the Scientific Committee would be convened. It was to be noted, for example, that in the draft resolution submitted by France no mention was made, in either the preamble or the operative paragraphs, of the effects of atomic radiation. He did not think that the Special Political Committee had time at its current meeting to consider all the implications of the request that the Scientific Committee should meet.

13. Mr. COTTON (New Zealand) was convinced that the draft resolution requesting the Scientific Committee to meet would receive the support of a large majority in the Special Political Committee and the General Assembly but it should be worded in such a way as to give the Scientific Committee a clear indication of what was expected of it. His delegation would like the French draft resolution to be put to the vote but it felt that all delegations directly concerned should have time to consult their Governments and other delegations, and he therefore supported those delegations that had requested that consideration of the item should be deferred; it should, however, be taken up again at an early date.

14. Mr. SCALABRE (France) said that it was urgent to convene the Scientific Committee. It was true that the question should be examined in detail, but could that discussion take place at all if the Scientific Committee was not able to transmit its conclusions before the end of the session? What the Special Political Committee needed to know was obviously not so much the level of radiation as its effects. The very wording in the title of the agenda item made it very clear: "effects of atomic radiation".

15. Mr. LOGAN (United Kingdom) agreed with the French representative that the Committee should take up the item as soon as possible, so that the Scientific Committee might take account of new material and report back to the Committee, and noted that there were no representatives who were prepared to speak on the question of *apartheid*.

16. Mr. DE SOTO (Peru) said that his delegation had not yet taken a definite position on the convening of the Scientific Committee but it was inclined to oppose the view that it was imperative for the Special Political

Committee to have a report of the Scientific Committee before it in order to be able to consider the question of its membership. It was for the General Assembly to decide, at the suggestion of the Special Political Committee, what must be done to enhance the effectiveness of the Scientific Committee.

17. He reminded the Committee that under rule 121 (c) of the Assembly's rules of procedure a motion to adjourn the debate on an item under discussion had precedence over all other proposals or motions and he requested that a decision should be taken on the matter.

18. Mr. SCALABRE (France) said it was for the Special Political Committee to take any decision on the substance of the item and that it was not a question of the Committee's delegating its powers to the Scientific Committee. It was, however, a technical question, and before the Special Political Committee could take a decision it would need the information and suggestions

that the Scientific Committee could supply. He would leave it to the Chairman and the Special Political Committee to decide when the draft resolution should be considered.

19. Mr. WYNDHAM (Australia) said that he had come prepared to support the French proposal, which indicated that France recognized that the deposit of fallout from atmospheric tests and the effects of the radiation they caused were legitimate matters of international concern. However, he could see no alternative to suspending discussion of the item.

20. The CHAIRMAN said that if there was no objection he would take it that the Committee wished to adjourn the debate.

It was so decided.

The meeting rose at 11.40 a.m.

861st meeting

Thursday, 11 October 1973, at 10.50 a.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.861

AGENDA ITEM 42

Policies of apartheid of the Government of South Africa
(continued) (A/9160, A/9188, A/SPC/160, A/SPC/161, A/SPC/L.264):

- (a) Reports of the Special Committee on apartheid (A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

DAY OF SOLIDARITY WITH POLITICAL PRISONERS IN SOUTH AFRICA

1. The CHAIRMAN recalled that, in accordance with the request of the Special Committee on *Apartheid* (A/SPC/160), the Special Political Committee had decided at its 859th meeting, to devote its meetings on 11 October to the observance of the Day of Solidarity with Political Prisoners in South Africa.

2. Furthermore, in a letter dated 9 October 1973, Mr. Thami Mhlambiso, representative of the African National Congress, had requested a hearing by the Special Political Committee during the meetings devoted to South African political prisoners. That request was similar to those which the Committee had considered at the same meeting when it had decided to hear the representatives of other organizations. If there were no objections, he would take it that, in accordance with its usual practice, the Committee agreed to hear the representative of the African National Congress.

It was so decided.

3. Mr. OGBU (Nigeria) first expressed the sorrow felt by his delegation and by the Special Committee on *Apartheid* on learning of the untimely death of Mr. Wilfred Jenks, Director-General of the International Labour Office. He requested that their condolences be conveyed to the ILO and to the family of Mr. Jenks.

4. He went on to observe that the Special Committee on *Apartheid* had asked the Committee to devote its meetings of 11 October to the question of political prisoners in South Africa because that date was the tenth anniversary of the adoption of resolution 1881 (XVIII), in which the General Assembly had called for the liberation of all political prisoners in South Africa. That resolution had had a special significance since all Member States, with the exception of South Africa, had voted in favour of it. By that resolution, the international community had recognized that there could be no peaceful solution in South Africa unless the leaders of the black people and all the opponents of *apartheid* were released and unless they were allowed to participate in genuine negotiations, on a basis of equality, with a view to deciding the destiny of South Africa. By adopting that resolution, the international community had pledged to exert all its efforts to secure the freedom of those who had been persecuted for espousing the principles of the United Nations Charter and the Universal Declaration of Human Rights.

5. The struggle being waged in South Africa was a struggle between the supporters of the United Nations and the racist clique which had imposed its leadership on the white minority. The United Nations could therefore not evade its responsibilities. Moreover, the Atlantic Charter, signed on 14 August 1941, which had preceded the United Nations Charter—had encouraged the African leaders in South Africa to create a popular movement based on the so-called four freedoms. Many of the current leaders of the African people, such as Mr. Nelson Mandela (serving a sentence of life imprisonment), Mr. Robert M. Sobukwe (under house arrest) and Mr. Oliver Tambo (now in exile), had joined the African National Congress Youth League during the war. Little did they know that some of the signatories of the Atlantic Charter and the United Nations

Charter did not think that their lofty principles applied to the black people of Africa, and that they would have to face a quarter of a century or more of persecution for their defence of the principles of the United Nations Charter, while their oppressors would be received in the chancelleries of Western countries.

6. It was not without significance that the problem of racist oppression in South Africa had been one of the first issues brought before the United Nations (see General Assembly resolution 44 (i)), that the African National Congress had chosen 26 June, the date of the signing of the United Nations Charter in 1945, as South Africa Freedom Day, and that the oppressed people of South Africa, unlike the racist régime, had observed Human Rights Day. He dared to believe, however, that the United Nations would at last redeem the pledge given in its Charter by ending the flagrant violations of its principles in South Africa and by defending those who heroically defended those principles.

7. Not satisfied with having followed the massacre of Sharpeville in 1960 with the massacre of Carletonville in 1973, the racist régime had put 17 of the surviving miners on trial. The outcome of the trial could be forecast and those miners, who had merely demonstrated peacefully to secure better working and living conditions, would join the real leaders in gaol. The United Nations could at least pronounce itself against such hypocrisy and such an insult to humanity. Between 1960 and 1973, the number of Governments and peoples that had recognized the inhumanity and dangers of *apartheid* and had agreed on measures to eradicate it had increased. Unfortunately, during the same period the United Nations had remained ineffective because of the non-co-operation of a few powerful Member States and certain economic interests. The racist régime in South Africa hoped that world public opinion would tire and *apartheid* could be consolidated. It wanted the liberation movement and its leaders to be forgotten and to impose leaders of its own choice.

8. It was essential to close that latest chapter and launch a programme of concerted and effective action, with a view to eradicating *apartheid* within a short period of time. No compromise was acceptable with regard to racial discrimination in South Africa. As the Special Committee on *Apartheid* had observed in its statement of 17 August 1973 (see A/SPC/160, annex), the leaders in prison were the true representatives of the South African people and the régime which pursued the policy of *apartheid* could not represent either the country or its people.

9. The United Nations and the international community had for too long tolerated that paradoxical situation. After the Sharpeville massacre, the Security Council by its resolution 134 (1960) had called on the South African Government to abandon *apartheid* and seek a peaceful solution in accordance with the principles of the United Nations Charter. Instead of doing so, the South African régime had banned the African National Congress and the Pan Africanist Congress of Azania (South Africa) and had embarked on a reign of terror against the opponents of its racist policies. In vain had the world recognized that the Africans in South Africa were entitled to protest against the pass laws and other humiliating legislation; the Pretoria régime had nevertheless imprisoned the leaders of the movement against those laws. By resorting to terror, the South African régime

had aggravated the crisis in South Africa from year to year. The leaders of the African people had no longer been able to confine themselves to legal and peaceful means to secure their freedom. By 1963 the South African crisis had assumed serious proportions. The régime had responded to sabotage and resistance with the utmost brutality, imprisoning thousands of people and subjecting the leaders to torture in order to extract information on the resistance movement. In July 1963 several leaders of the African National Congress and allied organizations (Nelson Mandela, Walter Sisulu, Ahmed Kathrada and Govan Mbeki) had been put on trial under the arbitrary laws which violated the principles of justice. It was then that the General Assembly had urgently adopted its resolution 1881 (XVIII) which had launched a world-wide campaign for the liberation of political prisoners in South Africa. During the decade that had elapsed since then, the Special Committee on *Apartheid* had devoted great efforts to the cause of the South African prisoners and to the campaign for their release.

10. While those efforts had saved the lives of many opponents of *apartheid*, they had been unable to stop the repression or secure the release of the prisoners. Since 1963 hundreds of people had been detained by the Security Police or arbitrarily subjected to banning orders, even after the courts had ordered their release. Others had been placed under house arrest or banished to remote areas of South Africa. Repressive laws, such as the so-called 180-day law¹ and the Terrorism Act of 1967, which gave the Security Police virtual power of life and death over some detainees, had been the result of the progression towards a police State. During the twenty-seventh session of the General Assembly, it had been learned that Mr. Ahmed Timol had died after falling from the tenth floor of the police headquarters, in Johannesburg. He had been the twenty-second detainee to have died at the hands of the Special Branch, whose techniques of torture were reminiscent of the practices of the Nazi régime. Such a comparison was not an exaggeration, when it was recalled that Mr. Vorster, who had been elected Premier in 1967, had been detained during the Second World War for his pro-Nazi sentiments. The ruthless measures taken by the Vorster régime continued to prevent any peaceful solution. The leaders of the National Union of South African Students had been banned at the beginning of 1973, because that organization, which was composed mainly of white students, had opposed *apartheid* and had adopted the Universal Declaration of Human Rights as the basis of its policy. The Vorster régime had tried to silence the black opposition by banning a number of leaders of the South African Student Organization, a national black organization established in 1968. In June 1973 two foreign trade unionists, Mr. Alexandre Moumbaris, an Australian national, and Mr. John Hosey, an Irish national, had been convicted under the Terrorism Act for acts of solidarity with the black South African workers.

11. During the past year, the Special Committee on *Apartheid* had had to give even more attention to the plight of the South African political prisoners. After having consulted Mrs. Moumbaris and Mr. Hosey's father, it had on 17 August issued the statement to which he had already referred, by which it called on all

¹ The Criminal Procedure Act, No. 56 of 1955, as amended by the Criminal Procedure Amendment Act, No. 96 of 1965.

Governments and organizations to observe 11 October 1973 as the Day of Solidarity with Political Prisoners in South Africa and to pledge their support for more vigorous international action in support of their legitimate cause. The Special Committee remained convinced that there could be no peaceful solution to the situation prevailing in South Africa without the unconditional release of the leaders of the people imprisoned there. The international community must recognize the special responsibility incumbent on it for those people, who were being victimized for their devotion to the very principles on which the United Nations was based. The names of the imprisoned leaders would one day be accorded the place of honour they deserved. The liberation of South Africa was only a matter of time. The doors of the prisons in South Africa would be opened and the political prisoners imprisoned there would assume the role of the genuine leaders of South Africa. The members of the United Nations had a solemn duty to hasten the advent of that day in order to avert the danger which threatened peace in southern Africa. Member States should pledge to concert their efforts towards that end and greet all those who were struggling against the criminal policy of *apartheid*, retaining an unshakable faith in freedom and equality, despite the brutalities of the Pretoria régime.

12. The CHAIRMAN said that the condolences expressed by the representative of Nigeria would be conveyed to the ILO and to Mr. Jenks' family.

13. Mr. REYES (Philippines) said that the Committee's message of solidarity with South African political prisoners would express an irrevocable commitment to the cause of freedom and justice. It was a renewal of a pledge contained in the United Nations Charter: the pledge to root out racial discrimination in all its forms.

14. In the context of the Decade for Action to Combat Racism and Racial Discrimination (resolution 2919 (XXVII) of the General Assembly), his Government was contributing, beginning with the fiscal year 1974-1975, the sum of \$2,500 to the United Nations Educational and Training Programme for Southern Africa, with preference for young people from the African Territories under Portuguese colonial domination. That was in addition to previous Philippine contributions amounting to \$8,500 to the various United Nations programmes for the benefit of the oppressed black people of southern Africa. Ecumenical prayers would be offered on that day in the Philippines as a token of sympathy for and solidarity with the political prisoners in South Africa. The Philippine people joined with all those who sought to give that solidarity a universal character. In doing so, the Philippines was being true to itself, for it had taken part in drafting the Charter provisions against racial discrimination, in the formulation of the Universal Declaration of Human Rights and in the elaboration of the International Covenants on Human Rights. It had also supported United Nations action against *apartheid* and other forms of racial discrimination to the extent of severing diplomatic and trade relations with South Africa. By word and by deed it had contributed to the expressions of condemnation, punitive sanctions and international declarations and conventions by which the United Nations had sought to eliminate every form of racism, racial prejudice and racial discrimination.

15. Never before had so much moral and legal weight been brought to bear on a single issue of fundamental concern to the international community. Moreover, the intensity of the effort showed no sign of slackening, for on 10 December 1973, the twenty-fifth anniversary of the proclamation of the Universal Declaration of Human Rights, the General Assembly was to launch the Decade for Action to Combat Racism and Racial Discrimination. The scope of the programme attested to the profound abhorrence inspired in mankind by all forms of racism. *Apartheid* was all the more offensive because it was the coldbloodedly calculated policy of a State Member of the United Nations, South Africa, which, like all other Members, was duty-bound to abide by the provisions of the Charter.

16. He pledged his country's unremitting support for the programme envisaged for the Decade for Action for as long a time as would be needed to implement it. He reaffirmed the solidarity of the Philippines with all who were fighting against racial discrimination and racism, and particularly with its victims. Uppermost in his mind were the political prisoners in South Africa, including those black leaders who had defied repression, suffering, imprisonment and death in order to win equality and freedom for their people and alongside whom a number of whites had fought in order to bear witness to their convictions and stand by their oppressed fellow men.

17. The names of Mandela, Sisulu, Mbeki, Kathrada, Moselele, Pokela, Daniels, Fischer and Alexander, and more recently Mombembe and Hoseney, already appeared on the roll of martyrs to the cause of freedom and equality. They were pre-eminent among the political prisoners in South Africa with whom the Committee was called upon to manifest solidarity—solidarity in upholding the principle of human equality, solidarity in suffering injustice and persecution with courage and dignity, solidarity in action against racism, racial discrimination and *apartheid*, and, finally, solidarity in the invincible determination to persevere and struggle until the prison walls were levelled and men of every colour could at last face the future in the fullness of dignity as equal members of the same human family.

18. Mr. MARTYNENKO (Ukrainian Soviet Socialist Republic), noting that at the request of the Special Committee on *Apartheid* that very day was being observed as the Day of Solidarity with Political Prisoners in South Africa, said that all those who cherished peace, freedom, human dignity and justice were thus demonstrating both their support for the fighting people of South Africa and their condemnation of *apartheid*.

19. Ten years had passed since the General Assembly, by its resolution 1881 (XVIII), had called upon the South African Government to free all political prisoners, but that police régime, ignoring the decisions of the United Nations, had merely intensified the terror and repression directed against the indigenous population who should be complete masters of their own country. It was thus defying world opinion and continuing its reactionary policies only because it relied on the military and economic support of the imperialist Powers which were members of NATO.

20. In order to intimidate the indigenous population and entrench themselves in power, the South African racists had enacted a series of laws which permitted the police to arrest people and detain them for long periods

of time without trial or investigation. Such legislation represented a flagrant violation of the United Nations Charter and the Universal Declaration of Human Rights, which called for respect for the fundamental freedoms of all persons without distinction.

21. He cited a report in *The New York Times* of 10 October 1973 indicating that, under those laws, the South African police had arrested 474,065 people, 403,159 of them blacks, between 1 July 1970 and 30 June 1971. There were 90,000 people in prison, detained under frightful conditions and deprived of the most elementary rights. The fortitude and strength of character of the South African patriots aroused feelings of pride and admiration and their loyalty to the ideals of freedom and devotion to the liberation of their country were a source of inspiration to their fellow countrymen, demonstrating that the racists would never be able to make the people of South Africa bow to them.

22. The terror and repression to which the South African colonialists were subjecting the indigenous population were evidence not of strength but of weakness and showed their fear that the wrath of the people would sooner or later sweep away their racist régime. Nothing could break the determination of the South African people to carry to final victory their struggle for freedom and independence.

23. He noted that the South African régime's policies regarding political prisoners were finding imitators; evidence of that was the action of the Chilean military junta in imprisoning all its political opponents, including Luis Corvalán, the General Secretary of the Chilean Communist Party, who faced summary execution. Again citing American newspapers, he pointed out that tens of thousands of persons were said to have been arrested in Chile and that their fate, too, was being decided without trial or investigation.

24. In conclusion he wished to state that the Ukrainian people took a position of complete solidarity with the South African patriots and that his country would at all times continue to aid and support the freedom fighters by every means available. He strongly supported the proposal calling for effective action against the South African racists to obtain the release of all political prisoners in South Africa. In observing the Day of Solidarity, the United Nations must reaffirm its determination to stand beside the South Africans in their struggle for freedom and independence.

25. Mr. LEWENHAUPT (Sweden) noted that since 11 October 1963, when the General Assembly had adopted its resolution 1881 (XVIII), calling upon the South African Government to abandon the arbitrary trials being prepared against a number of African leaders because of their opposition to *apartheid*, international pressure against *apartheid* had been intensified. However, in defiance of that and numerous other United Nations resolutions, the South African Government was continuing its policy of *apartheid* and its repressive measures against opponents of *apartheid*, who were being gaoled, banished, forced into exile or even killed. As the Swedish Minister for Foreign Affairs had said before the General Assembly on 11 October 1973 (2149th plenary meeting) *apartheid* constituted a challenge to the international community and there must be no slackening of international pressure against it.

26. The Committee could best demonstrate its solidarity with the political prisoners in South Africa and pledge support for more vigorous international action on behalf of their legitimate cause by unanimously adopting draft resolution A/SPC/L.264 which he was introducing on behalf of Australia, Austria, Denmark, the Federal Republic of Germany, Finland, Iceland, Ireland, the Netherlands, New Zealand, Norway and Sweden.

27. Among the many resolutions adopted by the Security Council and the General Assembly regarding persons imprisoned or subjected to other restrictions for their opposition to *apartheid*, he wished again to recall in particular resolution 1881 (XVIII). The draft resolution now before the Committee took appreciative note of the statement on political prisoners in South Africa adopted by the Special Committee on *Apartheid* on 17 August 1973 (A/SPC/160, annex) and reaffirmed the legitimacy of the struggle of the people of South Africa against *apartheid* and racial discrimination. The sponsors were convinced that the release of leaders of the oppressed people of South Africa was essential for a peaceful solution of the grave situation in that country. By operative paragraph 1 the General Assembly would condemn the failure of the South African Government to comply with the repeated requests of the General Assembly and the Security Council for the release of all persons imprisoned, interned or otherwise restricted for their opposition to *apartheid*. By operative paragraph 2 it again called on the Government of the Republic of South Africa forthwith to grant unconditional release to all such persons. By operative paragraph 3 the General Assembly appealed to all Governments, organizations and individuals to undertake more vigorous and concerted action to publicize and support the legitimate cause of all those persecuted in South Africa for opposition to *apartheid* and racial discrimination. The sponsors of the draft resolution hoped that it would be adopted unanimously.

28. Mr. COTTON (New Zealand) associated himself with the introduction given by the representative of Sweden of draft resolution A/SPC/L.264. The New Zealand delegation hoped that the resolution would focus international attention on the plight of political prisoners in South Africa. The New Zealand Government took a strong stand against *apartheid*.

29. Since 1963, when the General Assembly had adopted its resolution 1881 (XVIII), calling upon the South African Government to abandon the trials of South African leaders opposed to *apartheid*, the Assembly had listened to a torrent of words but there had been no sign of change in the South African policy of repressive measures against the opponents of *apartheid*. Some of the men who had been imprisoned in 1963 were still in prison in 1973. And while most peoples had been enjoying a decade of development and freedom, the majority of the people of South Africa had been living through another decade of repression. Indeed, some had gone through a decade of incarceration and some had died of it. The sponsors of the draft resolution were issuing another warning to the South African Government; they trusted that it would note who the sponsors were and that the entire international community was answering the challenge of *apartheid*. The New Zealand delegation hoped that the draft resolution would be adopted unanimously.

30. Mr. SINGH (India) deplored the fact that the very same Powers which had defeated the totalitarian forces during the Second World War had found fit to co-operate with the Fascist régime of South Africa. The *Ad Hoc* Working Group of Experts established in 1967 by the Commission on Human Rights had noted in its report to that Commission² that the procedures and methods utilized by the Special Branch of the South African Police for interrogation of detainees and arrested persons were very similar to, if not identical with, those used by the Gestapo. Just as the Fascists and Nazis had not been thrown out by the resolutions passed by the League of Nations, so the minority racist régime of Pretoria, which was emulating Hitler's racist Nazi régime, would not be thrown out by United Nations resolutions, but by the black people of South Africa. All that the international community could do was to provide the Africans with moral support and call on the civilized world to isolate a régime whose very basis was repugnant to human dignity. In that context, the Indian delegation welcomed the initiative taken by the sponsors of draft resolution A/SPC/L.264 in denouncing *apartheid* in forthright terms, but it feared that the resolution would have no effect on the South African Government and that repression and torture would be intensified.

31. He recalled that he himself came from a party—the Indian National Congress—which had long fought the forces of colonialism before the status of political prisoner had been accepted. The attitude of the South African Government seemed to be that there were no political prisoners. In fact, most of the people imprisoned in South African gaols between July 1970 and June 1971 had been put there under the Terrorism Act and the so-called 180-day clause³ or for infringement of the pass laws, and very few had been sentenced for political offences. In that connexion, his delegation noted that no colonial Power had ever been able to stave off independence of a people by filling its gaols, adopting repressive measures and suppressing ordinary civil rights.

32. To illustrate how South African laws work, he recalled the cases of Mr. Neville Curtis and Mr. Paul Pretorius, who had been found guilty of a breach of the banning orders merely because they had attended a social gathering of Mrs. Mandela, who had been sentenced to imprisonment on the same charge, that is, actually for communicating with an African photographer, who was also banned, directly and through their respective children. The so-called Sabotage Act⁴ defined sabotage in such broad terms that it even applied to *intent* to damage property with a political aim. It provided for summary sentences without a jury and the death penalty, even for young people. The burden of proving that the offence had not been politically motivated was on the accused and not on the police. The International Commission of Jurists had declared that the Act reduced the liberty of the citizen to a degree not surpassed even by the most extreme dictatorship.⁵

33. Recently 50 South African political prisoners on Robben Island had submitted an application to the

commanding officer of the prison to protest against arbitrary deprivation of their rights and privileges (see A/AC.115/L.375, para. 31). They described the harsh conditions in which they were living and the harassment to which they were subjected by certain prison warders. The Reverend Canon John Collins, President of the International Defence and Aid Fund, London, had observed that the petition was unique in the history of political prisoners in South Africa because it was the first time that prisoners had managed to bring their grievances into open court. Their success demonstrated that the authorities had failed and would always fail in their illegal efforts to break the prisoners by isolating them.

34. It was his personal opinion that South African laws were not worthy of a civilized jurisprudence. He would vote for the draft resolution but considered that it would be effective only if it was supported by resolutions that went beyond mere condemnation of the South African Government. Ways and means would have to be found for isolating the South African racists economically because, while the Vorster régime could live with condemnation and political isolation, it could not survive without foreign trade and investments.

35. Mr. MONTROYA (Peru) emphasized that not only was the Government of the Republic of South Africa, a Member of the United Nations, persisting in an inhuman policy of *apartheid*, which was a flagrant violation of the Charter, but it could not tolerate the existence of the opposition which was logically aroused by that discriminatory, arbitrary and unjust policy. The international community could not remain indifferent to the statements of the petitioners who had told the Special Committee about the brutal treatment to which the opponents of *apartheid* were being subjected. Unfortunately, international action was not as effective as it should be because no coercion was exercised against South Africa and the enforcement of the *apartheid* policy favoured the commercial interests of the great Powers at the expense of the most rudimentary rights of the African workers.

36. Peru, a multiracial society in which all groups participated in national decision-making at all levels, had consistently voted for proposals authorizing the participation of the national liberation movements in the discussions. On that very day, the Day of Solidarity with Political Prisoners in South Africa, his delegation wished to take the opportunity to state that it fully supported the cause of those fighting against the arbitrariness of colonialism and *apartheid*, who were being victimized by an archaic system which oppressed the legitimate population of South Africa.

37. Mr. WYNDHAM (Australia) said that his Government, like all Governments which valued the rights of freedom of thought, conscience, opinion and expression proclaimed in the Universal Declaration of Human Rights, deplored the policy of imprisoning people because they did not share the opinions of their Government.

38. To mark the Day of Solidarity with Political Prisoners in South Africa the Prime Minister of Australia had issued a statement in which he had said that Australia viewed with repugnance the abhorrent practice of *apartheid* and would not hesitate to denounce it at every opportunity. Australia upheld the principles proclaimed in the Universal Declaration of Human

² Document E/CN.4/950 (mimeographed).

³ See foot-note 1.

⁴ Section 21 of the General Law Amendment Act, No. 76 of 1962.

⁵ See *Maltreatment and Torture of Political Prisoners in South Africa* (United Nations publication, Sales No. E.73.II.K.1), para. 37.

Rights and had a duty to demonstrate its sympathy with those in South Africa who were persecuted for their commitment to the purposes and principles of that Declaration. Australia therefore supported the aims of the Day of Solidarity with Political Prisoners in South Africa.

39. His delegation expressed appreciation to the Rapporteur of the Special Committee for his assistance in the drafting of draft resolution A/SPC/L.264 and hoped that it would be adopted unanimously by the General Assembly.

40. Mr. HOLLAI (Hungary) said that the aim of the Day of Solidarity with Political Prisoners in South Africa was to draw the attention of world public opinion once again to the gross violation of fundamental individual and political rights by the South African racists. It was to arouse and help mobilize the segment of Western public opinion—which was unfortunately still under the influence of economic considerations and ill-conceived political ideas—against those successors to Hitler. It was necessary to speak up for the political prisoners of a régime which, disregarding the provisions of the United Nations Charter and numerous resolutions of the General Assembly and the Security Council, was keeping thousands of people in prison because they were demanding their individual rights. Each new instance of arrest, torture and killing, like the Carletonville massacre a few weeks before, showed how low a State—a Member of the United Nations—could sink in denying the Africans who constituted the vast majority of the population their fundamental freedoms and in making racial discrimination the foundation of its policy. To add to the tragedy of the situation, the South African Government was cynically protecting the police which had committed atrocities and bringing the fellow workers of the victims to trial.

41. The Republic of South Africa claimed it was “protecting” the indigenous and non-white population by spreading “civilization”. In order to do that, the Pretoria régime had turned South Africa into a police State where, on the strength of inhuman laws, the authorities imprisoned or killed the progressive elements of the population that opposed those injustices. The racist régime had thus come up against the united will of the people of the world. The arrest and conviction in 1963 of the true leaders of the South African people, including Nelson Mandela, had led the General Assembly to adopt its resolution 1881 (XVIII), which had been supported by 106 countries, including Hungary, and which had demanded the immediate and unconditional release of all political prisoners in South Africa. As the Committee recalled the plight of Nelson Mandela and the other imprisoned fighters, it was impossible not to think of the thousands of political prisoners who had been subjected to cruel reprisals after the overthrow of the legitimate Government in Chile although, as in the case of the South African political prisoners, their only crime had been to take a firm stand in support of the political rights of their people against the despotic rule of the exploiting minority. His delegation, which was confident that their just cause would ultimately triumph, extended its sympathy to them and assured them of its full support. If South Africa paid no heed to any of the appeals that had been addressed to it over the previous 10 years concerning political prisoners, that was because it could count on the support of some Member States, which had none the less voted in favour of the various United Nations resolutions. *Apartheid*

was in fact the tool of colonialism and neo-colonialism, a tool of oppression to promote the interests of the South African régime and the imperialist Powers behind it.

42. The South African Government asserted that there were no political prisoners in the country. But it would suffice to consider the so-called laws that the countless South Africans in prison were accused of having violated to be convinced that they were imprisoned because of their convictions and their political acts.

43. The Second International Consultative Meeting for the World Congress of Peace Forces, meeting in Moscow in March 1973, had stressed that the international community had a responsibility to all the prisoners of *apartheid*, who were victimized because they upheld the very principles, aspirations and rights embodied in the United Nations Charter and the Universal Declaration of Human Rights. Conscious of their responsibility, the Hungarian Government and people emphatically condemned the policy of *apartheid* and the racist régime of South Africa and pledged their full solidarity with the South African people in their struggle for freedom and democratic rights until victory was finally won.

44. Mr. SAHAD (Libyan Arab Republic) said it was a matter of deep regret that in a so-called civilized era, a racist régime, in order to apply its policy of *apartheid*, imprisoned thousands of opponents of that policy—black and white—whose only crime was that they had participated in a legitimate struggle whose object was the defence of human freedom and dignity and hence essentially the principles of the United Nations Charter and the Universal Declaration of Human Rights.

45. The policy of *apartheid* and colonial exploitation was scandalous and proved that in the present day and age might still prevailed over right. General Assembly resolution 1881 (XVIII), which had been adopted with only one dissenting vote—that of South Africa—had not yet been implemented because some Member States did not honour their votes. His delegation was prepared to support unreservedly any measure that could bring about the unconditional release of the political prisoners in South Africa.

46. Mr. BOERTIEN (Netherlands) read out a statement that his Government, which had always condemned the doctrine of *apartheid*, had issued to commemorate the Day of Solidarity with Political Prisoners in South Africa. In that statement, the Netherlands Government recalled the adoption, 10 years earlier, by the General Assembly of its resolution 1881 (XVIII), in which it had called upon the Government of South Africa to put an end to the persecution of persons opposed to *apartheid* and to grant the immediate and unconditional release of all political prisoners and all persons imprisoned or interned; the Netherlands Government urged the South African Government to implement the resolution immediately.

47. His Government would do everything in its power to convince the South African Government that its policy of *apartheid* was untenable.

At the invitation of the Chairman, who recalled the relevant decision taken by the Committee at its 859th meeting, Mr. T. Mhlambiso, representative of the African National Congress, took a place at the Committee table.

48. Mr. MHLAMBISO (African National Congress) thanked the members of the Committee for allowing him to address it. He welcomed the Committee's decision to commemorate the anniversary of the sentencing of the South African nationalist leaders, including Nelson Mandela.

49. He wondered what positive results had been achieved 10 years after the establishment of the Special Committee on *Apartheid*: had the South African Government shown the slightest respect for the resolutions or Charter of the United Nations? Some Members of the Organization, which called themselves civilized and claimed to be led by democratic Governments, denied the liberation movements the right to represent the millions of people who supported them. Their attitude could be summed up in one word: hypocrisy. They were in fact the enemies of democracy and of everything for which Nelson Mandela and Chief Albert Luthuli had fought. Because without the investments those countries made in South Africa, the South African Government would not be as strong as it was.

50. The African National Congress simply wanted the world to know what was happening in South Africa. It was not seeking the forgiveness of the South African Government, which was not a legitimate Government. Nor was it preaching hatred of the white man; but the fact remained that he was the oppressor of the South African people and it was for him to change the existing state of affairs if he did not wish to have to suffer the consequences of his attitude. People tended to forget the things that should most concern them. They tended to forget the men and women who were in prison. It was only on the occasion of an important trial, or when a journalist received permission to visit the penal colony on Robben Island, that the international community remembered. That was why the quest on of the South African political prisoners must constantly be brought to the attention of the world.

51. He knew from personal experience the conditions in which the prisoners lived. They had to endure forced labour, insufficient food and threadbare blankets, as well as being awakened and searched in the middle of the night. There were currently in South Africa 391 political prisoners serving long terms of imprisonment in penitentiaries where conditions were particularly harsh; 383 of them were on Robben Island. A recent report had revealed that of 265 prisoners who had died a natural death the previous year, 39 had died of pneumonia. That was hardly surprising; as the floors of the cells were cement and it was very cold there. Almost all the political prisoners found themselves convicted after a long period of detention. Some of them were tortured to death by electric shocks. It was a known fact that 19 prisoners had died in that way in detention. Many others, however, had disappeared without a trace. At night the prisoners often heard cries. The following day, they would notice that a cell was empty. But they never learned what had happened to the occupant. When those facts became known outside, the people remained silent, for fear of reprisals.

52. In December 1970 the Security Police had established a camp in the Mkhambathi forest, near Lusikisiki, where they had interrogated prisoners detained under the Terrorism Act. Prisoners from that camp had recounted that, after three interrogation sessions, one of their fellow prisoners, aged 65, had com-

plained of pains in the head and his speech had been incoherent. Ultimately, his corpse had been sent back in a closed coffin. Another prisoner, Gideon Mahanjana, had been interrogated for three days, in the course of which he had been beaten and subjected to a torture which consisted in placing gravel in his shoes and making him stand on a rock. During another torture session his body had been suspended between two trees, above the ground, and an electric current had been passed through handcuffs placed on his hands and feet.

53. There were numerous such examples. Some would ask whether South Africa did not have a parliament and a system of justice. Certainly it did, but there was one type of justice for the whites and another for the blacks. When the authorities feared that witnesses might make embarrassing revelations during a trial, arrangements were made to prevent them from doing so. Thus, when the parents of Ahmed Timol—who had killed himself by throwing himself from the tenth floor of a police building—had demanded an inquiry, their lawyers had been refused certain essential documents.

54. If the South African political prisoner was forbidden the visit and the letter that he was normally allowed to receive every six months, he could make no complaint for he had less rights than a criminal: he had none at all. Another example of the methods of the South African Government was the harassment to which Mrs. Winnie Mandela, the wife of the imprisoned leader, was subjected. She was confined to her home and, although she suffered from a heart condition, she was not allowed to see her sister. She remained confined to one room in Johannesburg, where she awaited only her death. Mr. Robert M. Sobukwe, of the Pan Africanist Congress of Azania was also under house arrest.

55. The Government had set up camps for displaced people, at Dimbaza and Ilingé, among other places. A United States judge, Mr. William Booth, had recently visited the camp at Dimbaza. He had seen there tombs ready to receive women and children expected to die within a short time. Those camps were worse than the Nazi concentration camps. The people in them tried to survive on infertile ground. Their children would never know freedom. However, the only effect of all that brutality and all those humiliations was to give the prisoner a sense of his superiority over his gaoler. To an Australian journalist who had gone to interview him on one of the two occasions each year on which he was entitled to receive visits, Mr. Mandela had replied that he would not despair for a single instant, because he knew why he was in prison.

56. For his part, he knew that his people would have no knowledge of the statement he was making to the Committee, since no South African journalist had the right to report the statements of a banned citizen. Nevertheless, however great the power of the South African Government currently in office, it would be vanquished. The national liberation movement had millions of sympathizers and knew who its enemies were.

57. He repeated that his people were not asking for pity. What they wanted was that the principle of equal pay for equal work should be applied to them. They did not want Bantu laws. They wanted to take part in the government of their country.

58. *Apartheid* was basically a set of laws designed to keep the African population in a state of perpetual

servitude. In order to break down that system, it was necessary to fight on two fronts: inside the country, against the South African laws, and outside it, against the military aid provided to South Africa by its partners. Indeed, the accomplices of *apartheid* were as much to blame as the South African Government itself. The United States of America, the United Kingdom and France had the power to make the South African Government see reason. The South African people might not then be compelled to resort to armed struggle. But it was precisely arms from those countries which the South African police were using against them.

59. Those countries which had interests in South Africa should reconsider their position. It was they that the South African people would hold responsible for a situation in which the Africans had a monthly income of £18, while the whites received £199. The revelations made by *The Guardian* about the conditions prevailing in British companies in South Africa were most embarrassing to Great Britain, whose investments in South Africa amounted to £1,900 million.

60. The Special Committee on *Apartheid* had published a very important report (A/9180) on the military build-up in South Africa and the military aid it had received from the member countries of NATO with which it maintained relations. The world had witnessed the strikes by black workers and the student revolt, which proved that the South African population would rather die than tolerate such living conditions any longer. That was precisely the lesson that the South African Government had learned at Carletonville. Moreover, the South African Government had violated the national sovereignty of Lesotho by entering into the territory of that country in order to arrest a citizen of that country.

61. From all of the foregoing, it was clear that *apartheid* concerned the entire international community. In that connexion, he found it encouraging that many representatives had walked out of the General Assembly Hall when the representative of South Africa had taken the floor at the 2141st plenary meeting.

62. He suggested that the Committee should consider the possibility of according observer status to his movement. He added that, if certain members were not convinced of the representativeness of the African National Congress, they had only to ask the South African Government to furnish proof that it spoke on behalf of the population of South Africa.

63. Mr. WANG Jun-sheng (China) said that his delegation wished to take the opportunity of the meeting on the Day of Solidarity with Political Prisoners in South Africa to express its profound sympathy and regard to the African people who were heroically and dauntlessly carrying on in prison their struggle for national liberation. Together with all defenders of justice, the Chinese people indignantly condemned the racist régime for its policy of suppression and persecution of the broad masses of the African people and other Coloured people and demanded that the South African authorities immediately release all those who had been thrown into prison because of their resistance to them.

64. As was known to all, South Africa was under the rule of a handful of white racists whose crimes, too numerous to be enumerated but no less odious than those committed by Hitlerite Fascists in the past, had created a veritable hell on earth for all Coloured people.

According to official statistics, some 600,000 people were charged each year with "offences" against discriminatory laws, while as many as 500,000 people were in prison and the leaders of the national liberation movement were subjected to brutal repression.

65. The suppression and persecution of revolutionary people by the South African racist authorities indicated not their strength but only their weakness. All reactionary forces invariably turned to repression and massacre to further their cause but always ended the same way: like somebody lifting a rock, only to drop it on his own feet. For every revolutionary who fell, thousands would stand up. The acts of the South African authorities could only arouse the South African people to stronger resistance and struggle, thus hastening the collapse of the colonialist and racist régime in South Africa.

66. Although the struggle of the South African people was a long and arduous one, the Chinese people believed that so long as they persevered in unity and struggle, feared no difficulty and advanced wave upon wave, they would certainly overthrow the racist régime and win final victory in their national liberation struggle, with the support of all the peoples of Africa and the whole world.

67. Mr. PONGO (Zaire) recalled that the President of the Republic of Zaire had stated in addressing the General Assembly on 4 October 1973 (2140th plenary meeting) in connexion with South Africa that that country was the only one in the world where the whites had raised segregation to the level of an institution and that the term "*apartheid*" would not exist in human language had the whites not been in South Africa.

68. Victims of the Terrorism Act, leaders and students—the finest elements available in South Africa for the political leadership of a people determined to liberate itself—were languishing in prison and subjected to torture. Yet, far from eradicating the people's desire for liberty, their martyrdom was the catalyst which would hasten the day when the people would break their chains. The rising generations would remember that great African, Albert Luthuli, the Nobel laureate, who had been mysteriously liquidated after he had been placed under house arrest. They would also remember the greatness of spirit of Walter Sisulu and Nelson Mandela, for, while they might languish in prison, no retrograde force could prevail against their ideas.

69. The white minority feigned ignorance of the lessons of history and trampled all United Nations resolutions underfoot. They should not receive any support from Members of the United Nations, which had subscribed to the principles of peace, justice and human dignity set forth in the Charter. His delegation had welcomed the vote that had resulted in the rejection by the General Assembly of the credentials of the representatives of the minority régime of Pretoria, and it suggested that the status of observer should be accorded to the authentic and lawful representatives of the majority of the South African people and that the liberation movements should be given increased moral and material assistance. The international community should spare no effort to secure the unconditional release of all political prisoners.

70. Mr. NYAKYI (United Republic of Tanzania) commended the Special Committee on *Apartheid* for

taking the initiative in declaring 11 October as the Day of Solidarity with Political Prisoners in South Africa. That was yet another proof of its determination to combat the *apartheid* system of the South African racist régime. At a time when the Third Committee was to consider, under agenda item 53 (b), the Draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/9095, annex, and A/9095/Add.1) and the United Nations was about to launch the Decade for Action to Combat Racism and Racial Discrimination (resolution 2919 (XXVII) of the General Assembly), the Day of Solidarity would serve to focus attention on the most obnoxious system of racism and racial discrimination that mankind had ever devised. In its statement of 17 August 1973 (A/SPC/160, annex) the Special Committee had pointed to the unique character of that most elaborate system, which was maintained through brutal repression and which, as the Minister for Foreign Affairs of the United Republic of Tanzania had pointed out before the General Assembly on 28 September 1973 (2133rd plenary meeting), was a disgrace to civilized humanity. It was for that reason that the General Assembly at the previous session (resolution 2923 E (XXVII)) had reaffirmed that the practice of *apartheid* constituted a crime against humanity and at the current session had again rejected the credentials of the representatives of the Facist régime of South Africa.

71. The international community should extend all possible assistance to those dedicated to the eradication of *apartheid* and, in particular, to the thousands of political prisoners incarcerated in South Africa. Those prisoners had braved the ferocity of a merciless régime in the name of freedom, human dignity and the principles on which the Charter of the United Nations and the Universal Declaration on Human Rights were based. Since the Sharpeville and Langa massacres in 1960, the

number of such prisoners had grown steadily; they included well-known political leaders of the people's national liberation movement and individual opponents of *apartheid* who, together with others, had been imprisoned or had had their freedom of movement curtailed under an odious body of legislation enacted by the South African régime (the 90-day and 180-day detention clauses of the Criminal Procedure Act, the Suppression of Communism Act, the Terrorism Act). In addition to those prisoners who were known because of their membership of political parties and because they were in the van of the struggle against the evil system, there were numerous "unknown prisoners", victims of other unjust and oppressive laws of the racist régime—such as the Group Areas Act, the degrading pass laws and laws regulating every sphere of human activity in South Africa. Such persons must be considered political prisoners because they had been thrown into prison on account of their opposition to *apartheid*.

72. Concluding, he appealed to the Western news media, which had at best shown only lukewarm concern for black victims of *apartheid*, to give adequate coverage to the trials of black opponents of *apartheid*. So long as *apartheid* survived in South Africa, the number of political prisoners would continue to swell. The best way of showing solidarity with the political prisoners of South Africa was therefore to intensify the struggle against the racist régime. All members of the Committee had pronounced themselves solidly against *apartheid*; they should now show the political will which had thus far been lacking by implementing the measures set forth in the numerous resolutions adopted by the United Nations.

The meeting rose at 1.35 p.m.

862nd meeting

Thursday, 11 October 1973, at 3.20 p.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.862

In the absence of the Chairman, Mr. Singh (Nepal), Vice-Chairman, took the Chair.

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa
(continued) (A/9160, A/9188, A/SPC/160, A/SPC/161, A/SPC/L.264):

- (a) Reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

DAY OF SOLIDARITY WITH POLITICAL PRISONERS IN SOUTH AFRICA (continued)

1. The CHAIRMAN invited the Committee to continue its observance of the Day of Solidarity with Political Prisoners in South Africa. In accordance with the Committee's previous decision (859th meeting), he

would invite Mr. David M. Sibeko, representative of the Pan Africanist Congress of Azania (PAC), to make a statement.

At the invitation of the Chairman, Mr. Sibeko (Pan Africanist Congress of Azania) took a place at the Committee table.

2. Mr. SIBEKO (Pan Africanist Congress of Azania) said that it was appropriate that the Committee should observe the Day of Solidarity with Political Prisoners in South Africa since it was the imprisoned members of the liberation movements and all genuine opponents of the *apartheid* régime who were the true champions of the ideals of human rights which formed the foundation of the United Nations. He hoped that the concern shown by the Committee would result in concrete action to help PAC to eliminate *apartheid*.

3. It was because the ancestors of the Azanian people had made the mistake of extending traditional African hospitality to outcasts from Europe that it had been

deprived of the right to take its legitimate place in the community of nations. Those ungrateful "guests" had usurped power in Azania; their descendants had continued the policy of repression and were now wrongfully occupying the South African seat in the United Nations. Representation of South Africa in the United Nations by the white minority was now coming to an end. An overwhelming majority of Member States had voted to reject the credentials of Mr. Vorster's representatives. That vote represented another humiliating blow in the succession of defeats the South African Government had suffered in its struggle against international isolation. The vote was in keeping with the non-recognition of the white minority régime by the African masses in Azania.

4. The neo-Nazi régime was of course able to draw comfort from recognition by the United Kingdom, the United States of America, France and other Western countries which, with their records of bloody colonial wars, could not be expected voluntarily to side with a just cause. Evidence of their vested financial interests showed that they not only opposed the right to self-determination of the African masses but actively encouraged the white minority in its oppressive policies. The *Financial Times* of London had recently carried a report of a \$200-million loan to South Africa organized by the European-American Banking Corporation of New York with the participation of many other banks in the United States and Europe. The representatives of the United States, the United Kingdom, France and Belgium had opposed participation in the Committee's debates by representatives of PAC and the African National Congress (ANC); their statements could well have been a verbal dress rehearsal for military intervention on behalf of what they called a "sovereign" State when the tables were eventually turned on the *apartheid* régime. The imperialist Powers were responsible for the constant threats to peace in the world. Were it not for their support of Israel and opposition to the Arab countries, the present hostilities in the Middle East would have been averted.

5. This organization was confident that its African brothers and its supporters in the non-aligned and socialist countries would hold fast to their demand that it should take part in meetings of the Special Political Committee as a full observer. It considered that the South African seat in the United Nations was now vacant. At the appropriate time, the Azanian people would dispatch representatives to the United Nations to claim its rightful place.

6. The United Nations condemnation of the Vorster régime for disregarding the Security Council resolutions concerning political prisoners was endorsed by PAC, which also supported the call for the immediate and unconditional release of political prisoners, including persons like Robert M. Sobukwe who were under house arrest and those kept in the so-called "transit camps". It also supported the appeal for increased moral and material assistance from the international community, because it knew that organizations like the International Defence and Aid Fund could do much to alleviate the suffering of political prisoners and their families.

7. The privations imposed on political prisoners in South Africa were among the most sadistic the world had known since the time of Hitler. PAC leaders such

as Isaac Mtimunye were serving barbaric sentences of life imprisonment, and John Nyati Pokela, the acting National Secretary, had been subjected to constant torture after being kidnapped and detained under the 90-day detention clause of the General Law Amendment Act (No. 37 of 1963). Two PAC members captured in 1968 had been detained under the Terrorism Act (No. 83 of 1967) and never brought to trial. The Government denied that the men were in detention, but PAC had conclusive evidence to the contrary. The reports of the Special Committee on *Apartheid* contained well-substantiated evidence of what went on in South African prisons and in the special torture chambers, where many patriots had been tortured to death.

8. A recently released political prisoner had related chilling incidents in a fictional account based on actual experience of life on Robben Island. Prisoners were sometimes left to rot to death without attention of any kind, and some were tortured, even after they had been convicted, in an effort to obtain information about underground operations.

9. It was the belief of PAC that the best cure for a disease was to attack it at its root. Any diagnosis of the situation with regard to political prisoners in South Africa showed that *apartheid* and imperialist exploitation were its root cause. Only when those two evils had been eliminated would the prisons be emptied of political prisoners. In 1973 there had already been an upsurge of strikes by African workers and other blacks; black students were increasing their anti-*apartheid* demonstrations; mass organizations like the Black People's Convention had regrouped and were defying *apartheid*. Fearing a recurrence of the demonstrations which had almost brought it down when PAC had launched its Positive Action Campaign in March 1960, the Government was systematically arresting or placing under house arrest leaders of the South African Students Organization, a national organization of black students, and the Black People's Convention. Although it was unusual, even in South African courts, for evidence of past convictions to be presented prior to conviction, the newspapers frequently published details of the anti-*apartheid* activities of the arrested persons long before they were brought to trial. The mood of defiance of the Azanian people had created excellent conditions for stepping up PAC's plans to wage a more sophisticated and intense armed struggle than that carried on through its underground armed wing. Even the former Commandant General of the South African Army admitted that South Africa's Defence Force could not withstand a determined black army. A report in a recent issue of the *Natal Mercury* quoted a former minister as predicting that the blacks would soon be attacking buildings in Johannesburg and Cape Town.

10. While under such pressure the racist régime was unlikely to heed resolutions emanating from the United Nations or any other quarter. The number of political prisoners would increase until they were all released as a result of the armed struggle. The best contribution that those who believed in a truly democratic State in Azania could make was to give unqualified support to the Azanian national liberation movement. If the oppressed persevered in their struggle and if the international community strengthened its support, the fascist régime would be brought down even sooner. The experience of its underground wing convinced PAC that it was possible to organize small units among the people

to wage guerrilla warfare. Sooner or later the white army would be forced to retreat; PAC would then mobilize its forces and launch an all-out war which would surely destroy the enemy's last defences. That strategy would be long in coming to fruition, but it had already been vindicated in countries where the people had succeeded in setting up a popular Government and it was helping the liberation movements in Cambodia to expel the Lon Nol clique.

11. The Azanian people were being thwarted by a handful of fascists armed with superior weapons. The fight would be made easier if the international community went beyond mere condemnation of *apartheid* and took positive action. The growing number of anti-*apartheid* movements were of course a great help. Eventually public opinion might persuade the United States to stop using its veto in the Security Council as a means of withholding justice from the masses of the South African people.

12. The case of the journalist Patrick Laurence was an example of the severe measures which the Government was forced to take. He had written an article in *The Star* of Johannesburg about Robert M. Sobukwe and had been charged under the Suppression of Communism Act for allegedly quoting Mr. Sobukwe. Mr. Laurence had been sentenced to 18 months' imprisonment, but the sentence had subsequently been suspended for three years. Such measures betrayed the weakness of the régime. The black people had seen through the régime and were mobilizing to challenge it. The high hopes raised by United Nations resolutions had been in vain, but the people had not given up hope and had learned to avoid wishful thinking. The United Nations had helped the Azanian people to be more self-reliant. He had no wish to belittle the contribution made by the majority of United Nations Members or the good work done by the specialized agencies in making world opinion more aware of the evils of *apartheid*.

13. It must always be remembered that it was not only prominent Azanians who were suffering but the whole people—peasants and workers who believed in the justness of their cause. PAC owed it to the families of executed patriots to recognize their contribution. If PAC was to retain the confidence of the people, it could not continue to tolerate the cruel treatment of political prisoners.

Mr. Sibeko withdrew.

14. Mr. OSMAN (Egypt) said that the struggle of the freedom fighters in South Africa was similar to that waged by the Egyptian people against a racist régime—the northern counterpart of the South African Government. The purpose of his country's struggle was to secure for Africans the right to live in freedom and dignity on their own sacred land. It condemned the crimes committed by the minority régime in South Africa in violation of the United Nations Charter and international law and morality.

15. The South African Government promoted the policy of *apartheid* under the pretext of rational security. In fact it was carrying out an inhuman and savage policy of genocide. The conscience of the world could not rest until justice was established in South Africa. The international community must take steps to that end. Condemnation was no longer enough, and the

United Nations must take the positive action permitted under the Charter. Justice could only be established through majority rule.

16. Mr. SHMYGOV (Byelorussian Soviet Socialist Republic) said that there had been a time when the ideologists of the exploiting class had divided the earth into "civilized" and the "uncivilized", the "civilized" nations being historically created as the ruling élite. However, as was eloquently shown by present-day international life and the recent history of the United Nations, history had mocked and discarded the doctrine that some races were superior to others. Nations that had recently been under the yoke of colonialism had risen to the great historic work of creation. As nationally independent emerging States, they were making an important contribution to human progress and the solution of problems of vital current importance.

17. The Soviet Union and the other socialist countries, which had consistently defended the interests of international peace and of national freedom and independence, were deeply satisfied with the profound changes that had taken place in the world. They welcomed the birth of still another independent sovereign State, the Republic of Guinea-Bissau, which had come into being as a result of the victory of a national liberation movement over the Portuguese colonialists. His delegation congratulated the people and Government of the Republic of Guinea-Bissau and wished them every success in their endeavours.

18. There were, however, another 30 million people in the world still under colonialist oppression. The sufferings of the people on the African continent had not come to an end. The colonialists were not giving up their positions under the pressure from the national liberation movements. They were using arms against nations fighting against colonial slavery and were trying to demonstrate that their dominion over the peoples of the colonies should be maintained in the interests of those peoples. The colonialists claimed that they were unselfishly serving the ideals of "democracy" and "universal freedom" and that they were performing a great act of "enlightened State wisdom". That was the tenor of the statement by one foreign minister who had glorified the civilizing mission of the racist clique in South Africa. But what did true civilization and enlightened wisdom have in common with the racist, fascist, misanthropic ideology and practices of the Republic of South Africa?

19. In southern Africa, nations were still suffering under the yoke of colonialism, which had taken on the most inhuman and barbarous forms. South Africa had become a police state—a prison for the African and Coloured population and for all dissidents. The sole purpose of South African legislation was to maintain and strengthen the system of slavery for the benefit of the handful of tycoons running the South African and foreign monopolies. Many laws in South Africa were designed to suppress the slightest manifestation of discontent in the country. Those laws gave the police and the security forces the right to punish anyone who demanded protection for the fundamental human rights set out in the United Nations Charter, which the Republic of South Africa had signed. People convicted under those laws were deprived of the right to freedom and personal security and sometimes even of their lives.

Gestapo-like methods condemned by the whole civilized world had become standard practice for the special divisions of the South African police set up to fight the opponents of *apartheid* and any other dissidents.

20. The policies practised in South Africa could not but arouse any honest person to indignation and determined protest. His delegation welcomed the proposal by the Special Committee on *Apartheid* that 11 October 1973 should be observed as the Day of Solidarity with Political Prisoners in South Africa and that a meeting of the Special Political Committee should be devoted to that observance. The Special Committee's report and the revelations that had appeared in the press showed that the situation in South Africa was one of unprecedented genocide and was an extremely grave threat to international peace. The report showed that hundreds of people fighting against racism and for the human rights proclaimed in the United Nations Charter had been thrown into prison; many of them had been given life sentences. Facts that had recently been brought to light in the press attested to the inhuman treatment of those who were fighting for human rights and for the triumph of justice.

21. The Republic of South Africa had broken every record for the number of people arrested and killed. As a member of the South African Parliament had said in a statement published in the British press, the situation in South Africa had deteriorated. Since 1948 the population of South Africa had doubled, while the number of prisoners had quadrupled. An article in the *Morning Star* had described South African prisons as hellish nightmares. The author of the article had described the tortures to which the prisoners were subjected and of which he himself had been a victim. An article in *The Guardian* had described the Draconian measures taken against dissidents by the police in Namibia. Hundreds of Africans were thrown into prison without investigation or trial and were tortured there.

22. In his report to the twenty-fourth Congress of the Communist Party of the Soviet Union, Leonid Brezhnev had stressed that United Nations decisions on the abolition of the remaining colonial régimes must be fully carried out and that manifestations of racism and *apartheid* must be universally condemned and boycotted. In accordance with Leninist foreign policy principles, the Byelorussian people and the peoples of all the other socialist countries had always unflinchingly supported and would continue to support oppressed peoples fighting for national and social liberation, for peace and progress and for the final liquidation of colonialism and all forms of racial discrimination. As a founder Member of the United Nations, the Byelorussian SSR consistently pursued a policy based on the principles and purposes of the United Nations Charter. Any manifestation of nationalism and chauvinism was alien to communist ideology and his country's social system. The Byelorussian communications media were extremely active in publicizing and condemning the policy of racial discrimination pursued in South Africa and other parts of the world. They were also telling about the courageous struggle by progressive social forces throughout the world against the inhuman ideology and practice of racial and national oppression, nationalism and chauvinism. His country had made a generous contribution to Canon Collins' International Defence and Aid Fund for Southern Africa. The Byelorussian peo-

ple indignantly condemned the policy of terror and violence pursued by the régime in Pretoria and maintained complete solidarity with those who were carrying on the courageous struggle against racial discrimination and *apartheid* as well as with those who were languishing in prison for defending human rights, the dignity of the human person, peace and social progress. The provisions of the draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/9095, annex, and A/9095/Add.1) should be applied to the murderers and executioners. He hoped that the draft Convention would be approved at the current session of the General Assembly.

23. On the Day of Solidarity with Political Prisoners in South Africa the cruelty with which the fascist junta in Chile was persecuting hundreds of thousands of people simply because they had supported the legal government must be branded with shame. All progressive people in the world resolutely condemned the acts of violence and terror in Chile.

24. The latter-day fascists must not be permitted to stop the national liberation movement or to prevent the defeat of the remaining colonial régimes.

Mr. Szarka (Hungary) took the Chair.

25. The CHAIRMAN said that he had received a letter from Mr. Otto Kersten, General Secretary of the International Confederation of Free Trade Unions, indicating that he would like to make a statement on the present items. As that request appeared to be analogous to a number of others which the Committee had already agreed to accede to, he would, in the absence of any objection, take it that the Committee agreed to grant the request.

It was so decided.

At the invitation of the Chairman, Mr. Kersten (International Confederation of Free Trade Unions) took a place at the Committee table.

26. Mr. KERSTEN (International Confederation of Free Trade Unions) said that his organization represented some 70 million working people throughout the world. It was very much concerned with action against *apartheid*. One of the Confederation's major preoccupations was that fundamental trade union rights and freedoms were being denied in South Africa.

27. Earlier that day, he had discussed with the Secretary-General the question of freedom of association in South Africa and the recent murder of African miners at Carletonville. At a meeting with the President of Zambia in Lusaka, he had discussed possible action to combat the policy of *apartheid* throughout the world. The Confederation had also been a member of the Preparatory Committee for the International Conference of Trade Unions against *Apartheid*, which had met at Geneva in June 1973 with a view to finding ways to make the fight against *apartheid* more effective. The conclusion reached at the Conference had been that action must be taken in the form of boycotts and strikes (see A/9169, annex I).

28. Another question that had arisen was how migration to South Africa could be prevented. In Europe the trade unions were responsible for advising their members where to go when they wished to emigrate, and it had been proposed that a further meeting should be held in Geneva in November 1973 to discuss what else could

be done. Human rights were being violated all over the world; the trade unions must be asked to help the victims. There were, for example, 65 workers from various unions who were being held without trial in the concentration camps and prisons of Rhodesia. The time had also come to take action on the situation in Chile and to call for the granting of free passage to all those who would otherwise face death.

29. He appealed for help in defending human rights throughout the world and said that he endorsed the draft resolution before the Committee (A/SPC/L.264).

Mr. Kersten withdrew.

30. Mr. TALEB (Algeria) expressed revulsion and indignation at the fact that so many patriots were rotting in the gaols of South Africa for having had the courage to denounce and combat the odious policy of *apartheid*. Those men and women were being detained and tortured because they had opposed racism, because they had shown their loyalty to the purposes and principles of the United Nations Charter and the Universal Declaration of Human Rights, and because they embodied the rightful desire of their people for freedom and dignity.

31. The inhuman conditions in South African prisons were well known to all, thanks to the work of the Special Committee on *Apartheid*. The inhuman treatment meted out to the freedom fighters was comparable to the methods employed by the Nazis or to those used by the disciples of Herzl against the valiant Palestinian fighters. Algeria vigorously condemned those shameful practices. It shared the pain felt by its African brothers who were prisoners in South Africa and wished to demonstrate its solidarity with them. The Fourth Conference of Heads of State or Government of Non-Aligned Countries, held in Algiers in September 1973, had expressed its solidarity with the struggle of the freedom fighters in its resolution on *apartheid* and racial discrimination in South Africa. It had demanded the release of all political prisoners in South Africa, but that would only come about if a concerted effort was made and if active material support was given to the liberation movements of South Africa.

32. His delegation pledged renewed support for the liberation movements and reaffirmed its conviction that the white authorities in Pretoria were not the representatives of the people of South Africa. The latter's true representatives were the South African liberation movements, whose spokesmen should be authorized to participate in the Committee's debates.

33. He made a formal proposal that the Chairman of the Committee should address a note to the Secretary-General drawing attention to the situation in South Africa and inviting him to take appropriate steps.

34. He appealed once more to those who continued to maintain close relations with the racist minority régime in Pretoria in flagrant violation of Security Council and General Assembly resolutions. The economic, financial and military support they were giving to the South African racist régime was perpetuating a system condemned by all mankind.

35. The CHAIRMAN said that, if there was no objection, he would address a note to the Secretary-General along the lines proposed by the representative of Algeria.

It was so decided.

36. Mr. ABDULDJALIL (Indonesia) said that, as a nation that had struggled long and painfully for freedom, Indonesia felt a particular sympathy for all those who were victims of *apartheid*. It was indeed appropriate that the Committee should set aside a day to call attention to their plight. As the situation in southern Africa had deteriorated, the sufferings of its peoples had increased: an almost total disregard for the elementary dictates of respect for human dignity had followed logically and inevitably from the system of *apartheid*.

37. His delegation noted with satisfaction the response of the international community to the heroic struggle of the South African people. The International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa and the International Conference of Trade Unions against *Apartheid* were examples of concerted positive measures which could be taken by governmental and non-governmental bodies. All should support the resolutions and actions of the United Nations in its effort to eradicate racial discrimination from the community of nations. When that goal was accomplished, a clear danger to international peace and security would have been removed. Indonesia wished to add its voice to the many others which had pledged support for and solidarity with those fighting to destroy an unjust political and social system.

38. Mr. RAE (Canada) said that his Government wished to associate itself whole-heartedly with the Special Committee on *Apartheid* and its appeal (A/SPC/160, annex) to all Governments and organizations to observe that day—11 October 1973—as the Day of Solidarity with Political Prisoners in South Africa. On that day 10 years earlier, resolution 1881 (XVIII), by which the General Assembly called for the unconditional release of all persons in prison, interned or subject to other restriction for their opposition to *apartheid*, had been adopted. For the past 25 years, the South African Government had written its policies of *apartheid* and racial discrimination into law. The systematic denial of fundamental human rights by that Government represented their rejection of the principle that all men were equal and had an equal right to human dignity. On behalf of its people, the Canadian Government expressed its complete abhorrence of the policies of *apartheid* of the South African Government and of the consequences of its oppressive and unjust legislation.

39. He paid a tribute to the memory of Mr. Wilfred Jenks, the late Director-General of the ILO.

40. Mr. RAKOTOFIRINGA (Madagascar) said that the Malagasy people had never accepted the fact of colonialism. His delegation identified itself with those fraternal peoples which were continuing the same fight that his own people had fought. He therefore welcomed the fact that the Committee had adopted the proposal to make 11 October 1973 the Day of Solidarity with Political Prisoners in South Africa. It was important to mark the tenth anniversary of the adoption of General Assembly resolution 1881 (XVIII):

41. Although 10 years had passed since the adoption of that resolution, the prisons of South Africa still had one of the highest daily populations. No. 7/71 of the "Notes and documents" issued by the Secretariat's Unit on *Apartheid* showed a steady rise over the past 10 years. South Africa's world record for capital punish-

ment illustrated perfectly the atrocious nature of its inhuman and anachronistic régime.

42. It was natural that the Committee's first thoughts on the Day of Solidarity should be with those who were in prison. However, it might be asked whether that solidarity should not be extended to all the non-white people of South Africa. In order to impose and maintain a régime designed to satisfy their own sordid aspirations, the white minority had introduced an element of permanent insecurity into life in South Africa. The non-white persons there were under a constant threat of displacement, loss of work, and imprisonment. They were thus constantly deprived of their liberty. It was impossible not to extend solidarity to all those people when one considered that they faced punishment without trial, that the authorities could forbid assemblies of more than two persons and that 80 per cent of the population of South Africa was confined by force to 13 per cent of the total area of the country—an area which could not feed more than 30 per cent of the total population. The racist régime in South Africa had transformed that magnificent country into a concentration camp for political prisoners. It was ironic that such an odious régime survived in an international community which had been demanding human rights for 25 years. It was as if some Member States were satisfied with having helped to draw up the Universal Declaration of Human Rights and the United Nations Charter but had no interest in defending the principles embodied in them.

43. It was nevertheless encouraging to see that most Member States did not share that indifference, as had been demonstrated when South Africa's credentials were rejected at the beginning of the current session of the General Assembly (2141st plenary meeting). The representative of the racist régime had been shown on television speaking to his intimate friends in a hall that could not command a quorum. Those same faithful friends of the defenders of *apartheid* had, of course, had reservations about the Committee's decision to extend an invitation to the true representatives of the majority of the population of South Africa.

44. His delegation reiterated its endorsement of the sacred fight of those who were persecuted. Madagascar belonged to the African continent and was faithful to the purposes and principles of the United Nations Charter and the Universal Declaration of Human Rights. History had shown that the future belonged to those who had fought for those ideals. Nothing would prevent the final victory. The prisons, bombings and tortures had only served to strengthen the solidarity of the peoples fighting for a just cause—that of all mankind.

45. The international community was more determined than ever to rid itself of the anachronistic scourge which had been described as a crime against humanity; that was why the Third Committee, at its 1989th meeting, on 8 October 1973, had unanimously adopted the draft programme for the Decade for Action to Combat Racism and Racial Discrimination (A/9094, annex) and had recommended the initiation of that programme on 10 December 1973—the 25th anniversary of the proclamation of the Universal Declaration of Human Rights. That programme and the draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/9095, annex and A/9095/Add.1) would strengthen the international community's effort to bring justice and peace to South Africa.

46. His delegation would support draft resolution A/SPC/L.264.

47. Mr. KAMARA (Mauritania) said that it was easy to declare solidarity with the political prisoners in South African gaols and to condemn the economic, political and military support given to the South African régime by the Western Powers. However, more than that was needed. He drew the Committee's attention to paragraph 31 of the report of the Special Committee on *Apartheid* (A/9022). If the measures called for in that paragraph were adopted, the outrageous policies of the Vorster Government would be brought to an end. States must not limit themselves to mere declarations of intent. The situation called for concerted action to eliminate discrimination from the international community. The actions of the Government in Pretoria could have unfortunate consequences. The Committee must demand the immediate release of political prisoners and the abolition of the policy of *apartheid*.

48. Mr. ZEJMO (Poland) noted that the Polish People's Republic had always attached great importance to and actively participated in efforts to eliminate *apartheid* and ensure respect for human rights in South Africa. Poland had always supported the efforts of the United Nations in that regard, and it had also contributed to the preparation and adoption of effective international measures to combat all forms of national oppression. Similarly, his country firmly supported the just struggle of peoples for self-determination and liberation from colonial and foreign domination in South Africa and throughout the world.

49. Poland did not maintain relations of any kind with the racist, colonialist régime in South Africa and condemned the actions of those Governments which, through political, economic and military co-operation with that régime, encouraged it to continue its inhuman policies. The Polish Government and people demanded the immediate release of South African political prisoners and called for a halt to the persecution of those who opposed the evil system practised in South Africa, which was contrary to the principles of the United Nations Charter, the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples and other rules of international law.

50. His delegation would like to draw the attention of the Committee to the problems faced by the people of Zimbabwe, Angola, Mozambique and Palestine and also to the situation in Chile, whose best sons were now being arrested, tortured and executed by the military junta which had overthrown the constitutional Government of that country.

51. Mr. ARZU MATHEU (Guatemala) said it was hard to believe that in some countries that had achieved a high level of development the freedom and inherent rights of man were limited and subject to capricious legislation. In a century of enlightenment in which mankind had made great advances, it was alarming that some Governments supported a discriminatory racial policy like *apartheid*, which suppressed every fundamental human right.

52. The oppressed peoples of the world were struggling for independence, and any action designed to achieve freedom was deserving of praise. Only through unity could the weak overcome the strong. The policy

of *apartheid* clearly involved the denial of the most elementary human rights and was consequently incompatible with the purposes and principles of the United Nations Charter, Article 55 of which stressed universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

53. His delegation called for the liberation of all who had been imprisoned because they opposed the policy of racial discrimination imposed by the archaic and reactionary laws of South Africa. It called for the freedom fighters to be treated as prisoners of war in accordance with the Geneva Conventions and for acts of violence against prisoners to cease.

54. In conclusion, his delegation once again condemned the inhuman policies of *apartheid* and pledged its support to any measures which would bring justice to the non-white population of South Africa.

55. Mr. WEIDINGER (Austria) said that the appeal by the Chairman of the Special Committee on *Apartheid* that 11 October 1973 should be observed as the Day of Solidarity with Political Prisoners in South Africa enabled his Government to reaffirm once more its views on the policy of the Government of South Africa. As in the past, his Government categorically rejected the policy of *apartheid* as it did any policy based on racial discrimination, and deeply deplored the conditions under which political prisoners in South Africa were sentenced and imprisoned. His delegation therefore supported the efforts to bring about their unconditional release and had joined the sponsors of draft resolution A/SPC/L.264, introduced by the delegations of Sweden and New Zealand. It hoped that the draft resolution would enjoy the support of all States Members of the United Nations and that it would evoke a positive response in South Africa.

56. Mr. POPOV (Union of Soviet Socialist Republics) noted that the Committee was observing the Day of Solidarity with Political Prisoners in South Africa and said that the Soviet Union attached great importance to United Nations measures directed against all forms of racism and racial discrimination.

57. The fight against colonialism and a resolute condemnation and boycott of racism and *apartheid* constituted one of the principal objectives of Soviet foreign policy. The Soviet Government's programme of peace included broad practical assistance to nations fighting for their freedom from colonialism and racial oppression. The Soviet Union, following the Leninist principles of its foreign policy, had always advocated the speedy and final elimination of the racist and colonialist régimes that were holding back the free and democratic development of nations and peoples.

58. In October 1963 only one vote, that of South Africa, had been cast against the adoption of General Assembly resolution 1881 (XVIII) calling for the liberation of all political prisoners in South Africa. In 1973 the peace-loving peoples of the world were calling for a campaign to free all political prisoners in South Africa, most of whom were imprisoned for their courageous opposition to the inhuman policy of *apartheid*. The Special Committee on *Apartheid* had frequently expressed its displeasure with the South African racist policy; the world had recently been shocked by the cold-blooded murder of African miners at Carletonville

by the South African police. The miners had demanded a wage increase and minimal improvements in living conditions; the racists had opened fire on them. Thousands of patriots languished in gaols in South Africa in indescribable conditions. Those courageous fighters were deprived of their elementary rights; they were allowed few visitors; and they were deprived of the right to read papers or listen to the radio. Most of the patriots received life sentences, which meant that they were condemned to a slow and painful death in conditions of constant ill-treatment by the racist authorities.

59. People in the Soviet Union knew and deeply respected the staunch freedom fighters in southern Africa who were now languishing in the prisons. The deep faith of those courageous patriots in their own country, in their just cause and in final victory was inspiring the South African people to carry on the struggle for a happy and bright future for their country.

60. Courageous patriots were also fighting for freedom and independence in Chile. His delegation fully endorsed what had been said by other delegations, particularly that of the Ukrainian SSR, about the terror and violence in Chile. It also endorsed what the Cuban Minister for Foreign Affairs had said on that subject the previous day before the General Assembly (2148th plenary meeting).

61. The Soviet people and Government would continue to assist and support the struggle of the South African patriots. His delegation whole-heartedly supported the suggestion that the time had come to take effective measures against the South African racists and to obtain the speedy and complete release of political prisoners. The just cause of the South African freedom fighters must and, he was sure, would triumph.

62. Mr. VALENZA (Italy) said that the position of his Government on the question of respect for fundamental human rights and, in particular, the treatment of political prisoners and detainees was well known, and his delegation therefore intended to vote in favour of draft resolution A/SPC/L.264. His delegation had studied the report of the Special Committee on *Apartheid* (A/9022) and wished to express its deep concern at the violation of human rights and acts of repression reported in paragraphs 65 to 89.

63. Italy was firmly opposed to practices which undermined human rights whenever and wherever those practices occurred, and his delegation wished to affirm its belief that public opinion in South Africa, particularly among the younger generation, should be informed of the evil aspects of *apartheid*, the ill treatment meted out by the Government to its political opponents and the firm stand taken by the United Nations on behalf of full respect for the fundamental principles of the Charter.

64. Mr. GUELEV (Bulgaria) said that he welcomed the timely and useful decision to observe a Day of Solidarity with Political Prisoners in South Africa. The position of the People's Republic of Bulgaria was clear and unequivocal. Any form of racial discrimination was quite inconceivable for the Bulgarian people. The theory and practice of racism had always been rejected and vigorously condemned by his Government, which had consistently given special attention to the activities of international bodies fighting every form of racism. South Africa's official policy of *apartheid* was an odious and intolerable phenomenon which constituted the

absolute negation of the principles of the Charter of the United Nations. However, *apartheid* was not merely an ideology and State policy but also a system of segregation, oppression and social exploitation. The South African racists were the ideological and political successors of Hitler, and *apartheid* was a modern form of slavery and the basis for the entire political and economic structure of South Africa.

65. International opposition to *apartheid* had strengthened considerably over the past few years, and the activities of the United Nations enjoyed the overwhelming support of its Member States. However, the fact had to be faced that the criminal policy of *apartheid* of the South African Government was based on the political, military, economic and financial support of the forces of imperialism which viewed South Africa not merely as one of the last ramparts of colonialism but also as a bastion of international reaction and the retrograde and anti-democratic forces in the world. The scourge of nazism had found refuge in South Africa, and the intransigence with which the Pretoria régime defied the international community indicated that it enjoyed the powerful support of other countries.

66. His delegation whole-heartedly endorsed the action taken by the United Nations to mobilize public opinion in defence of the victims of the massive and pitiless repression exercised by the racist régime of South Africa. It felt that there could be no more suitable opportunity to speak out also in defence of the victims of the equally massive and pitiless oppression exercised by the Chilean military junta against fighters for freedom and social progress. That brutal and gory repression had continued for almost a month after the overthrow by the military junta of the legal Government of President Allende and was inspired by the same ideology as that which prevailed in South Africa. Public opinion and the world conscience were revolted by the mass arrests, manhunts, summary executions, torture and deportation of thousands of patriots in Chile. In that country, as in South Africa, those who fought for freedom, human rights and the principles proclaimed in the Charter of the United Nations were being imprisoned by the forces of fascism. The cause of the political prisoners of the racist régime of South Africa could not be separated from the cause of the political prisoners of the fascist régime of the military junta in Chile. It was the cause of all mankind. The Committee had a duty to display its solidarity with all who were being persecuted for their fidelity to the cause of liberty and social progress. It should do this by protesting energetically against the repression in Chile and in South Africa and to express its willingness to engage in vigorous action at the international level.

67. Mr. DIAKITÉ (Mali) said that the commemoration of 11 October 1973 as the Day of Solidarity with Political Prisoners in South Africa was particularly significant, since it reflected the desire of Governments and peoples to stand firm against the abhorrent policy pursued by the authorities of Pretoria and all those who incited or encouraged them in their continuing refusal to comply with the principles embodied in the Charter of the United Nations and the Universal Declaration of Human Rights.

68. The Vorster régime continued to torture, imprison and murder all those who opposed its out-dated policy of racial segregation or who courageously con-

demned the policy of *apartheid*, advocated racial equality and called for the implementation of elementary democratic principles in South Africa. His delegation whole-heartedly supported the statement adopted on 17 August 1973 at the 256th meeting of the Special Committee on *Apartheid* (A/SPC/160, annex). In the view of his delegation, all those who did not join in the struggle against *apartheid* must be considered allies of the Vorster régime. The enemies of freedom and equality were those who disregarded United Nations decisions concerning the sale of weapons to South Africa and those who disregarded economic sanctions against the South African Government. The NATO Powers, by their military and economic support of South Africa, were helping to perpetuate a system of domination based on the colour of the skin, and they would be answerable to history for their actions. On behalf of his delegation, he wished to appeal to men of goodwill to implement the relevant resolutions of the General Assembly and Security Council against the practice of *apartheid* in South Africa. His delegation also wished to draw the attention of the international community to the provisions of General Assembly resolution 2923 (XXVII), of 15 November 1972.

69. The cause of the South African political prisoners was no different from that of the millions of all races who had given their lives in the Second World War to free mankind from nazism and fascism. The international community could not and must not capitulate to neo-fascists of Pretoria, the former allies of the Third Reich, who had defied that community with impunity for over a quarter of a century. The support being given to South Africa by those who, in the past, had joined together to destroy the fascism of Hitler could only be condemned. The special responsibilities assumed by most of those countries in the United Nations should encourage them to show a higher degree of co-operation in the efforts being pursued by all to attain the goals set out in the preamble to the Charter of the United Nations.

70. In conclusion, he said that his delegation was open to any initiatives or action which would lead to the liberation of all the freedom fighters illegally detained by the Pretoria authorities and to the restoration of human rights in South Africa.

71. Mr. DE LATAILLADE (France) recalled that his Government had consistently affirmed its view that *apartheid* was the most deplorable form of racial discrimination. During the past years his delegation had voted for resolutions expressing the General Assembly's indignation at the maltreatment and torture of those who opposed *apartheid*, as well as resolutions recommending the expansion of the international campaign against *apartheid*. In addition, France had supported the proposals concerning material assistance to the victims of *apartheid* and their families and had expressed its concern in concrete terms by a cash contribution in 1973 of \$30,000 to the United Nations Trust Fund for South Africa. In conclusion, he said that his delegation would support draft resolution A/SPC/L.264.

72. Mr. ŠMÍD (Czechoslovakia) said that his country had repeatedly affirmed its anti-colonialist and anti-racist position both in international gatherings and by means of the practical support which it rendered to the peoples of Africa, and in particular the people of South Africa, in their struggle for national liberation. The

Czechoslovak people observed each year the anniversary of Sharpeville, and now, on the Day of Solidarity with Political Prisoners in South Africa, it would express its solidarity with the freedom fighters cast into prison by the racist Government of South Africa, which would however not succeed in suppressing the struggle against its unlawful actions. History demonstrated that the struggle of peoples for freedom could not be crushed. Despite the inhuman repression to which the people of South Africa were being subjected—at a time when the civilized world was observing the twenty-fifth anniversary of the adoption of the Universal Declaration of Human Rights—peace-loving peoples everywhere would ensure that the South African people's determination to defend their lawful rights would never be forgotten.

73. His country condemned a racist political system worthy of the Nazis, which had been elevated in South Africa to the level of law. It also condemned the activities of those who, disregarding world opinion and United Nations decisions, continued to render political, military and economic support to the racist régime and hypocritically accounted South Africa to be a free country and a member of so-called Western democracy. Such an attitude was of course only to be expected from the countries that had been so eager to recognize the unlawful régime in Chile despite the bloody terror unleashed there against all peace-loving persons and defenders of democracy.

74. A sharp contrast was provided by the position of principle of his country, which, as early as 1963, had broken off all relations with the Republic of South Africa as a protest against the policy of *apartheid*. Czechoslovakia considered it an indisputable success that the forces fighting against colonialism and *apartheid* were growing steadily stronger and had succeeded in mobilizing public opinion to condemn *apartheid* and racial discrimination, and that the States Members of the United Nations, with a few pitiable exceptions, had recognized the policy of *apartheid* to be a crime against humanity (General Assembly resolution 2786 (XXVI)).

75. His country reaffirmed its solidarity with the freedom fighters imprisoned by the racist régime and re-emphasized its determination to continue to render every possible support to the South African people in their struggle.

76. Mr. OGBU (Nigeria) said that from the time, on 17 August 1973, that the Special Committee on *Apartheid* had issued its statement suggesting that 11 October 1973 should be observed as the Day of Solidarity with Political Prisoners in South Africa, it had received various messages of support for its proposal. Cables had been received, on the very day, from the Polish Afro-Asian Solidarity Committee and the World Peace Council, and a number of recent statements, and letters from important non-governmental organizations would be made available to the Committee. The organizations supporting the claim for the release of South African political prisoners included the British Anti-Apartheid Movement, the Interna-

tional Commission of Jurists, the World Federation of Democratic Youth, the International Organization of Journalists, the Ghana National Committee against *Apartheid*, the Soviet Afro-Asian Solidarity Committee, the Defence Aid Fund in the Netherlands, the Halt All Racist Tours of New Zealand and Amnesty International. The Special Committee on *Apartheid* appreciated their support and looked forward to their active participation in the campaign. The Special Committee on *Apartheid* and OAU had always emphasized that the problem of *apartheid* in South Africa was a universal one, although it concerned African States most acutely because *apartheid* was imposed in a part of the African continent and the people oppressed by it were the indigenous people of Africa. It had been a matter of disappointment that a number of Western countries had not supported the measures proposed for the solution of the problem. Those countries had been invited to suggest effective alternatives and to take the initiative in proposing and carrying through effective measures to solve the problem.

77. He was therefore gratified that a group of some Western European and other States had sponsored a draft resolution (A/SPC/L.264) on the very important problem of political prisoners in South Africa. He wished to commend its sponsors for recognizing the importance of the question and for expressing their strong conviction that the release of the leaders of the oppressed people in South Africa and other opponents of *apartheid* was essential for a peaceful solution of the grave situation in South Africa. His delegation noted with satisfaction that a number of countries having traditional relations with South Africa had taken the initiative in sponsoring the resolution and that the list of sponsors included one of the newest members of the United Nations, the Federal Republic of Germany. He was sure that the white people of South Africa would appreciate the importance of that initiative.

78. The racist régime in South Africa wished to deal with the problem as one of blacks against whites or whites against blacks. The United Nations had refused to accept that definition of the problem and fully supported the struggle of the black people of South Africa for freedom because it was a legitimate struggle. At the same time, the policy of *apartheid* was, in the long run, suicidal for the white minority itself. The African people of South Africa had repeatedly stressed that the country belonged to all South Africans, irrespective of race and colour, and had made it clear that they were not against whites so long as they did not try to dominate the black people.

79. The members of the Special Committee on *Apartheid* had recently contacted a number of Governments of the smaller countries in the West with a view to more concerted action against *apartheid* and were gratified at the first results of that effort.

80. On behalf of his delegation, he wished to suggest that draft resolution A/SPC/L.264 should be adopted by acclamation.

The meeting rose at 6.30 p.m.

863rd meeting

Friday, 12 October 1973, at 3.25 p.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.863

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa (continued) (A/9160, A/9188, A/SPC/160, A/SPC/161, A/SPC/L.264):

- (a) **Reports of the Special Committee on *Apartheid*** (A/9022, A/9169, A/9180);
- (b) **Reports of the Secretary-General** (A/9165)

DAY OF SOLIDARITY WITH POLITICAL PRISONERS IN SOUTH AFRICA (concluded)

1. Mr. ROSE (German Democratic Republic) said it was obvious that the ruling circles of South Africa were not willing to implement the decisions of the United Nations and end their rule of terror against the people of South Africa. His delegation noted that the methods employed against the staunch patriots in South Africa who upheld human rights and the principles of the Charter of the United Nations were those which had been used by German fascism. It therefore shared the view of other delegations that the Government of Pretoria was a fascist régime and considered that there was a need for concerted international action to eliminate *apartheid*, in the interests of peace and human rights.

2. The people of the German Democratic Republic had destroyed the roots of fascism and racism and had constructed a socialist State, which had made support for the fight against colonialism, fascism and racism an integral part of its foreign policy. His delegation had learned with repugnance of the methods of fascism employed in Chile where a reactionary military junta had overthrown the constitutionally elected Government and where thousands of patriots were being detained in prisons and camps and the life of Senator Corvalán was in danger. His country supported the peoples of both Chile and South Africa in their struggle for freedom and self-determination, and would support any action to end the imprisonment and ill-treatment of the opponents of colonialism and racism in South Africa.

3. His delegation was fully aware that the policy of *apartheid* served to maintain the political power of the white minority in South Africa and to secure the exploitation of the majority of the population and noted that the unholy alliance of the Pretoria Government with foreign monopolies was expanding and gathering strength. Accordingly, the German Democratic Republic, like other socialist countries, called for the release of South African political prisoners and detainees, and complied with the terms of United Nations resolutions in maintaining no diplomatic, economic or other relations with the Pretoria régime. If all States took similar action, it would be possible, in co-operation with the forces of the national liberation movement, to force the South African Government to abandon its policy of *apartheid* and end its methods of fascist suppression.

4. In conclusion, his delegation felt that the pledge to respect human rights and observe the principles of the

Charter must be translated into practical action. Humanity must not end where the profit interests of national and international monopolies began.

5. Mr. ALI (Pakistan) said that the organized system of racial discrimination practised in South Africa had long aroused the indignation of the world community. It was in the very nature of *apartheid* to employ repression for its survival, and such Draconian laws as the Sabotage Act and the Terrorism Act had turned the law into a tool of oppression in South Africa.

6. The Special Committee on *Apartheid* had first expressed concern over the treatment meted out to political prisoners in South Africa in 1963 and since that time, almost every organized body within the United Nations system concerned with the protection of human rights and personal freedoms had expressed abhorrence at the inhuman manner in which South Africa treated all who opposed the odious system of *apartheid*. South Africa's reaction to the appeals of the General Assembly had been one of brazen defiance, complete disregard and insensitivity to all norms of civilized behaviour. It had stepped up its reign of intimidation and terror and, as *The Times* of London had noted in an editorial on 2 November 1970, had become a State with a commitment to repression.

7. To distort the truth and hide its hideous practices from the world, the Government of South Africa had undertaken an extensive propaganda campaign and the number of representatives of the South African Department of Information abroad had been tripled. It was therefore essential for the world community to take action in order to frustrate South Africa's attempt to deceive the world. Measures like the observance of the Day of Solidarity with Political Prisoners in South Africa not only provided the moral support so important in such matters, but also helped to expose South Africa's iniquitous policies of *apartheid*. The international community should also concentrate on providing legal assistance to the political prisoners and detainees and relief to their families. The good work being done by the United Nations Trust Fund for South Africa, on whose Committee of Trustees Pakistan served, should be further expanded and his delegation hoped that contributions to that noble cause would be increased.

8. With regard to draft resolution A/SPC/L.264, he said that, while his delegation was fully aware of the noble intentions which had guided its sponsors, it did not feel that it sufficiently reflected the revulsion and indignation of the world community over the persecution of political prisoners in South Africa. However, in the interest of maintaining unanimity and in the hope that the Government of South Africa would appreciate its implications, his delegation was prepared to support the draft resolution.

9. In conclusion, his delegation wished to reiterate its solidarity with those who were enduring torture and suffering in South African gaols and pledged itself to do

all it could to uproot the evil system which had been established in South Africa.

10. Mr. SIYOLWE (Zambia) said that the supporters and defenders of the iniquitous policy of *apartheid* had attempted to bluff the peace-loving nations of the world by creating separate and so-called independent "States", eight for Africans and one for whites, in which each ethnic group was to develop along its own lines.

11. Under the system of *apartheid*, the value of a human being was determined solely by an accident of birth; race was the final and ultimate gauge. The system had wasted the talents and skills of 82 per cent of the population of South Africa in order to secure cheap, controlled, but unorganized black labour and high profits for the white minority. The system of *apartheid* was maintained and institutionalized by a complex structure of oppressive legislation backed up by the wealth produced by exploitation and the military strength of a misguided and selfish minority.

At the invitation of the Chairman, who referred to the relevant decision taken by the Committee at its 859th meeting, Mr. J. Ennals, Secretary-General of Amnesty International, took a seat at the Committee table.

12. Mr. ENNALS (Secretary-General of Amnesty International) said that South Africa's legal system represented the total corruption of any rule of law. It protected a minority against the overwhelming majority and repressed the majority in the interests of the minority. Under that system of law, families were divided and people were isolated, tortured and driven to suicide. When prisoners were released at the end of their sentence, they were banished or prevented from finding employment. The 12 African workers killed at Carletonville had merely been seeking to exercise human rights denied to them by the laws of South Africa, which banned trade unions and denied workers their right to negotiate for a living wage or express legitimate grievances.

13. As the organizer of the first movement to boycott South African goods in the United Kingdom, he wished to remind the Committee of the direct link between the South African Government's maintenance of *apartheid* and the goods and products of South Africa which were available in the stores of many countries. As long as South Africa continued to sell its produce to other countries, the South African Government would, with impunity, continue to imprison and ill-treat the opponents of *apartheid* and flout the human rights of the majority of the population.

Mr. Ennals withdrew.

14. Mr. CREMIN (Ireland) said that his delegation wished to associate itself with the initiative to observe the Day of Solidarity with Political Prisoners in South Africa. It was fitting that the international community should pay tribute to the men and women who had been imprisoned for their opposition to the *apartheid* policies of the South African Government and that it should seek to restore their liberty and remove the fundamental cause of their imprisonment.

15. It was lamentable that, 28 years after the signing of the United Nations Charter and 25 years after the adoption of the Universal Declaration of Human Rights, discrimination on grounds of race or colour should be practised by a founder Member of the United Nations.

Although such discrimination was explicitly outlawed by Article 1, paragraph 3, of the Charter and by the Universal Declaration of Human Rights, it had been embodied in South Africa's legal system. By statutes such as the so-called 90-day law,¹ the Suppression of Communism Act, the Sabotage Act² and the Terrorism Act of 1967, South Africa had institutionalized and sought to preserve the legacy of racial discrimination and had cut off all legal avenues for social and political change. Under those laws, many leaders of the black people and numerous white opponents of *apartheid* had been restricted, gaoled, banished or forced into exile. Thousands of people had been held in detention, without access to the courts, their families and their lawyers, for many months at a time. Not only had they been subjected to the psychological torture of indefinite detention, but there had been overwhelming evidence in the last decade of torture against many detainees.

16. The evidence given to the Special Committee on *Apartheid* regarding the treatment of prisoners was a matter of urgent and serious concern to all nations and peoples which considered the principle of human dignity and respect for human rights as part of their commitments under the United Nations Charter. The repressive measures adopted by the Government of South Africa to maintain the policy of *apartheid* in operation were proof of its fallacious nature. There was a real danger that by eliminating almost all possibility of peaceful change, the Government might drive the non-white inhabitants of South Africa in despair to violent means of redressing their legitimate grievances.

17. His Government had on numerous occasions declared its complete rejection and abhorrence of the policies of *apartheid* of the Government of South Africa. Speaking before the General Assembly on 24 September 1973 (2125th plenary meeting), the Foreign Minister of Ireland had noted that no consideration of personal achievement, level of education or even loyalty to the régime influenced the treatment meted out to those whose colour was different from that of the ruling minority and he had reaffirmed his Government's condemnation of that policy and its belief that the intrinsically evil character of *apartheid* made it ultimately unworkable.

18. In the view of his delegation, an unequivocal and forceful condemnation of the treatment of political prisoners in South Africa would serve as an affirmation of solidarity and an encouragement to those white and non-white citizens who were suffering so that might would not triumph over right. His delegation was pleased that his country was a sponsor of draft resolution A/SPC/L.264 and hoped that it would meet with unanimous approval.

19. Practical assistance could also be given to ease the effects of the policy of *apartheid* on those who suffered under it, and his delegation urged all countries, particularly those which were not doing so, to contribute generously to the United Nations Trust Fund for South Africa and to the United Nations Educational and Training Programme for Southern Africa.

20. In conclusion, his delegation urgently appealed once again to the Government of South Africa to abandon its potentially disastrous course. The voices of the

¹ The General Law Amendment Act of 1963, sect. 17.

² The General Law Amendment Act of 1962, sect. 21.

ever-increasing number of opponents of *apartheid* would not be silenced. The policy of *apartheid* was not only degrading for South Africa, but also carried within it the seeds of destruction for those who practised it.

21. Mr. DUMA (Romania) said that his country strongly condemned the policy of *apartheid* and racial discrimination pursued by the minority racist régime in South Africa and called for the immediate release of all political prisoners in South Africa. Its sympathy and support were extended to all who fought to end the régime, in order to ensure equal rights for all citizens of South Africa and equal participation in the activities of the country. It noted that the Government of Pretoria had totally ignored the resolutions hitherto adopted by the General Assembly and the Security Council and felt that in order to make United Nations action against *apartheid* more effective, all States Members of the United Nations should comply fully with the principles and provisions of its resolutions.

22. At the same time, his delegation considered that international recognition should be granted to the South African national liberation movements. Their leaders should be acknowledged as the true representatives of the people of South Africa and permitted to defend and promote their rights in the United Nations and other international forums.

23. In Romania 11 October 1973 had been observed as the Day of Solidarity with Political Prisoners in South Africa. Meetings had taken place in the main cities, under the auspices of the Romanian League for Friendship with the Peoples of Africa and Asia, and had expressed the profound solidarity of the Romanian people with the struggle of the South African people against the policy of *apartheid*.

24. In conclusion, his delegation wished to reaffirm the support of the Romanian people for all those who struggled against foreign oppression and against the criminal policies of *apartheid* and racial discrimination of the Government of South Africa.

25. Mr. BIRIDO (Sudan) said that the fate of those South Africans who had been imprisoned and banned for their opposition to *apartheid* had been a source of constant concern to his delegation. As the Foreign Minister of his country had stated before the General Assembly on 5 October 1973 (2142nd plenary meeting), the international community must take up seriously the matter of those men and women whose sole guilt was standing up for their inalienable rights to independence and freedom to determine their future. On the occasion of the tenth anniversary of the first call for international action by the General Assembly (resolution 1881 (XVIII)) and the Security Council (resolution 181 (1963)), his delegation reiterated its unreserved condemnation of the arbitrary laws which had confined decent human beings and deprived them of their basic human rights. Thousands of South Africans were either in gaol or banned because their political activities had brought them into violent conflict with the inhuman and arbitrary *apartheid* laws. Hundreds of suspects were being held without trial in solitary confinement and subjected to the most cruel tortures.

26. He referred to the distinguished citizens of South Africa, including Nelson Mandela, Robert M. Sobukwe, Walter Sisulu, Ahmed Kathrada and the late Chief Albert Luthuli, the Nobel Peace Prize winner,

who had been detained by the South African Government, and said that it was clear, that those who upheld and actively promoted the principles of the Charter of the United Nations and the Universal Declaration of Human Rights in South Africa were liable to imprisonment or banishment. The United Nations should exert itself on behalf of the political prisoners in South Africa. The Government of that country was waging war against the majority of South Africans by incarcerating national leaders and intellectuals who inspired them to struggle for their dignity, and thereby endeavouring to deprive the majority of any national consciousness or sense of purpose. While his delegation had no doubt about the undaunted spirit of resistance in South Africa, it felt that the contribution of the international community to that resistance was significant.

27. It was against that background that his delegation had considered draft resolution A/SPC/L.264 introduced by the Swedish delegation (861st meeting). Although it would have preferred a stronger text, including an endorsement of the statement on political prisoners in South Africa adopted by the Special Committee on *Apartheid* on 17 August 1973 (A/SPC/160, annex), his delegation intended to support it in view of the importance which it attached to the universal condemnation of *apartheid*.

28. Mr. SEIGNORET (Trinidad and Tobago) said that many people of all races were being subjected to indefinite detention or long periods of confinement under harsh conditions because they aspired to, or defended, the most elementary of human rights. The Committee was only doing its duty in holding a special meeting to express the solidarity of the international community with political prisoners in South Africa; it must ensure that they were not forgotten.

29. Ten years earlier the General Assembly had been moved to call for the release of political prisoners in South Africa (resolution 1881 (XVIII)) because of the arrest of 11 men, including some distinguished South African leaders, at Rivonia.³ Since then, those and other black leaders had been held on Robben Island, a place which would remain a symbol of inhuman treatment long after *apartheid* was destroyed. Only the South African Government knew precisely how many prisoners were being detained and how many were serving sentences in such centres as Robben Island. At the 861st meeting, the representative of the African National Congress had said that there were 391 political prisoners in maximum security prisons in South Africa, of which 383 were on Robben Island. The Committee must endeavour to make such facts widely known. The Government of South Africa recognized that even some of its best friends felt revulsion at the situation and it therefore sought to keep information about it secret.

30. The political prisoners would only be released if South Africa's powerful friends combined to bring pressure to bear on the Government. All appeals to South Africa to abandon its racist policies had been ignored. International action had so far lacked the bite it would have if all those States which condemned *apartheid* moved resolutely against it. It was the Committee's responsibility to ensure that everyone, particularly those with significant power, should hear the cry for freedom and be moved to action.

³ See *Official Records of the General Assembly, Nineteenth Session, Annexes*, annex No. 12, document A/5692, annex I, para. 19.

31. His delegation had seen a report that the number of political prisoners was declining, but that report also pointed out that, immediately after completion of their sentences, many political prisoners were served with banning and house arrest orders or were deported to the reserves or so-called resettlement camps. Since the people of South Africa could not leave the country freely, it would be true to say that the whole country was a prison for almost all the non-white population and for those whites who challenged *apartheid*. Any detainee would assert that his home had been turned into a prison. In remembering those who were formally held as prisoners, the Committee must not forget those who were under house arrest and other forms of detention.

32. All States were committed to the aim of eradicating *apartheid*. They differed only as to the type and timing of the measures to be used to bring about peaceful change. The Special Committee on *Apartheid* had referred in its report (A/9168) to the important task of persuading South Africa's friends to join in making the measures called for in General Assembly and Security Council resolutions fully effective. Accordingly, his delegation commended the sponsors of the draft resolution. The Chairman of the Special Committee had already made special mention (862nd meeting) of the fact that the Federal Republic of Germany was a sponsor of draft resolution A/SPC/L.264. His delegation noted with satisfaction that two other sponsors were members of the Security Council and that none of the sponsors was a member of the Special Committee on *Apartheid* or belonged to the group of non-aligned countries. All the sponsors were from the cultural group whose civilization and interests South Africa purported to defend.

33. In view of South Africa's past indifference, the renewed call for the release of political prisoners might be doomed in advance to ineffectiveness. However, his delegation shared the conviction that the mere fact that it was those delegations which had taken the initiative in sponsoring the draft resolution would have a great influence on public opinion both in South Africa and in those countries that supported it. His delegation looked forward to the establishment of an effective coalition of all anti-*apartheid* forces and commended the draft resolution to the Committee for unanimous approval. It expressed its solidarity with the political prisoners in South Africa and with all who were fighting to eliminate *apartheid*.

34. Mr. SCHAUFLE (United States of America) said that one of the encouraging trends in the twentieth century had been the elimination of institutionalized racial discrimination. Most people and Governments recognized the principle that all men were equal. His Government could not accept the premise of racial inequality inherent in South Africa's social structure. It had striven to eliminate racial injustice in the United States of America and knew from experience that racial discrimination was burdensome and dehumanizing to people of all races and could promote hatred and violence. His Government genuinely hoped that the South African Government would reverse its policy of *apartheid* with its potential for widespread disorder and bloodshed.

35. By its very nature, *apartheid* challenged those whom it oppressed to demonstrate their opposition to racial discrimination and reassert the equal worth and

humanity of all races. It was sad that such protest and political activity could result in imprisonment or banning. His country took the opportunity of the Day of Solidarity with Political Prisoners in South Africa to express its sympathy with those imprisoned and banned simply because they had dared to oppose an inequitable social system. His Government supported draft resolution A/SPC/L.264, and, if a vote was taken, his delegation would vote in favour of it. The United States hoped that the demands for the recognition of human rights in South Africa would soon be heeded and that the suffering of those who had been gaoled or banned would not be in vain.

36. Mr. OHTAKA (Japan) said that it was appropriate for the Committee to observe the Day of Solidarity with Political Prisoners in South Africa at a time when the United Nations was launching the Decade for Action to Combat Racism and Racial Discrimination. The wide interest shown in the Day by Member States was proof of their concern.

37. Ten years earlier, his delegation had been a sponsor of the historic resolution 1881 (XVIII) of the General Assembly. It was encouraging to learn from the Chairman of the Special Committee on *Apartheid* that the United Nations warnings might have had some effect. Nevertheless many people were still oppressed in South Africa because of their opposition to *apartheid*.

38. His delegation welcomed the initiative of the sponsors of draft resolution A/SPC/L.264 and hoped that it would be adopted unanimously. It reiterated its opposition to all forms of racial discrimination and its determination to support international efforts to combat *apartheid* and assist those people who were suffering because of their opposition to it. His country made an annual contribution to the United Nations Trust Fund for South Africa. He hoped that the day would soon come when the Committee could observe the Day of Solidarity in remembrance of an event of the past.

39. Mr. DAUNT (United Kingdom) said that the number of delegations speaking in the debate bore witness to the importance their Governments attached to the plight of political prisoners in South Africa. His own Government condemned political persecution wherever it occurred and supported all measures which it regarded as proper and practical to combat discrimination and alleviate the condition of those who suffered under it in South Africa. There were no differences over the objective, and his country made a substantial contribution towards its attainment. His delegation would support the draft resolution.

40. Mr. MEHIRI (Tunisia) said that it was appropriate that the Day of Solidarity with Political Prisoners in South Africa should coincide with the tenth anniversary of the adoption of resolution 1881 (XVIII) by the General Assembly. In the past 10 years the United Nations had adopted many other resolutions on the same subject, but the South African régime had only increased its implacable repression of the black people of South Africa, imprisoning many who were fighting for liberty and justice. It was advancing with impunity on a course of genocide. The Committee's duty was not only to condemn *apartheid* but to make all countries aware of the truly pernicious nature of that policy and of their own responsibility for the situation. The political prisoners needed not only condemnation of their oppressors but total and militant solidarity and concerted

international action against the South African régime. It was of little help to the political prisoners that some of the most powerful countries subscribed to the relevant resolutions while supporting the racist régime and ignoring appeals that they should break off all relations with it.

41. Action should be taken not only by African countries and organizations and the non-aligned countries but by the whole international community, and it should be extended to include the liberation of all the oppressed peoples of southern Africa. The last bastions of colonialism were in South Africa. The beast was at bay, and history demanded that it should be brought down. South Africa and its supporters would one day answer for their crimes against humanity.

42. In the north of Africa, other oppressed Africans were fighting the same fight as their brothers in the south against a racist invader. The Zionist régime in Jerusalem and the fascist régime in Pretoria were demonstrating their contempt for international law and United Nations decisions.

43. His delegation supported the draft resolution before the Committee.

44. Mr. AMISSAH (Ghana) said that, while his country shed tears for the oppressed peoples of South Africa, it took consolation from the fact that they had sincere supporters in the Committee. The world was realizing that all human beings must be treated with dignity and decency and that any fraternization with the South African racists helped to destroy human rights and fundamental freedoms for the non-white majority in South Africa and encouraged the racist régime in its oppression.

45. For the first time, a number of Western countries had made more than a token condemnation of *apartheid* by joining the Scandinavian countries in sponsoring the draft resolution before the Committee. It had taken two decades of perseverance to achieve that step. The draft resolution did not go far enough, because it did not specify the sanctions to be applied if South Africa refused to implement it. However, his delegation supported it in the hope that one day the world would act decisively.

46. His delegation was disappointed that the United States of America, the United Kingdom and France were not among the sponsors. Perhaps they needed more time to realize that any situation which denied a people its right to live as human beings was untenable.

47. In proclaiming its solidarity with the political prisoners and all the oppressed peoples of South Africa, his delegation reiterated that there could be no compromise in the quest for freedom and justice for them. There was no place for the double standards that had been applied under colonialism and imperialism. Democracy did not permit minority rule over the majority. Yet, the application of democracy in South Africa had resulted in the ironical situation in which a population of 4 million lorded it over 16 million blacks and many other non-whites. Countries who professed belief in democracy accepted the situation and even took every step to maintain it. Thus the representatives of the 16 million blacks were deemed to represent only themselves and had no right to take part in the debate. People who professed to believe that all men were born equal had applied a double standard to peoples whose

skin was a different colour from their own. The application of that double standard to the majority of the citizens of South Africa had resulted in indignities and brutalities.

48. Little children were being given military training to equip them to fight for freedom and justice in their own fatherland. That was happening in poor African countries while the rich United States was talking about a volunteer army. Some of those children might die in the struggle, but some would live to fight on to victory. The indigenous peoples of Africa did not wish to fight, but they had no choice when faced with Sharpeville, Carletonville and Wiriyaumu. After all, the United States of America had had to fight for its own independence.

49. The opponents of *apartheid* were often charged with emotionalism. They were emotional, but no more so than the practitioners and supporters of *apartheid*. An article in *Newsweek* dated 15 October 1973 reported that the South African Government had produced a film to whip up the emotions of white children against the blacks and the Chinese. The film portrayed the blacks as terrorists led by the Chinese. In fact, the white practitioners of *apartheid* were the terrorists. In spite of such malicious stereotyping and in the face of increasing brutality, the blacks of South Africa had demonstrated that they had no hatred for the white man. They only demanded their legitimate rights.

50. Mr. JOB (Yugoslavia) said that it was with a profound sense of outrage that his delegation participated in the seemingly perennial debates about the fate of political prisoners in South Africa, and it was with the strongest feelings of admiration and respect that it learnt of the indomitable courage and persistence of the people of South Africa in carrying on their struggle in the most inhuman conditions. His delegation hoped—and indeed was certain—that, with whatever support they received from the United Nations, the people of South Africa would prevail in their struggle. It was in that spirit that his delegation participated in the observance of the Day of Solidarity with Political Prisoners in South Africa and supported draft resolution A/SPC/L.264, which it agreed should be adopted unanimously.

51. While many speakers had expressed the hope that United Nations resolutions would afford moral and political support to the people of South Africa, many others had expressed doubt as to their effectiveness in the face of the unyielding attitude and worsening practices of the South African Government. The United Nations should take heart and draw inspiration from the bravery and dedication of those who were fighting against *apartheid* in their own country. There was evidence, notably in paragraphs 13 and 15 of the Special Committee's review of developments in South Africa since October 1972 (A/AC.115/L.375), that United Nations support was going to people who were ready and able to use it. Progress was agonizingly slow for the freedom fighters, but they persisted and the United Nations must persist in its support: today resolutions, tomorrow direct assistance.

52. His delegation supported the draft resolution, which was a stepping stone to more effective measures. It should be noted that the Fourth Conference of Heads of State or Government of Non-Aligned Countries, which represented more than two thirds of the world's

population, meeting at Algiers in September 1973, had elaborated a specific programme of effective action.

53. At the 1744th meeting of the Security Council, on 9 October 1973, his delegation had stated that no country should base its policy on the illusion of unalterable military superiority or on massive recourse to State terrorism. The South African Government should recognize the inexorable change which was taking place in international law, in the political behaviour of States and in the attitude of the United Nations with respect to liberation struggles. The starting point was always resolutions and appeals for moral and political support. However, things could move very quickly. Not long ago the representatives of liberation movements had been merely petitioners, then they had become observers in various United Nations bodies, and now there was the independent State of Guinea-Bissau, which had already been recognized by more than 50 countries. The sanctions against Southern Rhodesia were violated, but they were being strengthened. The United Nations had funds for material aid to resistance movements and had instituted special services for them. Above all, the legal and political basis for all those activities was recognition of the right of peoples to fight for their liberation with whatever means were available to them. The United Nations had long ago abandoned the attitude that direct assistance to liberation movements constituted interference in the internal affairs of States.

54. Mr. KEBEDE (Ethiopia) said that it was appropriate for the Committee to observe the Day of Solidarity with Political Prisoners in South Africa. In the 10 years since the adoption of resolution 1881 (XVIII) by the General Assembly, the apostles of *apartheid* had constantly rejected United Nations appeals and the minority régime in Pretoria had escalated the atrocities of *apartheid*. The facts of the deterioration of the situation in South Africa were documented in the excellent report of the Special Committee on *Apartheid* (A/9022) and had been described in detail in the statements of the representatives of the African National Congress and the Pan Africanist Congress of Azania. The odious crime at Carletonville was only one example of the atrocities committed in the name of *apartheid* inside prisons and outside by the South African racists.

55. His delegation wished to place on record its satisfaction at the initiative of the sponsors of draft resolution A/SPC/L.264 and at the support which it had received from other non-African nations.

56. No human being, except one whose senses had been dulled and dehumanized by the theory of superiority, could fail to respond with indignation to the plight of the political prisoners. The countries of Africa recognized the draft resolution as an expression of moral indignation by human beings capable of compassion for the unjustly oppressed. They recognized the voice of reason, of civilization and of compassion.

57. For many years African countries and other members of the world community had been admonishing the perpetrators of the crime of *apartheid*. History indicated that time was running short for the *apartheid* régime; it could not continue to ignore the warnings of friend and foe. It must abandon its shocking practices or accept the fearful consequences.

58. Mr. HANSEN (Federal Republic of Germany) said that both his Government and his people were

opposed to the policy of *apartheid*. The representatives of the Special Committee on *Apartheid* had had that demonstrated to them during their recent visit to Bonn. His delegation was happy that the Federal Republic of Germany was one of the sponsors of the draft resolution, which he hoped would contribute to a solution of the grave problem of *apartheid*.

59. Mr. DUARTE (Colombia) said that his delegation wished to reaffirm its whole-hearted condemnation of all forms of racial discrimination and to join with others in calling for justice for political prisoners and other victims of *apartheid* in South Africa and it agreed with the statement of the distinguished representative of the United Republic of Tanzania at the 861st meeting. It was not only the torture and inhuman treatment of political prisoners that was to be deplored but also the hopeless situation of the large majority who legitimately aspired to equality in such fields as employment, education, social security and individual freedom.

60. The Government and people of Colombia wished to affirm their solidarity with the political prisoners of South Africa and to express moral support and admiration for their struggle for freedom and the elimination of *apartheid*. He further wished to stress the importance of fully implementing the resolutions adopted by the General Assembly on the problem of *apartheid*, in particular resolution 2923 E (XXVII).

61. In conclusion, he wished to reaffirm his country's position with regard to the question of the South African representative's credentials. His delegation had voted against the Syrian amendment to paragraph 14 of the report of the Credentials Committee⁴ because it understood that the sole function of that Committee was to verify the credentials of representatives of Member States. That vote did not imply any softening of Colombia's attitude towards the Government of South Africa. Colombia had always been opposed to any form of racial discrimination and to any violation of human rights, the enjoyment of which was vital to world peace and justice.

62. Mr. MACRIS (Greece) said that for 28 years Greece had been in the forefront of the struggle to obtain recognition of the right of peoples to self-government, independence and freedom and had striven to eliminate racial discrimination. The Greek Government would continue to contribute to the formulation of rational measures for the total and permanent elimination of racial discrimination. However, although his delegation would vote in favour of draft resolution A/SPC/L.264, it felt it would be preferable if the resolution did not contain any expression of condemnation. Such expressions, which in any event had previously been ineffectual, could prove more harmful to the innocent citizens of all races and colours living within South Africa than to the racists themselves. Furthermore, in the event of a separate vote on each paragraph, his delegation would be obliged to vote against operative paragraph 2, feeling that it was couched in terms incompatible with Article 2, paragraph 7, of the United Nations Charter.

63. In operative paragraph 3 of the draft resolution, the words "in keeping with their national laws and with

⁴ See *Official Records of the General Assembly, Twenty-eighth Session, Annexes*, agenda item 3, documents A/L.700 and A/9179.

the principles, purposes and provisions of the United Nations Charter" should be inserted after the words "more vigorous and concerted action". His motive for proposing that addition was simply to ensure that the resolution was based in all respects on the provisions of the Charter.

64. Mr. TSHERING (Bhutan) said that his Government deplored the policy of *apartheid* pursued by the Government of South Africa, which had continually disregarded the resolutions of the General Assembly and the Security Council. His country believed in equal rights and equal treatment for all human beings. Accordingly, his delegation deplored the ill-treatment and torture of political prisoners in South Africa and demanded their release. His delegation would support draft resolution A/SPC/L.264 and hoped that it would serve to convince the South African Government of the opposition of the international community to all forms of torture and other acts of terror against opponents of *apartheid*.

65. Miss WILLIAMS (Sierra Leone) said that, as an African and a Sierra Leonean, she wished to associate herself with those who had already expressed solidarity with the political prisoners in South Africa. In spite of a steady barrage of resolutions by the United Nations, the South African Government persisted in its odious policy of *apartheid*. Acts such as the recent shooting of unarmed miners striking for more pay and better conditions illustrated the ruthlessness and desperation of the South African régime. The leaders of that régime were clearly aware that their days were numbered and were attempting to postpone the day of judgement. The Committee should adopt the strongest and most persuasive resolution possible warning against the dangers of delay and denouncing the inhuman practices of *apartheid*.

66. Her delegation called on the Committee to demand the immediate and unconditional release of the political prisoners in South Africa and urged those nations which had diplomatic and other ties with South Africa to use their influence in the interests of justice and sanity.

67. Mr. TÜZEL (Turkey) said that his Government had consistently supported every effort aimed at eliminating the policy of *apartheid* and would continue to do so in the hope of reaching a solution based on justice, the principles of international law and the Charter of the United Nations.

68. The policy of *apartheid* was contrary to all basic human values. The repressive measures implemented by the South African authorities in a desperate effort to silence the opponents of *apartheid* were not only despicable but also tended to make peaceful settlement increasingly difficult. His delegation therefore welcomed draft resolution A/SPC/L.264 and would vote in favour of it.

69. Mr. TALIWAKU (Uganda) said that his delegation wished to associate itself with those who had already expressed solidarity with the political prisoners in South Africa. Ten years before, the hope had been expressed that the system of *apartheid* would soon be destroyed, but that system still survived because of the support provided by international monopoly capital. The Committee should not confine itself to a mere condemnation of *apartheid* but should strive for its final

and total destruction. Uganda felt endangered by the policy of *apartheid*, not simply because of its geographical proximity to South Africa but because the desperation of the South African régime made its actions unpredictable. The whole of Africa was threatened.

70. In the name of the black peoples of South Africa as well as struggling peoples throughout the world, his delegation called upon the Government of South Africa to abandon its policy of *apartheid* and condemned those Members of the United Nations who, because of selfish economic interests, continued to support the minority régime in South Africa.

71. The situation of the black peoples of South Africa was a matter of deep concern to Uganda, and his delegation wished to assert its solidarity with those who were struggling for freedom and independence in South Africa.

72. Mr. NANDAN (Fiji) said that his delegation wished to express its solidarity with all those opponents of *apartheid* who had been imprisoned in South Africa because of their efforts to secure their human rights. He expressed the hope that the opposition of the international community would have an impact on the policies of *apartheid* of the South African régime and said that his delegation would support draft resolution A/SPC/L.264.

73. Mr. THOMPSON-FLÔRES (Brazil) said that his delegation would support draft resolution A/SPC/L.264 because it was profoundly opposed to the idea of racial segregation and believed that the draft resolution provided the basis for a peaceful solution to the problem of *apartheid* in South Africa. The policy of *apartheid* had always been condemned by his Government, which continued to feel that a peaceful solution should be sought in accordance with the provisions of the United Nations Charter.

74. The CHAIRMAN said it was his understanding that the draft resolution had no financial implications, and, if there was no objection, he would take it that the Committee wished to adopt the resolution.

75. Miss LOPES (Portugal) requested a vote on the draft resolution.

76. Mr. BARAKAT AHMAD (India) said that the resolution should be adopted by acclamation; if the representative of Portugal had any objection, she could explain her position on the resolution.

77. Mr. SIYOLWE (Zambia) supported the proposal of the representative of India.

78. Miss LOPES (Portugal) said that, under the rules of procedure of the General Assembly, a member was entitled to request a vote on any draft resolution. However, if the other members of the Committee objected, she would not insist, on the understanding that she would be permitted to give an explanation of her position.

79. The CHAIRMAN called upon the Committee to adopt draft resolution A/SPC/L.264 by acclamation.

It was so decided.

80. Miss LOPES (Portugal) said it was well known that racial policies had never been practised in Portugal. Her country had always had a multiracial society in which neither the colour of a person's skin nor his

religion had given rise to discrimination. However, if draft resolution A/SPC/L.264 had been put to the vote, her delegation would have abstained because it felt that the question with which the draft resolution dealt was an internal matter in which the United Nations Charter forbade interference.

81. Mr. TALEB (Algeria) said that his delegation had supported the draft resolution in spite of the shortcomings and weaknesses which had been pointed out by a number of delegations. His delegation had intended to make a number of amendments to the resolution but had refrained from doing so in the interests of unanimity. He expressed the hope that the spirit of conciliation shown by his delegation would encourage other delegations to make similar concessions with regard to other resolutions on the policy of *apartheid*.

82. Mr. BARAKAT AHMAD (India) said that the text just adopted had many weaknesses. The Special Committee on *Apartheid* had formulated a draft resolution which was stronger and more to the point. However, he wished to praise the initiative of those countries which had sponsored the draft resolution. He had heard with great interest the statement by the representative of the United States of America and was gratified to note that the United States delegation had supported the draft.

83. If such a resolution could not be implemented, other measures would have to be taken.

84. He noted that of the 11 States which had sponsored the resolution, 7 had diplomatic relations with South Africa. It was the responsibility of the delegations of those States to see that the text of the draft resolution reached the proper quarters in their respective countries.

85. Mr. WANG Jun-sheng (China) said that his delegation would like to make a number of observations on the draft resolution just adopted by the Committee. It had supported the resolution because it condemned the failure of the South African authorities to comply with

the General Assembly and Security Council resolutions on the release of political prisoners and called for the immediate and unconditional release of those prisoners. However, he had a number of reservations to make. First, the so-called Government of the Republic of South Africa represented only a small racist minority in South Africa and certainly not the broad masses of the Azanian people. Secondly, the root cause of the South African authorities' repression and persecution of those fighting against *apartheid* lay in the colonialist and racist policy pursued by those authorities. If the suffering of the people of South Africa was to be ended, it was imperative to eradicate the colonialist and racist system in South Africa. Thirdly, in view of the intensification of violent repression by the fascist South African authorities, the people of Azania were fully entitled to resort to armed struggle. In the words of the Solemn Declaration on General Policy adopted by the Council of Ministers of OAU, at its twenty-first ordinary session held at Addis Ababa in May 1973: "armed struggle is the main form that efforts to achieve liberation must take".

86. Mr. FOUM (United Republic of Tanzania) said that, although his delegation had had some reservations with regard to draft resolution A/SPC/L.264, it had acceded to the Committee's desire to adopt that draft by acclamation in the interests of solidarity with the suffering masses in South Africa and in deference to the 11 sponsors. He proposed that the Committee should call on the Secretariat's Unit on *Apartheid* to give maximum publicity to the observance of the Day of Solidarity with Political Prisoners in South Africa.

87. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the proposal of the Tanzanian representative and would request the Secretariat to give its attention to the matter.

It was so decided.

The meeting rose at 6.15 p.m.

864th meeting

Tuesday, 16 October 1973, at 3.20 p.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.864

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa
(continued) (A/9160, A/9138, A/SPC/160, A/SPC/161);

- (a) Reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

GENERAL DEBATE

1. Mr. HOUHOU (Algeria) said that the fact that the scourge of *apartheid* continued to exist despite the many resolutions adopted by the Security Council and the General Assembly showed the helplessness of the United Nations in the face of the problem. That situa-

tion was due primarily to the fact that certain Powers persisted in maintaining close relations with Pretoria and supplying it with weapons and financial assistance.

2. The report of the Special Committee on *Apartheid* (A/9022) had demonstrated clearly that South Africa's economic expansion had been greatly assisted by the ever closer financial, commercial and military relations between South Africa and certain Western countries, that South Africa's military and police forces and its arms industry were stronger now than 10 years earlier, that its repressive, discriminatory laws were being applied with increasing harshness, and that Pretoria was becoming more and more defiant and was helping the illegal racist régime of Ian Smith and the Portuguese Government in their colonial policies.

3. It was astonishing that the Western countries in question could not understand—or did not wish to understand—that their support merely encouraged the South African régime to pursue its policy of discrimination, repression and expansion. Open collusion with a régime which flouted principles that had been included in the Charter of the United Nations on the initiative of some of those very countries made the latter accomplices in a crime that was condemned by all mankind. As the Algerian Minister of Foreign Affairs had said before the General Assembly on 11 October 1973 (2150th plenary meeting), solidarity of race and community of interests were not enough to explain why countries condemned the crime while fraternizing with the criminal. One could not at the same time proclaim one's friendship for Africa and support the champions of *apartheid*, thus enabling them to consolidate their régime. Moreover, that support did not merely strengthen internal repression but also enabled South Africa to help the régimes in Portugal and Southern Rhodesia, thus directly threatening the sovereignty of independent African countries. The consolidation of the Pretoria-Salisbury-Lisbon axis, which had increasingly come to include Tel Aviv, showed that those régimes were pursuing identical objectives and constituted a direct threat to international peace and security. Following the seventh ordinary session of the Assembly of Heads of State and Government of OAU, held at Addis Ababa in September 1970, the President of Zambia, Mr. Kenneth Kaunda, and the President of Mauritania, Mr. Moktar Ould Daddah, had visited various European capitals to state the unanimous view of the African countries concerning the dangers of supporting South Africa. Unfortunately, certain countries had not seen fit to heed the appeal.

4. Since peaceful means had failed, his delegation proposed that the Committee should consider the following three measures: first, information campaigns—particularly in the Western countries—denouncing the support given by certain Western Governments to the South African régime; secondly, implementation of effective economic, financial and military measures against Pretoria with a view to isolating it from the world; thirdly, creation of a support and solidarity fund to increase the effectiveness of the struggle of the South Africa national liberation movements.

Mr. Singh (Nepal) Vice-Chairman, took the Chair.

5. Mr. SIYOLWE (Zambia) said that the African majority in South Africa was being subjected to increasingly severe measures by the racist minority régime, which had speeded up the process of forcible segregation by means of ruthless repression of the opponents of *apartheid*. According to the report of the Special Committee on *Apartheid* (A/9022, annex I, para. 31) approximately 1.5 million Africans had been forcibly moved into barren "homelands". The report also documented the build-up of military and police forces, acts of aggression against independent African nations, including his own, intervention against liberation movements in Zimbabwe, Mozambique and Angola, and attempts to divide the international community and the people of South Africa. All those measures were being carried out in collaboration with the illegal régime in Southern Rhodesia and with fascist Portugal.

6. The territory of Namibia, illegally occupied by South Africa, had been fragmented into 10 Bantustans

in defiance of the demand of the Namibian people for an independent State. As a result of the successful boycott of the elections to the so-called Ovambo Legislative Assembly, the South African police had charged against thousands of Namibians with batons and guns at a township near Windhoek, killing several men and wounding a number of women and children.

7. South Africa, with the assistance of some Western countries, had increased its military budget tenfold since the Sharpeville massacre in 1960. It already manufactured 80 per cent of its arms and had increased its imports of sophisticated military equipment and aircraft. The international community was well aware of the military collaboration between South Africa and the other minority régimes in southern Africa and some NATO countries. The Government of the United States of America had recently supplied 17 helicopters to Portugal to be used for chemical defoliation purposes and had granted a loan of \$32 million for the purchase of aircraft and other military equipment. At the end of the nineteenth century Portugal's system of slave labour in Africa had been replaced by a system of forced labour under which, for example, 1 million of Angola's 5 million blacks were conscripted each year. The Portuguese met any opposition with violence, banning all political groups, imprisoning leaders and shooting down demonstrators. According to statistics compiled by the Portuguese military authorities in Angola, between 50,000 and 80,000 Angolans had been killed by Portuguese forces between 16 March and 30 June 1961. The high command's orders at that time had been to kill any Angolan seen in any areas of revolt.

8. Miss LOPES (Portugal), speaking on a point of order, said that the item before the Committee concerned the policies of *apartheid* of the Government of South Africa. The references to Portugal by the representative of Zambia were therefore out of order.

9. Mr. BARAKAT AHMAD (India) said that, while he sympathized with the view of the representative of Portugal, which was technically correct, it was very difficult to divorce Portuguese policies from the policies of *apartheid* of the Government of South Africa. *Apartheid* had become the focal point of the whole subject of colonialism in southern Africa.

10. The CHAIRMAN requested the representative of Zambia to continue his statement.

11. Mr. SIYOLWE (Zambia) said that the voices which had tried to alert the world to the atrocities being perpetrated by the Portuguese in Angola in 1961 had been largely ignored. Since then the Portuguese had waged their wars against the people of the colonies behind a screen of isolation. The liberation movements had repeatedly reported the barbarity of Portuguese actions, which included forced resettlement in an effort to isolate the freedom fighters and "sanitize" the masses. In Mozambique, the Portuguese had announced plans to uproot 3 million people by 1975, out of a total black population of 8 million.

12. Certain members of NATO had increased their support to Portugal because they regarded that country as a buffer against potentially dangerous racial and political forces in Africa. United States assistance to Portugal had increased both through official government channels and through private corporations. In a statement before the Special Committee on the Situa-

tion with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (the Committee of Twenty-four) at its 929th meeting, on 20 July 1973, an English clergyman, the Reverend Adrian Hastings, had appealed to Portugal's supporters to realize that they were responsible for its genocidal policy. In a report in *The Times* of London of 10 July Father Hastings had described the sadistic murder of a pregnant woman by Portuguese soldiers.

13. Miss LOPES (Portugal), speaking on a point of order, repeated that the speaker was departing from the item under discussion. Portugal was not the subject under discussion.

14. The CHAIRMAN asked the representative of Zambia to continue his statement, keeping the subject under discussion in mind.

15. Mr. SIYOLWE (Zambia), continued his statement and said that, while the international community protested against such murders and the massacres of the African population in the Portuguese colonies, Southern Rhodesia and South Africa, some NATO countries gloried in the killings and continued to supply military aircraft to the Portuguese. Those collaborators should take warning that the will to independence of the majority in southern Africa would never be suppressed and that the support of the international community for the inalienable right of the people of southern Africa to independence and justice would never be frustrated by any country, no matter how powerful. At the 862nd meeting the representative of France had made a statement concerning the assistance his country was rendering to political prisoners and other victims of *apartheid* in South Africa. He would like to remind the French Government that its Mirage aircraft were being used in the oppression of those same people.

16. Certain NATO countries were co-operating in making South Africa a military bastion against the peace-loving States of Africa and in preparing South Africa to produce atomic bombs, chemical weapons and guided missiles. The plant for the production of fissionable uranium and nuclear fuel had long been in operation. An atomic reactor had been installed, and preparations had been completed for large-scale production, camouflaged as a nuclear power programme. Such facilities and equipment posed a grave threat to international peace and security and to the right to self-determination of the peoples of southern Africa. Every nation or individual that invested in South Africa or had an interest in companies doing business in South Africa was a participant in the repression of the African majority by the minority régime.

17. The Special Committee on *Apartheid* had constantly tried to alert the international community to the explosive situation in South Africa and the oppressive policy of *apartheid*. In its statement of 13 September 1973 (A/9160, annex) condemning the Carletonville massacre, the Special Committee had drawn attention to the inhuman conditions to which African mine workers were subjected. The Carletonville massacre was a painful reminder to the international community of its responsibility to put an end to *apartheid* and forestall further bloodshed and graver dangers to international peace and security. The South African régime must take warning that its criminal acts would not go unpunished.

18. His delegation noted with satisfaction the increased international awareness of and action against *apartheid* and the increased dissemination of information on *apartheid* by the Special Committee and other United Nations organs as well as by non-governmental organizations. The United Nations and the international community had demonstrated, notably in General Assembly resolution 2923 (XXVII), their increased commitment to render moral and material assistance to the liberation struggle in South Africa. The recent decision of the General Assembly (2141st plenary meeting) to refuse to accept the validity of the credentials of the South African delegation provided the Special Political Committee with further justification for condemning the minority régime and calling on the international community to take practical measures against it. His delegation hoped that the Committee would again be unanimous in its condemnation of the régime for maintaining the policy of *apartheid*.

19. His delegation thanked the Chairman and the members of the Special Committee for their comprehensive report (A/9022) and for their tireless efforts in the fight against *apartheid*, racial discrimination, colonialism and imperialism.

20. Mr. SEIGNORET (Trinidad and Tobago) said that the most important development in the struggle against *apartheid* during the past year had been the wide-ranging strikes which had begun in Natal and had threatened to spread throughout the country. Despite the increases quickly given by the employers, wages in most economic sectors remained below the official poverty line. A more significant result had been the revelation that there was a certain amount of public sympathy for the non-white workers and the Government's decision to introduce labour relations legislation granting blacks a highly circumscribed right to strike, although the formation of trade unions was still prohibited. Opposition to the *apartheid* system had also been vigorously expressed by black and white South African students. Even the chief officials in the Bantustans, who were Government appointees, had been making unexpectedly audacious criticisms and demands.

21. Outside South Africa, there had been a campaign to force multinational companies operating in South Africa to pay better wages. The International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa and the International Conference of Trade Unions against *Apartheid* had produced constructive results; the observance of Sharpeville Day at the meetings of the Security Council in Panama in March 1973 and the meetings of the Special Political Committee to express solidarity with political prisoners in South Africa were also of great importance.

22. Yet the plight of the majority inside South Africa remained desperate. Human rights were systematically denied, wages were still pitifully low, the gaols remained crowded, and freedom of the press was non-existent.

23. The inability of the United Nations to ensure that its resolutions were implemented resulted from the fact that certain States Members which had the power to bring pressure to bear on South Africa refrained from doing so. The report on the implementation by States of United Nations resolutions on *apartheid* (A/9168) sub-

mitted by the Special Committee pursuant to General Assembly resolution 2923 C (XXVII) was, as the Rapporteur had said when introducing it (859th meeting) only an interim report which would have to be constantly updated and expanded. The introduction to the report described the various measures adopted by the United Nations since the very first session of the General Assembly in an effort to persuade the South African Government to abandon its policy of racial discrimination. It showed that a majority of Member States had implemented the resolution. The South African Government's efforts to counteract the effects of the international campaign to isolate it were an indication of the success of that campaign and of the need to widen and intensify it. South Africa's apparent success in establishing official relations with Latin American countries which were well known for their anti-racist and anti-colonial attitudes might be counteracted by the production of informative material in Spanish explaining the facts about *apartheid*.

24. That report, as well as the Special Committee's annual report (A/9022) and its report on the military build-up in South Africa and implementation of the arms embargo against South Africa (A/9180), suggested, first, that South Africa's military needs arose principally from the internal situation brought about by its oppressive policies; secondly, that its general strategy was to involve the Western Powers militarily and otherwise in South African affairs, and, thirdly, that it had decided on military intervention in the affairs of Southern Rhodesia, Mozambique and Angola.

25. The South African Defence Minister sought to justify his country's military build-up as a response to an alleged threat to South Africa (*ibid.*, annex, para. 1). However, reports on South African military movements in the territories to the north gave added force to the Special Committee's rejection of the exceptions to the arms embargo claimed by certain States and of the so-called distinction between sophisticated weapons for external defence and small arms which might be used for internal repression.

26. Article 41 of the United Nations Charter provided the basis for applying economic sanctions against South Africa. Although it was sometimes argued that overseas firms participating in the economic life of South Africa could set standards which improved the lot of the African worker and strengthened his ability to fight against *apartheid*, the spokesmen for the majority in South Africa had unequivocally stated that economic sanctions would be a short-term misery preferable to the prolonged suffering which they now endured. His delegation endorsed the Special Committee's view that since even the threat of economic sanctions had never been tried, the time had come for all Members of the United Nations, and especially South Africa's major trading partners, to hold consultations with a view to instituting a programme of sanctions. No one wanted bloodshed, and the economic area seemed to be the one in which pressure could most effectively be exerted to bring about the necessary changes before an explosion occurred.

27. The success of the sports boycott had been most encouraging, and that was an area in which the international community could increase its activity. The campaign had made millions of people outside South Africa aware of the iniquitous nature of *apartheid* and has

made South Africans aware of the world's view of that policy.

28. Another very important area was that of trade union activities. The power of trade unions was enormous, and it was hoped that trade union leaders all over the world would implement the decisions taken by the International Conference of Trade Unions against *Apartheid*, particularly the appeal (A/9169, annex I) to workers and trade union organizations to give financial, moral and material support to the workers and people of South Africa.

29. The virtually unanimous support in the United Nations for humanitarian or educational assistance for the victims of *apartheid* was also encouraging. His delegation urged those countries which made contributions either directly or through national funds connected with South Africa or with the victims of *apartheid* outside South Africa to consider making increased contributions through the United Nations, thus strengthening the latter's image as an organization for peace in which States could help on a humanitarian basis even when they disagreed politically.

30. The Special Committee's major problem was that of obtaining information. Since the South African Government published its statistics in such a way as to conceal the true facts, it was hoped that other Governments would actively co-operate in providing the necessary information on relations with South Africa even if that might be embarrassing at times. Relations with racist South Africa might have short-term financial benefits, but the cost in world race relations was intolerably high, especially for those living in multiracial States. Furthermore, as the international campaign against *apartheid* gained strength, there would be financial and other disadvantages attaching to continued close relations with a South Africa which was inflexible in its adherence to *apartheid*.

31. His delegation had actively co-operated with the Special Committee and would continue to do so until *apartheid* had been totally eradicated.

32. Mr. BEAVOGUI (Guinea) said that the various documents before the Committee clearly showed that the situation in South Africa was still a cause for concern, despite the many resolutions adopted by the United Nations. The statement by the Acting President-General of the African National Congress of South Africa quoted in paragraph 40 of the Special Committee's report (A/9022) showed that, despite the achievements of the anti-*apartheid* movement, South Africa was economically stronger than it had been 10 years earlier as a result of increasing financial, trade and technological links with certain countries. With their support, the South African Government continued to flout the United Nations resolutions, to ignore world public opinion, to subject its people to increasing repression and to maintain its domination over the international Territory of Namibia.

33. The independent African States and all countries devoted to peace and freedom had constantly denounced certain Governments' co-operation with the Pretoria régime. The Special Committee's report once again drew attention to the grave responsibility of South Africa's main trading partners, particularly those countries which supplied it with arms. Their political support for the racist Vorster régime had been clearly shown when the African States had challenged the cre-

dentials of that régime's representatives in the General Assembly and during the discussion in the Committee on the representation of the liberation movements (859th meeting). On the pretext of non-intervention in the internal affairs of a State, those countries continued to refuse the representatives of the oppressed majority in South Africa the right to speak on behalf of the people of Azania. Yet, many of them were indebted to the African States for the help provided in freeing Europe from nazism. It was not enough to denounce *apartheid* as a deplorable form of racial discrimination and to contribute money—which had probably been gained from the exploitation of the Azanian people—to the OAU programme of assistance to the victims of *apartheid*. All the decisions of the United Nations must be fully implemented, including economic sanctions and the arms embargo, if all forms of racial discrimination were to be eliminated in South Africa. An earnest appeal must be made to Governments to prevent the emigration of their nationals to South Africa, which was detrimental to the African population. South Africa must be totally isolated. The arguments put forward by some countries to justify their failure to implement the United Nations resolutions were not convincing.

34. His delegation endorsed all the recommendations made by the Special Committee. States which collaborated actively with the *apartheid* régime should be condemned, and particular emphasis should be placed on the military aspect of the problem, with no distinction being made between defensive and offensive weapons.

35. There could be no doubt that the liberation movements recognized by OAU were the true representatives of the people of Azania since they spoke for 16 million men, women and children who had in no way participated in the election of the minority Government. It was ironical that those who claimed to defend democracy should support the representatives of that Government. The African liberation movements should be granted permanent observer status and should be given political, diplomatic, economic, social, material and military support by the United Nations. White minority domination in South Africa would then cease and would be replaced by a multiracial government. The increasingly widespread strikes, student agitation and the growing awareness of the rights of the Azanian people both inside and outside the country were symptoms of the incurable disease which affected the racist régime in Pretoria.

36. Mr. STUBBS (Peru) said that the numerous resolutions adopted by the United Nations in an effort to persuade the South African Government to abandon its policy of racial repression, which cynically violated the principles of the Charter, seemed merely to have stimulated that Government to increase its discriminatory legislation.

37. Foreign economic interests which were more concerned with financial gain than with elementary human rights were encouraging South Africa to flout the decisions of the United Nations and were promoting its economic and military development. Many Governments had complied with the United Nations recommendations concerning cultural, educational and sports collaboration with South Africa, but unfortunately many private sports activities were outside Government control. His own Government had dissuaded Peruvian sportsmen from competing in South

Africa and had prevented South African sportsmen from going to Peru.

38. His delegation had represented the Special Committee and the Committee of Twenty-four at the second international consultative meeting for the World Congress of Peace Forces held in Moscow in July 1973 and had been pleased to note that, in addition to Governments, many forces were ready to participate in concerted international action to put an end to colonialism, *apartheid* and every form of discrimination. They could make a valuable contribution to that effort.

39. His delegation fully supported all effective measures to eradicate *apartheid*, such as those agreed upon at the Fourth Conference of Heads of State or Government of Non-Aligned Countries held at Algiers in September 1973.

40. Mr. MARTYNENKO (Ukrainian Soviet Socialist Republic) said that the reports of the Special Committee on *Apartheid* were full of convincing information about the policy of the South African régime towards the non-white population. Those reports and the debate in the Special Political Committee showed that the Pretoria régime was persisting in the policy of *apartheid* and intensifying its repressive measures. It had been repeatedly stressed that the régime drew political, economic and military support from certain States members of NATO which chose to ignore United Nations appeals. Nevertheless, the national liberation movement was gaining strength, and opposition to *apartheid* was growing both within South Africa and at the international level.

41. South Africa was the only country whose Government policy was based on discrimination on the grounds of race and colour. The white immigrants had usurped power in South Africa, had deprived the indigenous population of political and economic rights and had imposed on it a system of legalized slavery. One example of the régime's exploitation of the non-white population was the enormous differential in the wages paid to white and black workers in the mining industry.

42. Cruel laws regulated the non-white population literally at every step and were used to crush any manifestation of dissatisfaction. They gave the régime unlimited power to detain persons without bringing them to trial. African political parties had long been prohibited, and the leaders of the liberation movement had been arrested or had emigrated or gone underground.

43. The Special Committee had pinpointed in its report (A/9022) the main reason for the situation in South Africa when it referred to the support which a number of States were giving to that country. The policy of *apartheid* worked to the benefit of the white minority because it brought huge profits to monopoly corporations from the exploitation of cheap labour. The political and economic structure of South Africa was designed to ensure unimpeded exploitation of the indigenous population and of the country's rich natural resources. The flow of foreign capital into South Africa had doubled between 1965 and 1972. Thus, the international monopolies with huge investments in the South African economy and the Governments of certain NATO countries were in fact supporters of *apartheid* and were responsible for the failure to implement United Nations decisions on an arms embargo and the termination of all relations with South Africa.

44. His delegation noted with satisfaction that the number of supporters of *apartheid* was steadily declining and that world public opinion was becoming more determined in its defence of the lawful rights of the people of South Africa, as could be seen from the great number of anti-*apartheid* conferences which had taken place in 1973 and their adoption of documents condemning the policy of *apartheid* and spelling out specific action to combat it. National anti-*apartheid* movements had increased their activities in a number of countries.

45. The socialist countries considered *apartheid* to be a crime against humanity. The struggle to eradicate *apartheid* and colonialism was a vital part of the foreign policy of the Soviet Union, and it was also a natural and logical policy for the Ukrainian SSR, which based its political and State system on full equality of rights for all citizens, irrespective of nationality or race.

46. His delegation reaffirmed its readiness to support all decisive measures aimed at the elimination of *apartheid*. Those States which had not yet heeded United Nations appeals should immediately break off all relations with South Africa and put an end to capital investments in the racist economy. An international boycott would have a decisive influence on the struggle against racism in South Africa. It was time for the United Nations to take a decision which would increase international pressure for intensification of the struggle against the racist system in South Africa and establish a basis for it under international law. Such a decision would strengthen the liberation movement of the African people and its determination to achieve independence and put an end to racism and *apartheid*.

47. Mr. OGBU (Nigeria) said that the manner in which the Chairman had dealt with the interruption by the representative of Portugal testified to Nepal's commitment to the campaign against *apartheid*. He was glad to see that the friends of South Africa had been made to feel uncomfortable and advised them to urge South Africa to change its criminal policies.

48. Miss LOPES (Portugal), speaking in exercise of the right of reply, said that her delegation categorically rejected as completely groundless all the accusations that had been levelled against Portugal. They were nothing but fabrications produced by anti-Portuguese elements for the purpose of creating an emotional climate. Her delegation would reply to them in the appropriate Committees.

49. She was surprised that the representative of Zambia had departed from the subject under discussion, namely, the policies of *apartheid* of the Government of South Africa, in complete disregard of the rules of procedure of the General Assembly and the standards in force in the United Nations. The acceptance of such a practice could only lead to chaos in the Organization.

50. If her delegation chose to speak about the internal situation in Zambia, it would have a great deal to say, but it respected the rules of procedure and would confine itself to protesting against the attitude adopted by the Zambian representative in the Committee.

51. Mr. SIYOLWE (Zambia), speaking in exercise of the right of reply, said that he had referred to Portuguese rule in southern Africa for the following reasons: first, the representative of Portugal had im-

plied at the previous meeting that the Territories of Angola and Mozambique enjoyed multiracialism; secondly, it was quite obvious that South Africa was collaborating with Portugal and the illegal Smith régime against the majority population in Mozambique, Angola, Zimbabwe and South Africa; thirdly, the system of *apartheid* was already being practised in the Portuguese Territories, as was evidenced by the fact that 1 million of the African population there had already been resettled away from their original homes; fourthly, his delegation felt that *apartheid* was a result of colonialism and that the two things could not be dissociated from each other; finally, *apartheid* and colonialism jeopardized the territorial integrity and national sovereignty of nations in southern Africa and were a threat to international peace and security in Africa and throughout the world.

52. Mr. TALEB (Algeria), speaking in exercise of the right of reply, said that *apartheid*, colonialism and imperialism could not be separated from one another and that there was undeniably collusion between South Africa and Portugal. Moreover, no serious court would condemn the principals in a crime and not condemn their accomplices.

53. Mr. TEYMOUR (Egypt), speaking in exercise of the right of reply, said that Portugal could not deny the Wiriya atrocities, which had been reported by survivors and of which photographs had been published. The killing of defenceless civilians by Portuguese forces was certainly comparable to the policy of *apartheid* in South Africa and should be condemned. Portugal had no right to claim that by mentioning the situation in the Portuguese Territories the representative of Zambia was interfering in Portuguese domestic affairs, for the concept of overseas territories to which Portugal clung was outdated. The item under consideration was *apartheid*, and the Committee was entitled to deal with any matter relating to that subject. Before accusing others of interference in the internal affairs of another country Portugal should look at its own behaviour, for it was illegally occupying foreign territories.

54. Mr. BEAVOGUI (Guinea) said that his delegation shared the feelings expressed by the representatives of Nigeria, Algeria and Egypt. It was not surprising that Portugal should have sent a representative to the Committee merely to distract it from its work, since colonialism was but a variant of *apartheid*.

55. Mr. TALEB (Algeria) recalled that, at the 859th meeting, the majority of members of the Committee had expressed their desire to accede to the request made by the Chairman of the Special Committee on *Apartheid* that the South African liberation movements should be invited, in consultation with OAU, to participate in the debates on the policies of *apartheid*; he asked what had been the outcome of that decision.

56. The CHAIRMAN said that consultations had been initiated with OAU to determine who would address the Committee in connexion with that request. At the present time, the representatives of the African National Congress and the Pan Africanist Congress of Azania were scheduled to speak the following week. A more detailed statement on the matter would be made at the following meeting.

The meeting rose at 5.30 p.m.

865th meeting

Wednesday, 17 October 1973, at 3.25 p.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.865

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa
(continued) (A/9160, A/9188, A/SPC/160,
A/SPC/161):

- (a) Reports of the Special Committee on *Apartheid*
(A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

GENERAL DEBATE (continued)

1. The CHAIRMAN recalled that at the 859th meeting he had drawn the Committee's attention to the request by the Chairman of the Special Committee on *Apartheid* that the South African liberation movements should be invited, in consultation with OAU, to participate in the debates on the policies of *apartheid*. The Committee had agreed without objection to accede to the request, there being ample precedent for so doing, and he had written to the Executive Secretary of OAU in New York asking for the names of the representatives of the movements in question. He would inform the Committee as soon as he received a reply.

2. Mr. FOUH (United Republic of Tanzania) noted that, in recognition of the fact that *apartheid* was a crime against humanity and a threat to peace and security, the General Assembly, in resolution 2775 F (XXVI), had reaffirmed the legitimacy of the struggle of the oppressed people in South Africa to attain majority rule in the country as a whole and recommended effective action under Chapter VII of the United Nations Charter. Although those provisions were not aimed at the elimination of a minority people but at the elimination of policies that inflicted human suffering and denied the majority their fundamental political rights as well as their natural right to live a normal life, they had been consistently thwarted, principally by France, the United Kingdom and the United States of America. Similarly, the resolutions calling for the political and economic isolation of the fascist régime had been consistently ignored by those countries and others. The Special Committee on *Apartheid* stated clearly in paragraph 210 of its annual report (A/9022) that responsibility for the continuation and aggravation of the crisis in southern Africa as a whole rested not only on the South African régime but also on a few States and foreign economic and other interests which collaborated with that régime. Those States had sought to justify their collaboration—in violation of General Assembly resolution 1761 (XVII), which called upon all States to refrain from trading with the *apartheid* régime—by claiming that economic involvement would help to advance the non-white population, a claim which was patently hypocritical.

3. In a book entitled *The South African Connection*,¹ an analysis of Western investments in South Africa, the

authors had pointed out that Africans were controlled by complex legislation designed to make it impossible for them to be anything but cheap labour. Only in the reserves did they have even theoretical rights, but the conditions prevailing there—deliberate overpopulation and scarcity of arable land—denied them the practical means for a decent existence. Indeed, the African standard of living was low not only compared to that of whites but also compared to that of 10 years earlier.

4. The *apartheid* laws were the main guarantee of enormous profits by the international monopolies. It was therefore not surprising that the trade carried on with South Africa by France, the United States of America, the Federal Republic of Germany, Japan, the United Kingdom and Italy had more than doubled since 1962. That growth showed that the Powers concerned were committed to supporting the fascist régime. Indeed, George Ball, the former United States Assistant Secretary of State, had expressed doubts in his dissertation *The Discipline of Power*² as to whether, even if a multiracial society could be brought about, it would be in the interests of the United States or anyone else. In the light of those circumstances, it was particularly gratifying and encouraging to note the efforts of the Governments of Australia and New Zealand to disassociate themselves from support of *apartheid*.

5. Ten years earlier the Security Council, in its resolutions 181 (1963) and 182 (1963), had urged all States to institute an arms embargo against South Africa, and it was most disturbing to note that the report of the Special Committee cited numerous instances of violations of that embargo, notably by three permanent members of the Security Council, namely, France, the United States of America and the United Kingdom. In addition to using force in suppressing the majority of the people in South Africa, the Pretoria régime was using force to illegally occupy Namibia and was aiding the military operations of the illegal minority régime in Rhodesia and of the Portuguese colonialists. Moreover, it had threatened and physically attacked independent African States like Zambia, so that continued military assistance to South Africa was aggravating the threat to peace and security.

6. Recognizing that danger, the Council of Ministers of OAU, at its twenty-first ordinary session held in Addis Ababa in May 1973, had adopted a resolution on South Africa condemning the continued economic, financial and military assistance granted to South Africa by certain NATO Powers and calling on all States to discontinue all scientific collaboration with South Africa and to refrain from granting it patents and licences.

7. It was stated in annex I to the annual report of the Special Committee that, instead of abandoning *apartheid*, South Africa had stepped up its repression and its propaganda activities and had greatly increased its military budget. It was evident that South Africa would

¹ By Ruth First, in collaboration with J. Steele and C. Gurney (London, Temple Smith, 1972).

² Boston, Little Brown & Co., 1968.

not abandon *apartheid* of its own volition for *apartheid* was the corner-stone of its legal system. The time had therefore come for the Security Council to take further action against that threat to international peace and security.

8. Furthermore, the Committee should call upon the Unit on *Apartheid* of the Secretariat to take immediate action to publicize the activities of all groups, liberation movements and institutions which were fighting to eradicate *apartheid*.

9. Mr. N'DIAYE (Senegal) said that his delegation had noted with satisfaction the participation of representatives of the Special Committee in international meetings on *apartheid* and had appreciated their attempts to induce certain Governments to uphold the cause of oppressed people in Africa.

10. In rejecting the credentials of the representatives of the racist Pretoria régime by an overwhelming majority, the General Assembly had again unequivocally condemned that régime. The question was not whether the officials sent to the United Nations by the Pretoria butchers represented that so-called Government—indeed they did—but whether, having been appointed by a white minority of persons who were hostile to the interests of the subjugated majority, they could validly speak for that majority.

11. With the aid of its allies and in defiance of the numerous resolutions adopted by the United Nations, South Africa had adopted a series of administrative, judicial and commercial measures aimed at maintaining its policy of *apartheid*, under which blacks were regarded as mere objects. As was shown in the report of the Special Committee, South Africa continued to be divided into white and black areas, the largest and richest of them being reserved for whites. Moreover, the black labour force continued to be denied freedom of association and the right to strike and was made to work under conditions of forced labour. According to statistics published by the Unit on *Apartheid*, the average monthly income of the white worker was 10 times that of the black.

12. In addition, South Africa was building up its military forces, purchasing large quantities of weapons from its Western allies despite the latter's professed condemnation of *apartheid*. It was evident from the report of the Special Committee that the South African régime was aiming at almost total self-sufficiency in arms, which would enable it to circumvent sanctions very effectively, and it had already made considerable progress towards that goal.

13. At the financial level, in addition to the substantial increase in trade with its allies in the 10 years from 1962 to 1972, South Africa had benefited from the rise in the price of gold. There had also been an increase in international investment in South Africa. However, the strengthening of South Africa's economic power and its repressive machinery could not lower the morale of the freedom fighters but merely strengthened their determination.

14. The countries of Africa would continue to reject the racist minority régime's claim to represent South Africa and would increase their financial and material assistance to the oppressed people of South Africa. He urged the international community to implement fully the sanctions against South Africa and its allies, Por-

tugal and the illegal Ian Smith régime. It was encouraging to note in that connexion, that draft resolution A/SPC/L.264—the first one to be adopted by the Committee at the current session (863rd meeting)—had been sponsored by nine Western Powers. His country would associate itself with any action undertaken by the international community to force South Africa to abandon its policy of racial segregation.

15. Mr. KAHILUOTO (Finland) said that his Government felt that pressing for the elimination of *apartheid* and racial discrimination must continue to be one of the primary activities of the United Nations as long as those practices persisted. It was therefore natural that Finland had been a sponsor of the draft resolution on political prisoners in South Africa (A/SPC/L.264) adopted by the Committee. His delegation greatly regretted the fact that, 25 years after the adoption of the Universal Declaration of Human Rights and despite the numerous resolutions and decisions of the General Assembly and the Security Council, it was still necessary to emphasize the need to eliminate racial discrimination. Racial discrimination and segregation of any kind affronted Finland's sense of justice, its concept of freedom under law and its belief in the equality and dignity of man.

16. The reports of the Special Committee (A/9022) and the Secretary-General (A/9165) clearly showed the continuing deterioration of the situation in South Africa. Over the past 10 years, the Special Committee had played an important role in promoting the arms embargo, drawing public attention to South Africa's repressive policies and mistreatment of political prisoners, and initiating discussion and action in the field of human rights. If the Carletonville incident could occur 13 years after Sharpeville, his delegation agreed that increasing public awareness and concerted measures by the United Nations were needed to persuade the South African Government to abandon the policy of *apartheid* and apply the principles of the United Nations Charter and the Universal Declaration of Human Rights. It was alarming that instead of revising its policies, the South African Government had extended them to Namibia.

17. Institutionalized racism was especially reprehensible because it provided the basis for the systematic practice of racial discrimination. The existence of that system in its worst form in southern Africa was a constant threat not only to the self-development of the region but also to the harmonious development of the entire world. The United Nations must not fail in its efforts to put an end to *apartheid*, and its recommendations and decisions must be supported by the widest possible majority of Member States. The Security Council resolutions on the arms embargo were of crucial significance and should be fully implemented by all countries as they were by his own.

18. The overwhelming condemnation of *apartheid* by the United Nations was of vital importance in developing and maintaining world-wide opposition to racial discrimination. It was therefore essential to provide reliable information on the subject on a continuing basis, and both the United Nations and non-governmental organizations could make a significant contribution to educational efforts within Member States. Since the provision of factual information should be promoted through co-ordination of international as well as national educational efforts, his delegation had whole-

heartedly supported the launching of the Decade for Action to Combat Racism and Racial Discrimination and the draft Programme for that Decade (A/9094, annex I) adopted by the Third Committee at its 1989th meeting on 8 October 1973. The International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa, held at Oslo in April 1973, had made a valuable contribution to the mobilization of world public opinion in favour of the oppressed peoples of southern Africa. His delegation would welcome the presence of representatives of the national liberation movements at meetings of the Committee and the opportunity to receive additional first-hand information on the situation in Southern Africa. It also endorsed the view of the Special Committee that representatives of the liberation movements should be invited to participate in all proceedings relating to their countries at meetings of the specialized agencies and had supported Economic and Social Council resolution 1804 (LV), of 9 August 1973, to that effect.

19. Finland supported the international humanitarian actions undertaken in defence of the victims of *apartheid*. It had contributed annually to the United Nations Trust Fund for South Africa and intended to increase its contribution to approximately \$73,000 for 1974. It would increase its contribution to the United Nations Educational and Training Programme for Southern Africa to the same figure. In addition, it would continue to contribute to the United Nations Fund for Namibia and had recently contributed \$30,000 to the OAU Assistance Fund for the Struggle against Colonialism and *Apartheid*.

20. Many people were discouraged by the persistence of *apartheid* despite all the efforts of the United Nations and felt that it was no longer possible to find a peaceful solution to the problems of southern Africa. His delegation did not share that view. During the Decade for Action to Combat Racism and Racial Discrimination, there must be a joint effort in the United Nations to strengthen political pressure on the South African Government and increase the humanitarian work for the victims of *apartheid*, with the ultimate goal of eliminating that policy and racial discrimination of every kind.

21. Mr. DESOUZA (Jamaica) said that the work of the Special Committee had made a major contribution to the ever-increasing public awareness of the wretched conditions which still existed in South Africa more than 10 years after Sharpeville. Although the growing international awareness and condemnation of *apartheid* had encouraged the oppressed people of South Africa in their struggle, it was more imperative than ever to take effective international action to strengthen co-operation between organizations and groups working with the United Nations in the fight against *apartheid*. His delegation therefore fully endorsed the recommendations of the Special Committee.

22. The Heads of Government of the Commonwealth Caribbean countries meeting at Georgetown in April 1973 had, on a motion by the Prime Minister of Jamaica, supported the stand taken by the regional netball association against a planned tour of South Africa and reaffirmed its condemnation of such visits. His Government had also extended full support to the national movement of the oppressed people of South Af-

rica. His delegation hoped that so long as South Africa violated the Olympic principle of non-racialism in sports, Governments would take appropriate measures to oppose participation by South African players in international sports events.

23. His delegation also emphasized the importance of concerted action by the United Nations, OAU and other organizations to isolate the Governments of South Africa and Portugal and the Ian Smith régime in Zimbabwe and to support the liberation movements. The elimination of *apartheid* must remain one of the important aims of United Nations activities, the foremost task being to enlighten public opinion on racial problems. His Government emphatically supported the measures outlined in General Assembly resolutions 2923 A to E (XXVII) and strictly complied with the sanctions imposed by the Security Council and other relevant United Nations decisions, since racial discrimination was completely alien to Jamaican society.

24. Jamaica welcomed the growing offensive of the national liberation movements, whose need for assistance was real and urgent. So long as the metropolitan Powers were strengthened, the sufferings of the victims of colonialism and *apartheid* would be prolonged. His delegation recognized the liberation movements in southern Africa as the only authentic representatives of their people and welcomed the action taken by OAU and within the United Nations system to legitimize that reality in international activities. Although full-fledged co-operation was not yet under way, it was hoped that actual assistance would not be long delayed. Perhaps only armed struggle could liberate the people of South Africa from the tyranny of the racists, but his delegation was in favour of waging the fight on the widest possible number of fronts, including the diplomatic, the political and the economic.

25. His delegation urged Member States to reject the arguments of expediency and self-interest and to remain loyal to the principles and commitments of the United Nations. It was regrettable that many States, particularly certain members of NATO, had flouted the United Nations resolutions with impunity, not only maintaining close political ties with the racists but also supplying them with arms. The international community must realize that the situation in South Africa constituted a real threat to world peace. His delegation appealed for solidarity with the liberation movements and effective financial and material assistance to them. The United Nations must back its words with deeds.

26. His Government had given financial support to the African freedom fighters and would continue to do so. Furthermore, as the Prime Minister of Jamaica had said, whenever OAU felt that volunteers from other countries could be trained to assist in the successful overthrow of the racist régimes, Jamaica was prepared to recruit volunteers to help in the fight.

27. His delegation urged every member of the Committee to commit his country to action designed to bring about the speedy elimination of the shameful practice and policy of *apartheid*.

At the invitation of the Chairman, who recalled the Committee's decision taken at its 859th meeting, Mr. David M. Sibeko (Pan Africanist Congress of Azania) took a seat at the Committee table.

28. Mr. SIBEKO (Pan Africanist Congress of Azania) said that his organization was grateful to the many countries which had reaffirmed their solidarity with the masses of the Azanian people. Many more delegations than in the past had condemned the minority régime and accepted the legitimacy of the Azanian people's struggle. The Committee's debates were closely followed in South Africa, both by his people and by the white minority. *The Star* of Johannesburg of 12 October 1973, for example, had reported the Committee's proceedings in detail. The oppressed majority was watching to see whether the United Nations would take positive action to overcome the sabotage of its resolutions by the major Western Powers. The United Nations must provide not only humanitarian assistance but concrete support to the liberation movement.

29. More than ever, *apartheid* constituted a threat to world peace. In return for the blood-stained profits which they extracted from South Africa, Western countries had had to supply the minority régime with weapons and had recently granted it licences to manufacture them. The report of the Special Committee on *Apartheid* on the military build-up in South Africa (A/9180) constituted a frightening catalogue of the weapons in the hands of the racist fanatics. The Western Powers underestimated those who were opposed to the sale of arms to South Africa when they pleaded that the weapons were only for defensive purposes. The question must be asked: defence against whom? The existing rulers of South Africa were an occupation force which was denying fundamental human rights to the indigenous population. Was it legitimate to arm an aggressor against the victims of aggression? None of South Africa's neighbours had threatened aggression. On the contrary, it was South Africa which was threatening aggression against independent African States. South African ministers had made specific threats against Zambia and the United Republic of Tanzania. The Vorster clique betrayed its expansionist ambitions when it tried to impose its will on independent African Governments by force.

30. Vorster had made the absurd suggestion that the activities of Poqo, the underground arm of the Pan Africanist Congress of Azania (PAC), and the strikes and demonstrations by black workers were inspired by OAU. Poqo had been operating since 1962 before OAU had been founded. OAU had pledged support to the Azanian national liberation movement, but it had not been invited, nor had it promised, to send an army to fight for Azanian freedom. That was a sacred duty which the Azanian people themselves must perform.

31. Armed with primitive weapons, the awakened masses were rising up to confront their oppressors. The liberation movements were inflicting heavy defeats on Portuguese troops in Angola and Mozambique, on South African forces in Namibia and on the white minority in Zimbabwe. The sight of ambulances rushing to South African airports to collect casualties from the front was becoming increasingly familiar. The so-called "black danger" was now genuinely threatening the minority régime. Accordingly, the massacres carried out by that régime came as no surprise. Tyrants, when faced with revolt, always had recourse to cold-blooded murder.

32. The wars of national liberation coincided with a resurgence of black militancy in South Africa. Events

such as the Carletonville massacre illustrated the heightened political consciousness of the blacks and helped to create favourable conditions for the armed struggle inside South Africa. In addition to being the most effective instrument for winning national liberation in Azania, the armed struggle was the most constructive form of support that the people of Azania could give to their comrades in neighbouring Territories. The threats which the Vorster régime levelled against the peoples of free Africa could only strengthen their resolve and increase the danger to peace.

33. The African States might appear weak in comparison with the imperialist-armed neo-Nazis in South Africa, but, as the President of the United Republic of Tanzania had said, the Vorster régime's oppression of 16 million unarmed Africans in South Africa was not the same thing as imposing its will on 12 million armed Tanzanians. The Azanian people would never give up the struggle, and, since free Africa considered itself duty-bound to support that struggle, a conflict like the one now raging in the Middle East could easily break out. The similarities were obvious: the Zionists who had taken over Palestine and other Arab lands received military assistance from the same imperialists who supported South Africa.

34. It was the imperialist countries which used their veto in the Security Council to sabotage all moves to help the Azanian people, particularly with respect to the severance of relations with South Africa and the granting of direct assistance to the national liberation movements. It was time for the majority of Member States to put an end to the sabotage of United Nations resolutions in support of the Azanian national liberation movement—the only force which could prevent South Africa from unleashing a war of aggression. The United States of America, the United Kingdom and France must be compelled to stop using their veto in favour of the minority régime. South Africa's blacks looked forward eagerly to such a change at the United Nations; the whites dreaded its coming.

35. The best way for the non-aligned countries to put an end to the sabotage of United Nations resolutions was for them to disentangle themselves from United Nations legal jargon and bureaucracy and give practical effect to the humanitarian views for which they stood. A representative of PAC, speaking in the Federal Republic of Germany, had referred to the danger that PAC might sink in a sea of moral support; what was needed was concrete material support. The President of PAC had invited progressive whites in South Africa to join in positive action, for ultimately fascism oppressed black and white alike.

Mr. Sibeko withdrew.

36. Mr. ELIAS (Spain) said that his delegation attached great importance to the problem of *apartheid* for two reasons: first, *apartheid* affected the living conditions of millions of human beings, who needed the assistance of the international community in order to overcome a system of oppression which posed a threat to the peaceful development of the African continent; secondly, *apartheid* was a problem which tested the ability of the United Nations to take action.

37. The reports of the Special Committee on *Apartheid* demonstrated that Committee's dedication and contained much up-to-date information on the situation. It was clear from the reports that *apartheid* was

almost unanimously considered to be contrary to the universally accepted rules of morality and justice. That opinion could not have grown up if the United Nations had not pursued the problem with tenacity and persisted in its appeals to the South African Government. Of course, the General Assembly and Security Council resolutions had not attained their objective, nor had they been implemented by all countries. However, it would be a mistake to pass negative judgement on the effectiveness of the United Nations. It was superficial to criticize the Organization for having failed to transform the world overnight. To do so was to ignore the realities of the situation and the nature of the action which could be undertaken by the international community. Until the United Nations became a world government, its decisions could not have binding force. The political will of States was a factor which could not be directly controlled in the implementation of United Nations decisions.

38. Some progress had been made annex I to the annual report of the Special Committee on *Apartheid* described many favourable developments in South Africa. However, those developments did not mean that injustice and discrimination would end of their own accord, by means of a peaceful transition. The international community must continue to bring pressure to bear in the interests of all people in South Africa, but

especially the victims of *apartheid*. Many speakers in the Committee had revealed their impatience and desire to increase the pressure. At the same time, it must be remembered that the Security Council had not yet considered the conclusions³ of the group of experts established in pursuance of its resolution 191 (1964) to consider what part the United Nations might play in resolving the situation in South Africa.

39. The draft resolution on political prisoners in South Africa (A/SPC/L.264), which his delegation had supported, drew added force from the facts that its sponsors had been non-African countries and that its adoption by acclamation (863rd meeting) reflected the general opposition to *apartheid*. It could serve as a model for others in reaffirming the unanimous condemnation of *apartheid* and appealing to all Governments, organizations and individuals to continue to disseminate information on the true situation in South Africa and support the legitimate cause of the victims of *apartheid*. His delegation hoped to see the final elimination of a system which was contrary to the morality and laws accepted by almost the whole of mankind.

The meeting rose at 5.10 p.m.

³ See *Official Records of the Security Council, Twentieth year, Special Supplement No. 2*, para. 13.

866th meeting

Thursday, 18 October 1973, at 3.15 p.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.866

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa (continued) (A/9160, A/9188, A/SPC/160, A/SPC/161);

- (a) Reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

GENERAL DEBATE (continued)

1. Mr. PALMER (Sierra Leone) said that the issue before the Committee constituted a serious threat to the authority and effectiveness of the United Nations, since the South African rulers completely ignored its many resolutions. That arrogant attitude, like that of the Portuguese Government, drew its strength from the knowledge that, while professing abhorrence for *apartheid*, some influential States Members of the United Nations were prepared to turn a blind eye to South Africa's policies and supply arms to the Government to keep it in power indefinitely. It was incomprehensible that countries which had given up rich lands because they believed in the ability of the owners to decide their own fate and had themselves in the past overthrown their own oppressive régimes should seek excuses not only to keep an oppressive régime in power but also to help in dehumanizing a race. The composition of the Special Committee on *Apartheid* clearly revealed their

apathy, for none of the countries capable of exerting pressure on South Africa was a member. The replies to notes of concern sent by the Committee to interested parties showed that the Africans in South Africa had been completely abandoned by the influential Members of the United Nations. That was why his country would continue to support the freedom fighters in any way it could.

2. It was now being said that South Africa's *apartheid* policy should not be linked with its economic and defence policies. But those were inseparable. South Africa could do what it liked with its black population because of its booming economy, which was based on outside markets and suppliers, and military strength.

3. Some people might even be thinking of replacing the debate on the subject by unrelated, sophisticated topics, but as long as the Committee afforded the means, black Africa and its friends would continue to remind the rulers of the world of their obligation to humanity. The Special Committee should be congratulated on pressing forward in the face of frustration to publicize the wickedness and insanity of *apartheid*, though it must intensify its efforts.

4. Mr. ALSHAKAR (Bahrain) said that, despite over 20 years of debate in the United Nations and universal condemnation of the *apartheid* policy, the South African Government was shamelessly continuing and intensifying its inhuman policy which was a threat to

world peace and security and a matter of concern for the whole international community. His country's constitution provided that all men, regardless of race or colour, had equal rights. His delegation therefore called for repeal of the repressive legislation in South Africa and immediate and unconditional release of all political prisoners. It firmly believed that there would be no peace in South Africa until the *apartheid* system was eradicated and human dignity restored to the African masses.

5. The situation in South Africa was similar in many ways to that in the Middle East. South Africa, like Israel, was defying the United Nations and continuing its racist policies because of the support it obtained from certain Powers. The links between the zionism of Tel Aviv and the *apartheid* system were becoming increasingly close.

6. Moral condemnation of the South African régime was not enough. The Security Council must find appropriate means of enforcing the United Nations resolutions so that the policy could be eliminated. The *apartheid* régime would eventually collapse because it was an artificial system unacceptable to the people of South Africa and the world community, which had a role of primary importance to play in hastening that end.

7. Bahrain had complied fully with the resolutions on *apartheid*. It had no relations with South Africa and had often declared its total support for its oppressed people. It also supported the draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/9095, annex, and A/9095/Add.1), which provided a solid legal basis for combating that policy.

8. It was disheartening that, when the United Nations was celebrating the twenty-fifth anniversary of the Universal Declaration of Human Rights, so little had been done to end the situation in South Africa. His delegation would support any draft resolution designed to end *apartheid* and would be happy to see the Security Council take effective action under Chapter VII of the Charter. Bloodshed could still be avoided if the United Nations decided to combat *apartheid* effectively. His delegation therefore appealed for a comprehensive effort to isolate and fight that policy and called for a practical and effective solution to the problem.

9. Mr. TALIWAKU (Uganda) endorsed the conclusions and recommendations made in the annual report of the Special Committee (A/9022, chap. II). His delegation felt strongly about *apartheid*, for it was every man's right, whatever his colour or religion, to be free from all forms of political, economic or social oppression and segregation. All political and social arrangements were consequently created to safeguard and promote that fundamental human right. His delegation had been unconditionally opposed to the minority fascist ruling clique in South Africa ever since his country had obtained independence 11 years earlier, and would continue to oppose it until the situation changed. During the 25 years that the problem had been before the United Nations, there had been numerous efforts to expose the rottenness of the *apartheid* system. The Special Committee in particular had increased everyone's awareness of what was happening in South Africa. Yet despite all the resolutions, condemnations and appeals, nothing decisive had been done to dissuade the Pretoria racist clique from pursuing its obnoxious

policy, the evils of which surpassed any ever recorded by history.

10. All were aware that the booming economy of South Africa was based on the blood, toil, tears and sweat of the black man, who was not allowed to strike or even ask for higher wages. In addition to the events at Sharpeville and Carletonville, hundreds of other coldblooded and unpublicized massacres were still taking place in South Africa. The fascist clique was constantly strengthening its police and army and the major Powers were nakedly exploiting the situation under various pretexts. They were selling huge amounts of destructive weapons to South Africa, ostensibly for defence purposes, thus flagrantly flouting the arms embargo. Were they to be used as defence against the innocent victims of Fascist aggression or against imagined enemies conveniently branded as Communists? Elementary logic showed clearly that they were to be used not only against the blacks within South Africa but also against other peace-loving peoples in the rest of Africa, as the violence already committed against a number of African countries proved. The South African Prime Minister's statement (A/9188, annex) that he was convinced that the police had acted with the greatest circumspection even at Carletonville could leave no doubt as to his régime's deadly intentions.

11. The bulwark of the booming South African economy was the monopoly capital guaranteed by Western finance. The major beneficiaries of that economy were not Pretoria but its financial masters in the Western capitals, which provided over 60 per cent of present-day South African trade. Yet those same countries were callous enough to denounce *apartheid* and even sponsor a resolution condemning South Africa. Although they had fought nazism in the name of freedom and justice, they wished to bar the liberation movements, the legitimate representatives of the South African oppressed masses, from being heard by the Committee. If they were serious about freedom and justice, they should intervene and fight in South Africa and redirect their economic strength to force the Vorster gang to change their mad policy. If the United Nations really wished to seek change in South Africa and thereby avert a racial conflagration, it must direct its attention to the Western financial Powers as well. Morality and monopoly capital were incompatible, and unless they rapidly chose between the suffering blacks in South Africa and the entire African continent on the one hand and the racist minority in Pretoria on the other, the rest of the world would continue to hold them to be as culpable as, if not more culpable than, South Africa itself.

12. The gravity of the situation in South Africa threatened the very purpose for which the United Nations had been created. Its many words and resolutions should have been translated into concrete action long ago.

13. His delegation sympathized with the view that peaceful means were the most effective to bring about change in South Africa. But since peaceful efforts had not been fruitful, and as South Africa and her Western allies had clearly shown that they would not accept them, his delegation was not sure that it could continue to accept that view. The African masses had become disillusioned and desperate. It was therefore understandable that they should take to arms, and they

should be helped. History had shown that the fight against colonialism and fascism could be won only with arms and blood. His delegation therefore felt justified in maintaining that counter-violence was the ultimate arbiter of social, economic and political change in South Africa and pledged its total support for the armed struggle in that country, which was the only remaining way to achieve peace, justice and freedom in that part of Africa and to ensure the survival of the continent as a whole.

14. Mr. MUDE (Kenya) said that he wished to pay a special tribute to the memory of the late Mr. Wilfred Jenks, Director-General of the International Labour Office.

15. Turning to the subject under discussion which the United Nations had been debating since its inception, he noted that despite countless resolutions, international protests and appeals, South Africa was continuing to intensify its inhuman policy. Millions of African workers had been jailed for contravening the iniquitous laws which had been devised to perpetuate the worst form of slavery in human history. The racists of Pretoria were not likely to listen to the voice of reason since to do so would mean the collapse of the political structure that sustained their economic prosperity. No people had ever been persuaded to give up their wealth, position and power without a struggle, and it would not happen now. The conclusion to be drawn, therefore, was that there could be no peaceful solution to the problem. As the Minister for Foreign Affairs of the Republic of Kenya had stated before the General Assembly on 10 October 1973 (2147th plenary meeting), although Africa wanted a peaceful solution to the problem it was prepared if necessary to raise the standard of rebellion against oppression. Repeated appeals for peaceful accommodation had been rejected outright, and consequently there seemed to be no alternative to an armed struggle. The responsibility for any racial conflagration that might ensue should be laid not on the Africans but on the racists and colonialists.

16. Numerous delegations had already pointed out that, without the enormous military and economic collaboration of South Africa's Western partners, *apartheid* would collapse. The military backing of the Western Powers, whether for internal repression or external defence, and their open support and vested interest in the economic prosperity of South Africa left no doubt as to where their interests lay. No matter how often they condemned *apartheid*, so long as they traded with South Africa and supplied it with arms they would, in fact, be supporting that system. The Special Committee had reaffirmed in its report (see A/9022, paras. 210 and 211) that the responsibility for the aggravation of the crisis in South Africa lay in part on a few States and foreign economic and other interests which collaborated with the régime and, in particular, on the latter's main trading partners. It was evident that those Powers held the real key to the defeat of the policy of *apartheid* and the opponents of *apartheid* should therefore deal with them.

17. His delegation was opposed to the creation of Bantustans which were aimed at dividing the African people forever, and condemned the forcible removal of over 1 million people from their homes for the sole purpose of reinforcing racial segregation and creating a reservoir of cheap labour.

18. It appreciated the stand taken by the Governments of Australia and New Zealand (*ibid.*, annex I, paras. 81 and 85) with regard to South Africa's racial discrimination in sports and other fields as well as for the stepping-up of moral and material assistance to the liberation movements by Sweden and the Netherlands (*ibid.*, paras. 101 and 105). The doubts expressed by Norway and Denmark elsewhere¹ concerning the validity of Portuguese colonial wars in Africa were also gratifying.

19. The view that economic pressures would eventually force the white régime to make gradual concessions to the African workers had proved erroneous since all the evidence so far indicated that the system was in fact being reinforced. Moreover, the South African Minister of Bantu Administration and Development had stated quite recently (*ibid.*, para. 15) that the Bantu were allowed into white South Africa solely on a basis of non-integration and might occupy only those posts which whites had given up or which they had never occupied. The massacre at Carletonville of 11 mineworkers whose only crime had been to ask for their rights illustrated the tragedy of the situation. In that connexion he proposed the Committee should recommend that the General Assembly authorize the Secretary-General to appoint an appropriate representative to observe the proceedings of the proposed judicial inquiry into the matter (A/9188, annex). Only thus would his delegation be satisfied of the impartiality of the inquiry.

20. He appealed to the major trading partners of South Africa to reconsider their policies with a view to putting an immediate end to their co-operation with the régime and he appealed, in particular, to the States concerned to cease selling arms to South Africa and to discontinue the supply of materials intended for the manufacture of arms and munitions in that country.

21. Kenya had banned all trade with South Africa and Portugal as early as December 1963; that action had resulted in a trade loss of some £2 million annually. In the past 10 years, it had contributed substantial sums of money to the South African liberation movements and had given a number of scholarships to South African refugees to study in Kenya. He urged all States to join it in giving moral and material assistance to the liberation movements to prepare them for independence.

22. Mr. ALI (International Labour Office) speaking at the invitation of the Chairman, said that he would confine his remarks to the International Conference of Trade Unions against *Apartheid*, held at Geneva in June 1973. One important result of the Conference and its preparatory work had been the establishment, through the intermediary of the ILO, of direct contacts between the Special Committee on *Apartheid* and workers' organizations throughout the world. In its resolution (A/9169, annex I) the Conference had requested the United Nations to associate the members of the Preparatory Committee of that Conference with the work and action of the Special Committee on *Apartheid* with a view to including the representatives of the various tendencies of the international and African trade union organizations in the application of all measures taken to end *apartheid*. He was gratified to note that the

¹ See *Official Records of the General Assembly, Twenty-eighth Session, Fourth Committee*, 2031st and 2033rd meetings, respectively.

Special Committee had already taken steps to meet that request.

23. A second development had been the adoption, by the Executive Committee of the International Organisation of Employers (IOE), of a Declaration on *apartheid*, the text of which had been circulated to members of the Committee (see A/9165, annex II). That Declaration, with its pledge of renewed support to the effective action of the ILO Programme for the Elimination of *Apartheid* in Labour Matters in the Republic of South Africa, was especially significant as IOE—an independent organization—was very closely associated with the ILO.

24. Furthermore he informed the Committee that the ninth special report of the Director-General of the ILO on the Application of the Declaration concerning the Policy of *Apartheid* of the Republic of South Africa, submitted to the International Labour Conference at its fifty-eighth session in June 1973, covered developments in Namibia and, in fact, contained a special chapter on the Ovambo strike and its aftermath.

25. Finally, he thanked all members who had expressed their sympathy to the ILO on the death of the Director-General and assured them that he would convey their messages to his organization.

The meeting rose at 4.15 p.m.

867th meeting

Friday, 19 October 1973, at 10.45 a.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.867

In the absence of the Chairman, Mr. Šmíd (Czechoslovakia), Vice-Chairman, took the Chair.

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa
(continued) (A/9160, A/9188, A/SPC/160,
A/SPC/161):

- (a) Reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

GENERAL DEBATE (continued)

1. Mr. MOLINA (Costa Rica) said that his country categorically condemned racial discrimination, and in particular the heinous crime of *apartheid*, which represented a flagrant violation of human rights. It was scandalous, in the opinion of the international community, that in South Africa, men whose only crime was the colour of their skin should be harassed, persecuted and killed. The atrocities committed in the name of *apartheid* were reminiscent of the most barbarous periods of history.

2. Recalling the principles of equality proclaimed in the Charter of the United Nations and in the Universal Declaration of Human Rights, he noted that Article 2, paragraph 2, of the Charter laid down that "All Members . . . shall fulfil in good faith the obligations assumed by them in accordance with the present Charter". However, the Government of Pretoria which scorned United Nations resolutions was not acting in good faith; it was deliberately ignoring the obligations South Africa had assumed when it became a Member of the United Nations. His country therefore associated itself with all those countries which emphatically condemned *apartheid* and hoped that more effective sanctions would be adopted to put an end, once and for all, to that scourge.

3. Mr. VRAALSEN (Norway) said that the reports prepared by the Special Committee on *Apartheid* were evidence of the strenuous efforts made over the past

decade, which had rendered the international community even more aware of the evils and dangers of *apartheid*.

4. The Security Council and other organs of the United Nations had in vain called upon the Government of South Africa to abandon its policy of *apartheid*. The United Nations must therefore continue to support the oppressed peoples and the liberation movements in their struggle for freedom. In particular, his Government considered that, as the representative of Nigeria had stated at the 861st meeting, there could be no peaceful solution in South Africa unless the leaders of the black people and all the opponents of *apartheid* were released and allowed to participate in genuine negotiations on the destiny of South Africa. His Government was opposed to racial discrimination and could not countenance its perpetuation in any form whatever. That was why it would seek, in close co-operation with the United Nations and OAU, to increase its support for the oppressed peoples of South Africa, particularly through the United Nations Trust Fund for South Africa and other United Nations programmes for assistance to the peoples of southern Africa. In that connexion, he stressed the necessity of more and increased voluntary contributions to the Trust Fund.

5. His Government was a strict observer of the arms embargo against South Africa, which Norway had, moreover, proposed already in 1963 when a member of the Security Council,¹ and which should be applied without exceptions.

6. For those members of the Committee who were ignorant or pretended to be ignorant of the factual situation, he felt that he should state that NATO, of which Norway was a member, in no way supported the white minority Government in South Africa and, moreover, had no political, military or other connexions with it. Any contacts maintained with that Government by countries members of NATO were strictly bilateral.

7. As to the question of preventing nationals and business enterprises from maintaining contacts with South

¹ See *Official Records of the Security Council, Eighteenth Year*, 1050th meeting, para. 15.

Africa, he wished to reiterate that the Norwegian Constitution guaranteed freedom of expression and freedom of organization. Consequently, until mandatory sanctions were decided upon by the Security Council—by which his Government undertook in advance to abide—there was little his Government could do to exert influence on private individuals and organizations within its jurisdiction, apart from informing them of United Nations recommendations. One of the most important tasks of the United Nations was to enlighten public opinion on racial problems and to co-ordinate the efforts of the international community in that direction. Only through greater insight into the evil character of *apartheid* could international public opinion be mobilized.

8. It was essential to widen the base of the anti-*apartheid* movement. That had been recognized by, among others, the participants in the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa held at Oslo in April 1973, and the participants in the International Conference of Trade Unions against *Apartheid*, held at Geneva in June, both of which had presented programmes of action (see A/9022, para. 126, and A/9169, annex I) designed to enlist the participation in the struggle against *apartheid* of ever-wider segments of the population in all countries. The Committee should take those proposals into account in its own proceedings.

9. In spite of the international community's growing support for the oppressed people of South Africa and the latter's increasing resistance to its oppressors, the white minority Government continued to cling to its policy of *apartheid*. If reforms had been carried out, they were few and minor. Nothing could mask the ugly reality, as the killing of mine-workers at Carletonville in September 1973 had tragically shown.

10. The international community could no longer condone that situation. His delegation had no doubt as to the final outcome of the conflict, but it felt that the international community should seek to hasten the end of the oppressive system in South Africa.

11. Mr. ROSE (German Democratic Republic) said that his country, in continuation of its past policy, before it had become a Member of the United Nations, was ready to support the efforts of the Organization to free peoples from colonialism and racism. It was practising active solidarity with the liberation movements that opposed the colonialist régimes of Portugal, Zimbabwe, Namibia and South Africa.

12. Having itself experienced racism under the Nazi régime, his country had, in building a socialist State, eradicated the socio-economic roots of racism for good, together with all its manifestations. It was opposed to racism wherever it was to be found.

13. The German Democratic Republic had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) and to all the other international agreements on that subject. It had also acceded to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (General Assembly resolution 2200 A (XXI), annex).

14. His country emphatically condemned the particularly inhumane form of colonialism and racism which

the policy of the South African Government represented. It maintained no diplomatic, consular or economic relations with that Government and, indeed, nothing motivated it to uphold that Government's aims. There were no political or economic groups in the German Democratic Republic whose drive for profit would stand in the way of a policy aimed at implementing United Nations resolutions and recommendations.

15. Close co-operation had now developed between the Special Committee on *Apartheid* and his Government. The latter had invited representatives of the Special Committee to the Tenth World Festival of Youth and Students, held at Berlin, 28 July to 5 August 1973, where the young people of the world had demonstrated their hostility to imperialism, colonialism and racism. It would welcome the convening of the Special Committee in the German Democratic Republic.

16. In spite of almost unanimous condemnation by world public opinion in the form of the measures decided on by the United Nations, the Government of South Africa was continuing and intensifying its policy of segregation. It was resorting increasingly to methods of fascist terror, and the massacre at Sharpeville in 1960, together with its recent counterpart at Carletonville, had aroused indignation in the whole world.

17. The miners at Carletonville, like other people elsewhere to whom the United Nations should extend solidarity, had done nothing more than affirm their right to a decent life. Yet the policy of *apartheid*, in seeking to perpetuate white minority domination, kept the wages of the black workers well below minimum subsistence level, while granting white workers an average wage 20 times greater. In such conditions, South African and international capitalists alike were able to make higher profits than anywhere else in the world. It was therefore not surprising that foreign investments in South Africa were continuously increasing and that a host of British, American, West German and other companies were represented there. Their investments were an important political and economic prop for the *apartheid* régime.

18. Similarly, the trade of the 10 major capitalist countries with South Africa had almost tripled in 10 years, and more than 50 per cent of South Africa's imports came from three capitalist countries.

19. In the future discussion of the influence of multinational corporations on international relations and on the developing countries, special attention should be given to the activities of the imperialist monopolies in South Africa. The German Democratic Republic supported the demands made at the Oslo Conference that all capital investments should be withdrawn from South Africa and that all new investment programmes should be stopped.

20. The policies of *apartheid*, which had already led to armed clashes, were a latent threat to peace and security on the African continent.

21. The successes achieved through information activities were certainly welcome, and the German Democratic Republic favoured a more prominent role for the Special Committee on *Apartheid* in mobilizing world public opinion. It did not, however, share the view of some States that that was the most important way to fight *apartheid*. Rather, as the Special Committee had suggested in its report (A/9022), concerted polit-

ical, economic and cultural action against the racist régime in Pretoria was required. The sanctions under Chapter VII of the United Nations Charter recommended in General Assembly resolution 2923 E (XXVII) and in the decisions of the Oslo Conference were fully justified and were necessary, since the South African Government paid no heed to the appeals addressed to it. To make the sanctions effective, however, it was imperative that Member States should comply with them and that instead of merely professing their aversion for the policies of *apartheid*, they should let their deeds match their words. That applied particularly to the decisions of the Security Council with regard to the arms embargo on South Africa, which some were attempting to interpret in a way which distorted its meaning. It would therefore be helpful if the General Assembly would reaffirm that the embargo was not subject to any exception. It must also be recalled that States, as subjects of international law, should make their nationals comply with the provisions of the United Nations Charter.

22. The conclusions and recommendations contained in chapter II of the report of the Special Committee on *Apartheid* formed a good basis for the preparation of further measures. Furthermore, the German Democratic Republic favoured the adoption and entry into force of the draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/9095, annex, A/9095/Add.1), which would be a powerful legal instrument and would effectively complement the International Convention on the Elimination of All Forms of Racial Discrimination; it also supported the draft programme for the Decade of Action to Combat Racism and Racial Discrimination (A/9094, annex I), which had just been adopted by the Third Committee. It was convinced that the joint efforts of the people of South Africa and the States Members of the United Nations would finally put an end to the inhuman situation in South Africa.

23. Many Member States had spoken of a trend towards the relaxation of international tension. The persistence of dangerous hotbeds of conflict in the world was in contrast to that development. The renewed outbreak of hostilities in the Middle East, caused by Israel's aggression, was proof of that.

24. According to recent press reports, the South African Minister of Defence was preparing to step up collaboration with Israel and increase South African assistance to it. That fact again demonstrated the common intentions of Tel Aviv and Pretoria to repress the national and social liberation movement in the Arab and African regions. In those circumstances, a growing number of African States rightly viewed the rupture of diplomatic relations with Israel as another means to counteract the plot between Israel and South Africa.

25. Anyone who was in favour of international *détente* must take a resolute stand for the liberation of the peoples now under colonial and racist suppression, since the two went hand in hand.

26. Mr. ABDULDJAU (Indonesia) deplored the fact that despite the numerous resolutions adopted at the twenty-seventh session with regard to *apartheid*, there had been little progress in the vital struggle to eradicate the scourge of *apartheid*, and that South Africa had continued to intensify its inhuman policy and even seemed to want to extend its system of *apartheid*

to the Territory of Namibia, where it now maintained its illegal administration in defiance of the United Nations and of the advisory opinion of the International Court of Justice of 21 June 1971.² In South Africa, itself, racial oppression was becoming more brutal, as in the Carletonville massacre of men who were seeking no more than elementary social justice. On the other hand, that demonstration, which had ended so tragically, and other mass actions, such as the strikes by African workers (see A/9022, paras. 61 to 63), gave reason to hope that the oppressed people had finally begun to make its voice heard and that if the international community redoubled its efforts, it would succeed in ridding the world of *apartheid*.

27. Resolutions surely would not suffice to end the suffering of the oppressed African people; concerted international action was necessary. At the same time, it must be recognized that the major work of liberation must be done by the people itself. The international community could offer moral and material support to the oppressed, but their own struggle would be the key to their attainment of their rights and dignity.

28. South Africa's continued pursuance of its policy of *apartheid* and the international community's inability to put an end to it were creating explosive conditions which threatened to engulf the entire continent in war. The build-up of South Africa's military power was especially distressing to all those who wished to avoid a racial holocaust. In those circumstances, all countries must repudiate the fiction that there was a qualitative difference between arms supplied for external defence and arms that could be used in the suppression of those who opposed *apartheid*. Any collaboration with the racist régime in South Africa could be undertaken only at the expense of those who were the immediate victims of *apartheid*. It was in that light that the Fourth Conference of Heads of State or Government of Non-Aligned Countries held at Algiers in September 1973 had adopted a resolution on *apartheid* and racial discrimination in South Africa, in which it condemned the continued economic, financial and military assistance given to South Africa whereby the Government in Pretoria was enabled to maintain and reinforce its policy of *apartheid*.

29. The United Nations must take steps to restore to the people of South Africa its basic human rights. It was with that fact in mind that his delegation supported the request of the Special Committee on *Apartheid* (A/SPC/160) that the South African liberation movements should be invited to participate in the Special Political Committee's debates on the policies of *apartheid* of the Government of South Africa.

30. Further active steps to aid the South African people should be taken. Indonesia, which had made a modest contribution to the United Nations Trust Fund for South Africa, now pledged that it would make continued contributions for the coming years and urged all countries that had not yet contributed to that cause to do so. He commended the Special Committee on *Apartheid* for its efforts to draw the world's attention to the evils of *apartheid* and the need for eradicating that scourge. The participation of its representatives at

² *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.*

meetings such as the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa and the International Conference of Trade Unions against *Apartheid* had afforded opportunities to encourage the international forces struggling against racism and to focus world attention on the work of the Special Committee on *Apartheid*.

31. World public opinion was potentially a strong force in the struggle against racism. By co-operating with the agencies concerned with that subject, the Special Committee—and, more particularly, its Subcommittee on Information—had helped to create an awareness of the horror of *apartheid* among all the peoples of the world, prompting them to exert influence on their respective Governments for the adoption of policies which would ensure the elimination of that threat. The suggestions calling for broad co-ordination of information policy among all United Nations agencies deserved careful consideration and speedy implementation.

32. He wished to emphasize in conclusion that as long as the world tolerated the existence of a system which struck at the very basis of human dignity, the dignity of every man, South African or not, would be diminished.

33. Mr. SÉKONÉ (Upper Volta) observed that one of the purposes for which the nations of the world had established the United Nations was to promote human rights and fundamental freedoms. Yet, one Member State, represented by individuals who were not entitled to speak for the people of South Africa, was arrogating to itself, in the face of world-wide condemnation, the right to institute and establish as State policy an intolerable system of racial segregation, i.e. *apartheid*, which the United Nations had branded a crime against humanity. One could only feel revulsion at the so-called Bantustan policy, which involved removing hundreds of thousands of Africans from their homes and transferring them against their will to the most barren areas of South Africa while the white minority controlled the greatest part of the territory, including the economically developed regions.

34. A system which applied laws based on slavery, was designed to maintain the profits and privileges of a minority and used fascist methods to subjugate a majority could not be viable and constituted a threat to peace, since it carried within itself a potential for violence. South African blacks had no legal or political means of changing that unjust social order. Since the racist régime had closed off all other avenues, the only recourse left to the Africans was armed struggle, which, it should be noted, had been recognized as legitimate by the United Nations. The racist authorities in Pretoria were also helping to increase tension abroad by providing military assistance to the rebel régime in Southern Rhodesia and logistical support to the Portuguese colonialists. Moreover, they were, in defiance of the United Nations, trying to extend *apartheid* to the international territory of Namibia. Most important of all, the racist minority, which was in the grip of a war psychosis, had since the 1960s been engaged in a frantic arms race with the result that South Africa was today the most heavily armed country on the African continent.

35. The international community must take effective action. Everything possible must be done to ensure full

support by the United Nations for the campaigns organized by the South African liberation movements, the trade unions and all anti-*apartheid* movements with the aim of isolating South Africa. All economic, financial and scientific support for South Africa and co-operation of every kind with it must be brought to an end. The assertion that the arms and equipment being provided to Pretoria were not intended for use against the opponents of *apartheid* was unfounded. The arms embargo ordered by the Security Council must be fully applied, and the lucrative arms trade between certain Western Powers and South Africa must end, as must also the sale of military patents for the manufacture of arms in South Africa. It was the duty of the Security Council to take up the question of the repeated violations of its decisions on the arms embargo and to consider the possibility of making the embargo mandatory.

36. Although the strategy to be followed was obvious and the necessary means existed, certain States Members of the United Nations were lacking in political will and thus gave encouragement to the Pretoria régime; he was referring in particular to such major Western Powers as France, the United States of America and the United Kingdom, which were in a position to exert the necessary pressure on South Africa and professed to condemn *apartheid*. The result was that General Assembly resolutions adopted by an overwhelming majority and measures taken by the Security Council had remained unimplemented. A renewed appeal must be made to those States to implement the resolutions in question.

37. The proposals made at the Oslo Conference made it clear that the international community was unanimous in condemning *apartheid*, and they must be duly taken into consideration. With regard to the economic aspects of the problem, the Western companies which made massive investments in South Africa in violation of the General Assembly resolutions and the States which supported them or facilitated their activities must be condemned. Far from mitigating the harshness of *apartheid*, as some contended, foreign investments, attracted by cheap labour, brought even stricter application of that system and of the migrant labour policy.

38. Accordingly, there must be an intensified effort to isolate South Africa politically, economically, militarily and in other ways, particularly by implementing the General Assembly and Security Council resolutions, and organizing publicity campaigns. The world was unquestionably becoming increasingly aware of the danger presented by *apartheid* and all the oppressive régimes. Unfortunately, however, certain States which had hitherto demonstrated opposition to *apartheid* were proving receptive to the propaganda which the Pretoria racists were disseminating in an effort to break out of their isolation.

39. His delegation endorsed the main lines of the Special Committee's programme of work (A/9022, paras. 289 to 296), particularly the idea of holding a special session of the Committee in Europe. With regard to the suggestion that the Unit on *Apartheid* should be transformed into a centre for co-ordinating United Nations activities on all aspects of *apartheid* (*ibid.*, para. 300), his delegation wondered whether better co-ordination of the various bodies dealing with *apartheid* would not be preferable to the establishment of a centre which would, in any event, call for thorough

study. His delegation was prepared to support any positive resolution aimed at freeing the people of South Africa from the yoke of *apartheid* and oppression.

40. Mrs. CHANG Han-chih (China) said that the racist crimes committed by the colonialist authorities in South Africa went back more than 300 years to the time when the European colonialists had occupied South Africa and turned the Africans into slaves. Colonialism was the source of racial discrimination and *apartheid*, and racism in South Africa was merely a variant of colonialism.

41. The racist and fascist authorities in South Africa were forcing the Africans to settle in so-called "reserves", where they were exploited, humiliated, persecuted and reduced to an inhuman existence. The so-called "resettlement programme" for the black people had been put into operation in 1959. Between 1959 and 1969, nearly a million blacks from the cities and the countryside had been forced to leave their homes and move to the new "settlement centres". The South African colonialist authorities contended that those measures were designed to improve the Africans' living conditions and give them self-government. In fact, however, the Africans were not permitted to leave their self-government areas and had no personal freedom whatever. The "settlement centres" were actually concentration camps. In May 1973 the South African colonialists had even declared their intention to extend the system to Ovamboland in Namibia.

42. The South African racists were able to maintain their fascist rule mainly because they had the support of the imperialist, colonialist and neo-colonialist Powers. The latter's professed defence of human rights and opposition to *apartheid* were pure hypocrisy. They gave unceasing political, economic and military support to the racist régime in order to protect their investments and economic interests.

43. But the greater the oppression, the greater the resistance. At the beginning of 1973 there had been a further upsurge in the struggle of the South African workers and students. There had also been a wave of strikes, and the number of students' demonstrations had increased. That struggle of the South African workers and students marked the further awakening of the broad masses of the South African people.

44. The cause of the Africans of South Africa was a just one. That was why it was winning ever greater sympathy and support among the peoples of Africa and interest of the world. In May 1973 the Tenth Ordinary Session of the Assembly of Heads of States and Government of OAU had called for the elimination of colonialism and racial discrimination in Africa. In September, the Fourth Conference of Heads of State or Government of Non-Aligned Countries had also reaffirmed its full support of the South African people and had pledged to increase the assistance to the South African liberation movement. The Plenipotentiary Conference of the International Telecommunication Union had adopted a resolution calling for the exclusion of South Africa and Portugal from that organization, and at the United Nations the General Assembly on 5 October 1973 (2141st plenary meeting) had rejected the credentials of the South African authorities. That warning should also be heeded by the imperialists, colonialists and neo-colonialists who supported them. The situation was developing in a direction favourable

to the South African people. The struggle might be long and hard, but it would succeed.

45. The South African racists would never give up of their own accord. They were having recourse to counter-revolutionary dual tactics by increasing their military strength and their collusion with Portugal and the colonialists of Southern Rhodesia and at the same time pretending to apply a policy of "dialogue" for the sole purpose of deceiving public opinion and breaking the ties between the Azanian people and other African countries. But the Azanian people could neither be fooled nor cowered. The Assembly of Heads of State and Government of OAU had pointed out that the contacts between the United Nations and the South African authorities were detrimental to the people of Namibia and had called for the termination of such contacts, stressing that the African countries must remain united in the face of imperialist manoeuvres aimed at undermining African unity. Neither bloody repression nor political deception could avert defeat; they would only serve to unite the people of southern Africa more closely.

46. The Chinese delegation held that in order to defend the principles and spirit of the Charter, the United Nations must sternly condemn the colonialist authorities of South Africa and the imperialist countries which lent them political, economic and military support, and firmly support the Azanian people in their struggle against domination and racism and for national liberation. It must apply all-round sanctions against South Africa and call on all countries and peoples to render effective assistance to the struggle of the Azanian people.

47. The Chinese Government and people would, as always, give firm support to the struggle of the South African people. They were convinced that with the support of the people of Africa and the rest of the world, the peoples of southern Africa would win and would do away completely with the evil system of colonialism and racism.

48. Mr. COTTON (New Zealand) paid a tribute to the Special Committee on *Apartheid* and to its Chairman and Rapporteur for the work they had done in the struggle against the cruel and inhuman system of *apartheid*.

49. It was in the growth of international opposition to *apartheid* that progress could be discerned. In the field of sports, certain Governments, including that of New Zealand, had adopted new positions. Governments, organizations and groups were actively supporting liberation movements and arms embargoes, and were opposing investment in South Africa. Such developments were in response to resolutions adopted by the Committee and by the General Assembly, and it was his delegation's hope that also at the current session the Committee would be able to reach a broad consensus.

50. No country in the world rejected *apartheid* more firmly than did New Zealand, where racial discrimination was prohibited by law and where sports teams selected on a discriminatory basis were no longer accepted. New Zealand had never had any diplomatic, consular or trade representation in South Africa, and steps were being taken to abolish long-standing preferences accorded to South African exports to New Zealand. In the past year, his country had made financial

contributions to the Trust Fund for South Africa and to the Education and Training Programme for Southern Africa. Furthermore, New Zealand had recognized the legitimacy of the struggle to win full human rights and self-determination for southern Africa. It had recognized the need for humanitarian assistance to all those engaged in that struggle.

51. The New Zealand Government had studied the recommendations made by the Special Committee on *Apartheid* and it was particularly interested in the recommendations made on the dissemination of information about *apartheid* (A/9022, paras. 256 to 270), for the support of international public opinion was of vital importance in the struggle against that system and the situation in South Africa was not yet sufficiently known throughout the world. It was to be hoped that the educational kit UNESCO had been requested to prepare on the subject (resolution 2775 B (XXVI) of the General Assembly) could be distributed during the first year of the Decade for Action to Combat Racism and Racial Discrimination.

52. His delegation hoped that the current session would make it possible to move towards a universal condemnation of *apartheid* and would add to the pressure on the Government of South Africa.

53. Mr. MEHIRI (Tunisia) recalled that when racial discrimination had been established as a political and social institution, only a few lone voices had condemned the authors of that odious challenge to humanity. Only after 15 years had the African States, at the Tenth Summit Conference of OAU, decided to organize a fierce struggle against remnants of colonialism in southern Africa.

54. His delegation noted that after a decade of continuous struggle, even greater efforts and insight were needed now that the blacks of South Africa were being oppressed more than ever. During 1973, however, as a result of the unceasing efforts of the Special Committee, supported by the United Nations Secretariat, some notable results had been achieved. The Africans and their allies of the third world were no longer alone in the struggle for the elimination of *apartheid*; European countries and non-governmental organizations were progressively and surely disengaging themselves from Pretoria, and it was to be hoped that their example would be followed by others.

55. It should also be noted that the Economic and Social Council, at its fifty-fourth session, in May 1973, by its resolution 1784 (LIV), had approved the revised

draft Convention on the Suppression and Punishment of the Crime of *Apartheid*, the adoption of which had been recommended to the General Assembly by the Special Committee (see A/9022, para. 124).

56. The ratification of that Convention—once it had been adopted—by a large number of countries would have a decisive effect on the struggle. He also welcomed the success of the International Conference of Trade Unions against *Apartheid*, which had adopted a resolution promising active solidarity with the workers of Azania. The International Conference of Experts for the Support to the Victims of Colonialism and *Apartheid* in Southern Africa, which had been held in April 1973 at Oslo under the auspices of the United Nations and with the participation of OAU also deserved mention. He was convinced that the programme of action laid down by the Oslo Conference (*ibid.*, paras. 125 and 126) and approved by OAU would be approved by the General Assembly. The draft resolution adopted at the 863rd meeting³ on the occasion of the Day of Solidarity with Political Prisoners in South Africa was an effective contribution to the struggle, when it was remembered that it had been sponsored by representatives of countries having relations with South Africa. It was to be hoped that those countries and others as well might change their attitude to one that was more in keeping with the resolutions of the United Nations. He hoped, too, that the Committee would at the conclusion of its current debate adopt a resolution showing that all States which condemned *apartheid* were not only determined to oppose the constant violations of the United Nations Charter and of the Universal Declaration of Human Rights by the racist régime of South Africa but also to apply conscientiously the resolutions of the United Nations. If everyone were to exert the efforts that were needed, the system of racial discrimination known as *apartheid* could be eliminated during the Decade of the Struggle against Racism and Racial Discrimination.

57. The Azanian people were being subjected to suffering and persecution, but they were persevering in their struggle. They had a right to ever-greater aid, so that they would no longer have to choose between annihilation and submission to the inhuman laws.

The meeting rose at 12.15 p.m.

³ Subsequently adopted by the General Assembly as resolution 3055 (XXVIII).

868th meeting

Monday, 22 October 1973, at 3.15 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.868

AGENDA ITEM 42

Policies of Apartheid of the Government of South Africa
(continued) (A/9160, A/9188, A/SPC/160,
A/SPC/161):

- (a) Reports of the Special Committee on Apartheid
(A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

GENERAL DEBATE (continued)

1. The CHAIRMAN announced that the representative of Morocco had asked to be included among the speakers, although the list was already closed. If there was no objection, he would take it that the Committee agreed to the request.

It was so agreed.

2. Mr. MOHAJER (Iran) pointed out that the policy of *apartheid* of the South African Government was based on the theory that contacts between different races inevitably led to friction, and that the only way to ensure peace was to keep the races as far apart as possible. That theory, which implied grave injustices, had been shown to be absurd. It was seen that the policy of *apartheid* was currently being pursued and strengthened in South Africa, while the struggle of the oppressed majority of South Africans to establish their identity and dignity had registered some modest gains. Basically, however, the racial policy of South Africa had not changed, notwithstanding the fact that some administrative arrangements had been introduced to meet the new problems posed by the implementation of that policy. It was difficult to concede that there were still people who could proclaim—as emerged from the report of the Special Committee on Apartheid (A/9022)—that whites and non-whites should not be permitted to work shoulder to shoulder or that non-whites did not have the potential of equality with whites.

3. A slight evolutionary change was, however, unfolding: the policy of *apartheid* was provoking reactions within South Africa. Many whites were becoming aware of its fallacious nature. Enlightened Afrikaners had organized a movement in June 1973 urging change, and a group of jurists and professors of law had passed judgement on the legal aspect of *apartheid* late in 1972. That group found that *apartheid* undermined the twin foundations of common law, namely, respect for the individual, and equality before the law; *apartheid* almost paralleled the institution of slavery in antiquity. Moreover, as appeared from the report of the Special Committee, some Bantustan leaders had even voiced their displeasure and strong opposition to some aspects of the implementation of the policy of *apartheid*. It should also be pointed out that the blacks were becoming more and more aware of their economic power, as their protests and strikes in 1972 had shown.

4. Opposition at the international level had also been intensified. In that regard, the United Nations played an essential part in the struggle against *apartheid*. The Special Committee, through its work, had greatly contributed to the achievement of new successes in the struggle against that policy. Mention should also be made of the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid*, held at Oslo in April 1973, and the International Conference of Trade Unions against *Apartheid*, held at Geneva in June.

5. His delegation endorsed nearly all the conclusions and recommendations of the Special Committee under the heading "Objectives of the United Nations" (*ibid.*, paras. 197 to 201). In particular, it considered that the primary role in the struggle for the elimination of *apartheid* belonged to the oppressed people of South Africa. The role of the United Nations and the international community was to support the efforts of the oppressed people.

6. The policy of *apartheid* might continue to be enforced for some years to come, but it would not be able to provide a peaceful and permanent solution to South Africa's race problems. For that reason, his delegation viewed with sympathy the recommendations of the Special Committee and pledged its support to the humanitarian efforts undertaken for the elimination of that policy.

7. Mr. TEYMOUR (Egypt) said that, far from acting and behaving in accordance with the principles of respect for human rights and human dignity, the Pretoria régime, like the régimes of Southern Rhodesia, Portugal and Israel, had a superiority complex and was a prisoner of its racist theories and barbaric practices, which only coercive action could bring to an end. The Machiavellian and sadistic policy of terror, maltreatment and torture of the heroic people of South Africa and all opponents of the odious policy of *apartheid*, and the massacres of civilians, such as the massacre at Carletonville in September 1973, had no equal in history except for the crimes of nazism and zionism. The Egyptian delegation, like the international community, could not but condemn vehemently those crimes committed in violation of the Charter of the United Nations, which endangered international peace and security. In the introduction (A/9001/Add.1) to his report on the work of the Organization the Secretary-General had rightly indicated the anachronism of that situation and the danger that it represented. As long as the aggressors persisted in occupying the territory of other nations, as long as peoples were deprived of their right to self-determination and independence, and as long as racist régimes continued to defy the Charter and resolutions of the United Nations, peace could never be achieved.

8. The minority régime in Pretoria used the same pseudo-scientific arguments of white superiority as the first colonialists. Referring to the blacks, the South African Prime Minister had declared that "we need

them because they work for us”, but that that fact could never entitle them to claim political rights, “not now, nor in the future”. Moreover, the Minister of Bantu Administration and Development had declared on 21 May 1973 that the Bantus did not enjoy equality with the whites and did not even have the potential of equality with them (A/9022, annex I, para. 15).

9. No one could understand and share the feelings of the South African people towards the racists better than the peoples of the Middle East, given the similarity that existed between *apartheid* and *zionism*: indeed, as the representative of Kenya had emphasized at the 1693rd meeting of the Security Council, on 9 March 1973, military forces in southern Africa and the Middle East were working to oppress and terrorize weaker peoples. Moreover, the South African Minister of Defence had defined his Government's position with regard to the war begun on 6 October 1973 by Israel against Egypt and Syria in the following manner: the South African people sympathized with Israel; South Africa and Israel were fighting against the same enemy; South Africa would not fail to provide Israel with all necessary assistance; South Africa had assumed responsibility for the security of navigation around Africa and Israel played the same role with regard to navigation on the Suez Canal. The minority régime's sympathy for Israel had been expressed on several occasions since that time, and according to reports received from Johannesburg on 18 October 1973, the South African Minister of Finance had authorized the immediate transfer to Israel of funds collected by the South African Zionist Federation. Moreover, the Johannesburg daily *Rand Daily Mail* of 13 October 1973 had asserted that an Arab victory in the Middle East conflict would be a severe blow to South Africa and might lead to an escalation of the terrorist war throughout southern Africa; that was also the view of two specialists, C. F. de Villiers, of the African Institute, and Avon Furie of the University of South Africa. Those were additional examples to be added to the evidence presented to the Fourth Committee at the twenty-seventh session concerning the unholy alliance between the racist régimes of South Africa, Israel, Southern Rhodesia and Portugal.

10. Mr. Dagan, the representative of Israel in the Fourth Committee, had admitted at the 1996th meeting of that Committee, during the twenty-seventh session, that his country had supplied Arawa aircraft to South Africa. The two racist régimes were also collaborating in the fields of commerce, sports and culture and, in particular, Israel imported half of its rough diamonds from South Africa, to a value of \$100 million. South Africa also benefited from the military co-operation of other countries; that would enable it to develop thermonuclear weapons which would undoubtedly be used to suppress the forces of national liberation and intimidate the progressive countries on the continent.

11. South Africa's military plans were concentrated on three aspects: maintenance of a significant force to fight against the progressive countries; maintenance of the system of *apartheid* by assisting the police to maintain order in the interior of the country; co-operation with the other racist régimes with a view to preserving the status quo in Angola, Mozambique and Southern Rhodesia. The military expenditure of South Africa had multiplied more than tenfold between 1960/1961 and 1973/1974. According to the relevant report of the Special Committee (A/9180), South Africa was currently

seeking to achieve self-sufficiency in armaments. It was currently manufacturing 80 per cent of its arms and had even begun to export certain weapons, in spite of the arms embargo.

12. In the economic sphere, between 1962 and 1972 South Africa's imports had increased by 184 per cent, and its exports by 133 per cent. Moreover, foreign investment played a vital role in the South African economy and had contributed between 6 and 20 per cent to gross domestic investment each year since 1960. At the joint annual meeting of IBRD and IMF, held at Nairobi in September 1973, South Africa's Minister of Finance had claimed that his Government did everything it could to improve the social, economic and educational situation of the various population elements in South Africa, whether white, coloured or black. But *The New York Times* of 10 October 1973 reported that, for example, whites in manufacturing earned R352 per month, while coloured workers earned R88, Asians earned R94 and Africans earned only R60; the disparities were even greater in some other fields, such as gold mines, in which whites earned R378 a month and blacks earned R18. Furthermore, as a result of the migratory system, millions of workers had to leave their families in their so-called “homelands” and could not even send home enough money to prevent widespread malnutrition.

13. All efforts by blacks to organize and fight for their rights were frustrated by the Government. The average daily prison population in South Africa was 90,000 persons. Thus, the problem of *apartheid* was not simply one of human relations but one of slavery and colonialism.

14. *Apartheid* had repeatedly been condemned in international forums, and his delegation particularly welcomed the recommendations and proposals made at the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa and the results of the International Conference of Trade Unions against *Apartheid*. Since the South African minority régime did not abide by the rules established in the Charter of the United Nations and did not comply with the Organization's resolutions, including in particular General Assembly resolution 2923 D (XXVII), it was imperative that the Committee should recommend the General Assembly not to recognize the representatives of the racist régime as representatives of South Africa and the South African people. The only cure for the situation in South Africa was implementation of the provisions of Chapter VII of the Charter.

15. Mr. ZÁDOR (Hungary) said that his country had been a member of the Special Committee on *Apartheid* since its inception and that the socialist character of Hungarian society and its past experience with fascism and racial discrimination impelled it to struggle against those evils wherever they existed.

16. Those who tried to justify their accommodation with institutionalized racism by referring to the need to lessen tension in international relations were fooling no one. Hungary was second to none in working for co-operation between countries with different social and economic systems. But, as the 50 million dead of the Second World War had proved, it was not possible to do business with fascism. The struggle must therefore be sustained until the existing South African régime

disappeared and was replaced by a government reflecting the genuine interests of the people.

17. In that connexion, the dissemination of information on *apartheid* was very important. Hungary therefore welcomed the intensification of information activities, including growing support from trade unions, which was mentioned in the report on the International Conference of Trade Unions against *Apartheid* (A/9169).

18. In its denunciation of the military, economic and diplomatic ties with the racist régime which certain countries maintained, or, in the case of some NATO countries, were even intensifying, the Special Committee on *Apartheid* had explained how a fascist régime could prosper almost 30 years after the defeat of nazism. Those countries alleged that such ties had nothing to do with racism and that terminating them would hurt the African population first of all. The very same circles which often tried to interfere in the internal affairs of countries that were in the forefront of the struggle against racism and colonialism were claiming that trade and human rights were two different matters and should not be mixed. It was impossible not to note the flagrant contradiction between the deeds of the Governments of those countries and their words proclaiming their attachment to the cause of human rights. One speaker in the current debate had tried to differentiate between the policy of NATO in that field and the policies of certain of its members. That was too fine a distinction to be appreciated by the millions of oppressed people in the prison known as the Republic of South Africa. Hungary, which maintained no relations with the Pretoria Government, felt it was high time that those countries should, in their own interest, terminate their ties with the racist régime, as required by the relevant resolutions of the General Assembly and the Security Council. Otherwise, the *apartheid* régime was bound to continue.

19. In close co-operation with certain NATO countries, particularly Portugal, and with the illegal racist régime of Ian Smith in Southern Rhodesia, South Africa had taken steps to expand its army, navy and air force; although it claimed that the purpose of the build-up was to reinforce what it did not hesitate to call the "free world", the real aim was the more effective oppression of the South African people. It was no coincidence that the representative of an old colonial empire had recently invoked the Charter to prevent the Committee from discussing the unholy alliance of South Africa and its accomplices against the just struggle of the freedom fighters, as the Committee was in fact bound to do according to the principles and purposes of the Charter.

20. Since the Pretoria régime had shown by such measures as ordering the police to fire on demonstrators and adopting ever more oppressive laws, that it was determined to resist any move for change, the only choice left was to continue and intensify the struggle. Hungary was convinced that the growing resistance of the South African people would be victorious in the end. The racist régime received substantial foreign support, and Member States must therefore give their support to those who were fighting to uphold the principles and purposes enshrined in the Charter of the United Nations and in the Universal Declaration of Human Rights. The activities of international organizations in that field should also be strengthened. The South Afri-

can racists must be isolated, and their accomplices must be made to realize their responsibilities. That spirit of total commitment to the cause of the oppressed peoples of South Africa would govern Hungary's position on the draft resolutions that would be submitted.

21. Mr. SAHAD (Libyan Arab Republic) congratulated the officers of the Committee on their election. He recalled that the United Nations had, since its inception, constantly been dealing in one form or another with the problem of *apartheid*, which had arisen at the beginning of the century and had become an official policy in 1948. The existing deadlock had resulted from the failure of the United Nations and the international community to deal effectively with that reprehensible doctrine, which the United Nations had declared to be a crime against humanity and which posed a serious obstacle to economic and social development and to international co-operation and peace.

22. Persuasion and peaceful means had failed to make the Pretoria régime change its policy. The United Nations, which had been created as a result of the tragedy of the world wars for the purpose of creating a better world, now ran the risk of being reduced to a mere oratory forum if the South African régime continued to challenge it and the Organization remained unable to impose respect for its Charter.

23. *Apartheid* was above all a colonial problem which also had political, economic and humanitarian aspects. It could not be isolated from other factors, nor from the situation prevailing in Namibia, Southern Rhodesia, Angola and Mozambique. The peculiar feature of the colonial system in southern Africa was that colonialists intended to settle permanently on lands that were not theirs. They had adopted oppressive measures to guarantee their survival. Their policy was founded on the myth of white supremacy, transformed into a philosophy guaranteed by divine right. The whole purpose of *apartheid* was to make the African a perpetual servant to his European masters.

24. Africans were being relegated in their own country to the role of cheap manpower that would attract foreign investment, which would in turn provide political, economic and military assistance encouraging the racist régime to persist in its practices. States whose economies would not be disrupted by a cessation of trade with South Africa were placing profit above principle. By their actions, they were contributing to the strengthening of *apartheid* in South Africa and its extension to neighbouring countries.

25. He deplored the growth in South Africa's foreign trade resulting from the actions of a number of Western countries. The situation could not improve so long as those countries continued to give their direct and indirect support. More pressure must be exerted on those countries in order to secure full implementation of the arms embargo and economic boycott against South Africa.

26. The representative of the Pan Africanist Congress of Azania and the representative of Egypt had pointed out in their statements the similarities and the relations between the South African régime and the Zionist régime in Palestine. Both depended on might, not right, for their existence; they had adopted an aggressive colonial policy, creating misery and constituting a threat to international peace and security.

27. One lesson the United Nations should learn from the events in the Middle East was that it must face with firmness, courage and justice the challenges hurled at it anywhere in the world. It should move against events before those events moved against it, and its Members must respect their obligations towards the principles of the Charter.

28. Mr. POPOV (Union of Soviet Socialist Republics) said that it was apparent from the report of the Special Committee on *Apartheid* (A/9022), whose work had his whole-hearted approval, that the South African authorities continued to apply their racist policy and, in addition to the repression of the African population, was even resorting to reprisals against the opponents of *apartheid*.

29. Over the past three years the struggle against racist oppression had taken on larger dimensions. Starting in Namibia, a wave of strikes had spread across southern Africa between 1971 and 1973, affecting South Africa and Southern Rhodesia. Those strikes had not been purely economic but had expressed the popular protest against *apartheid* and racial discrimination.

30. Consideration of the question of *apartheid* in the United Nations was part of the struggle carried on to help the cause of the oppressed population of South Africa. His delegation had followed attentively the statements by representatives of African countries setting out facts that revealed the inhuman policy of the South African Government. Numerous resolutions had condemned *apartheid* and had shown what should be done to eliminate it. It should be recalled that at its seventeenth session the General Assembly had requested Member States to break off diplomatic relations with South Africa, to close their ports to vessels flying the South African flag, to boycott all South African goods and to refrain from exporting goods, including all arms and ammunition, to South Africa (resolution 1761 (XVII)). The Security Council had adopted resolutions calling upon all States to cease the shipment to South Africa of arms and ammunition and any equipment and material for the manufacture thereof. The United Nations had declared that *apartheid* was incompatible with human dignity, and its resolutions and decisions were reflected in those of other international bodies.

31. The policy of *apartheid* of the South African Government was not a purely local manifestation. It had gone beyond national frontiers and sought to introduce the racist régime in the occupied territory of Namibia. The racist military power of South Africa served not only to maintain a racist order within that country's frontiers but also to oppose the national liberation movements of Namibia and Southern Rhodesia, to support the action of the Portuguese colonialists against the peoples of Mozambique, Angola, and Guinea-Bissau and to threaten the independence of young African States. Documents available to the Committee showed that the South African racists were increasing their military power and creating new units designed to put down any opposition on the part of the African population.

32. It was the duty of the United Nations to adopt measures to put an end to that intolerable situation. Moreover, the fact that the South African Government had ignored the resolutions that had been adopted was due not only to the fact that it had set up a relatively

powerful military machine but also to the fact that it was not alone in its racist and colonialist policy. The basic problem was the fact that the South African Government enjoyed the support of Western States which were its economic and commercial partners and which gave it military assistance. The United Kingdom, which bought about a third of South Africa's exports and supplied about a fourth of its imports, remained its principal partner. Thus the Western countries were violating the terms of the resolutions of the United Nations, particularly those of the Security Council placing an embargo on shipments of arms and munitions to South Africa. Their co-operation even extended to nuclear energy.

33. The representatives of the African countries had made it clear that the African peoples were deeply disturbed by the continued application by the South African authorities of their policy of *apartheid* and racial hatred. The USSR had always vigorously condemned the racist and colonialist régime and its supporters. It sought the elimination of racism, colonialism and *apartheid*. Over 50 years ago, V. I. Lenin, the founder of the Soviet State, when briefing a Soviet delegation that was going to Genoa for an international conference, had said that the international programme of the Soviet Union was designed to bring all oppressed colonial peoples into the international system. Thus, he had been drawing particular attention to the liberation of African peoples at a time when they had barely begun their struggle against colonialism. The USSR had always shown itself to be a friend and ally of the States of the African continent that had recently attained political independence and sovereignty, and it was ready to assist them in strengthening their economic independence. As everyone was aware, it had submitted a proposal calling for a 10 per cent reduction in the military budgets of the permanent members of the Security Council and utilization of part of the funds thus saved for economic assistance to the developing countries.¹

34. In the USSR numerous organizations had been set up to study and condemn the policy of racism and *apartheid*. The Soviet press, radio and television continually disseminated information regarding the scourges of colonialism, racism and *apartheid*. The sports organizations of the Soviet Union supported the decisions of the United Nations and excluded from international competition South African teams whose composition reflected racial criteria.

35. The USSR had always respected the decisions taken by the General Assembly and the Security Council regarding *apartheid*. It had no diplomatic, consular, commercial or other relations with South Africa. It wished to see the sanctions decided upon by the Security Council against the racists of Southern Rhodesia, South Africa and Portugal applied and extended. At the twenty-sixth session of the General Assembly the USSR had submitted the text of a draft convention on the suppression and punishment of the crime of *apartheid*. It hoped that the adoption of that convention would be an important contribution to the struggle against racism. Mr. A. A. Gromyko, Minister for Foreign Affairs of the USSR, had recalled in the Gen-

¹ The General Assembly had decided on 8 October 1973 (2144th plenary meeting) to consider the question under an additional item of its agenda (item 102).

eral Assembly on 25 September 1973 (2126th plenary meeting) that on more than one occasion the United Nations had been an arena of fierce political battles against colonialism of all shades, and the Soviet Union had always resolutely defended the oppressed peoples, and rendered its utmost support to their struggle for national liberation. The Soviet Union had always supported and would continue to support African peoples in the noble struggle they were carrying on against *apartheid* in order to eliminate the legacy of colonialism on the African continent.

36. Mr. SHERMAN (Liberia) drew attention to two dangerous trends which emerged from the reports of the Special Committee and from the statements of the representatives of the liberation movements: a continuously increasing record of atrocities which clearly showed the true character of the white minority and its crimes against humanity, and a growing number of resolutions of the United Nations and other international bodies condemning *apartheid*, which was evidence of the growing mobilization of public opinion against those criminal acts. When the Security Council had adopted its resolution 134 (1960) following the Sharpeville massacre, calling upon the South African Government to initiate measures aimed at bringing about racial harmony based on equality in order to ensure that such events did not recur, South Africa's reaction had been one of arrogance, followed by a ban on all African political parties and the arbitrary arrest, detention or imprisonment of thousands of Africans and other opponents of *apartheid*. The Security Council had done nothing, though it had moved troops into Korea, the Congo, the Middle East and elsewhere, because the South African régime could rely on the veto of certain of its collaborators to neutralize the decisions of the majority when it suited their material interests in South Africa to do so.

37. Because they had stood up for justice, morality and truth, many Africans and non-Africans continued to be arbitrarily imprisoned and tortured in South Africa. But the victims of *apartheid* demanded justice. There was indignation at the massacre at Carletonville, where African miners had been demonstrating for wage raises when the police fired on them, just as they had done 13 years earlier at Sharpeville. His delegation expressed solidarity with the hundreds of leaders of the people and eminent fighters against racism who remained in prison, many of them sentenced for the rest of their natural lives under the abhorrent laws of the racist régime, and it assured them of its support.

38. The situation in South Africa was a source of serious concern to his delegation, for it saw in *apartheid* principles and practices identical to those of nazism and it recalled that the League of Nations had been powerless to stop the advance of nazism because some Member States had not seen beyond their own interests and had hoped that the abandonment of principles and the sacrifice of smaller nations would pacify Hitler. Nazi racism had proved to be more than a threat to international peace and security; it had resulted in an unprecedented catastrophe. No institution founded on the principle of racial supremacy could survive except through ruthless suppression, and such a situation was found to become intolerable to all others because it violated their rights, dignity and self-respect as human beings. His Government believed that the foundation of freedom, justice and peace in the world was the inher-

ent dignity and the equal and inalienable right of all human beings. It was therefore convinced that promotion of social progress and better standards of living could not be achieved with such doctrines as *apartheid*, which nourished contempt for human rights and encouraged oppression and tyranny.

39. All efforts and resources of the entire world community should be mobilized with a view to putting an end to the evils of *apartheid* and promoting justice and equality for all in South Africa. On that subject the President of Liberia had stated at the Tenth Assembly of Heads of State and Government at Addis Ababa in May 1973 that the axis that ran from Portugal to Rhodesia and into South Africa was not only destroying the lives of Africans and their leaders but was also threatening the economic life-lines of sister States.

40. His delegation, which had initially intended to reserve its position, would vote in the General Assembly for the adoption of the draft resolution (A/SPC/L.264) adopted by the Committee at its 863rd meeting because it did not question the motives of the sponsors, bearing in mind the value of their contributions to the cause of African freedom and self-determination, and because African and other countries opposed to *apartheid* had indicated their support for it. His delegation hoped that that resolution would become their first warning of danger and that the white settlers of South Africa would heed it if, indeed, their régime was not doomed eventually to die.

41. Miss FLOURET (Argentina), after congratulating the officers of the Committee on their election, said that the manifestations of racial discrimination and their effects had gone to intolerable extremes in South Africa, where racial discrimination formed the very basis of government policy. Elsewhere in the world there was increasing respect for human rights, and egalitarian concepts were gaining ground in economic and social matters in all the countries of the international community, but the Pretoria Government was setting up racial discrimination as an institution which established the pattern for all State activities.

42. Unfortunately, the efforts of the United Nations and the specialized agencies to change the situation had remained without effect. The South African régime was continuing to violate the Universal Declaration of Human Rights and the United Nations resolutions on *apartheid* without concerning itself in the slightest about its repeated condemnation by every international body. The appeals of the international community had failed to prevent incidents like those at Sharpeville and Carletonville or the attempts being made to thwart the Azanian people when, inevitably, they sought to claim their rights.

43. Yet, the results of the votes taken in all the international bodies which were studying the problem and the horror aroused throughout the world by racial discrimination were significant facts which should encourage the international community in its efforts to combat *apartheid*. No one dared to question the legitimacy of the struggle being carried on by the oppressed majority, and the Special Committee on *Apartheid* had greatly contributed to that struggle through the determined efforts it had made since its establishment.

44. Turning to that Committee's reports, she said that she wished to clarify several points concerning Argen-

tina. First of all, it was not accurate to say that trade relations between Argentina and South Africa were rapidly increasing (A/9022, para. 177, item (2) (d)); the exact opposite was the case. In evaluating commercial trends, the Special Committee should use statistics covering much longer periods as the basis for comparison. Moreover, trade with South Africa was carried on exclusively by private parties; State agencies had not been involved in a single transaction. Secondly, contrary to the Special Committee's statement (*ibid.*, annex I, subparagraph 109 (c)), there was no South African consulate at Comodoro Rivadavia. Thirdly, it was not true that Empresa Lineas Maritimas Argentinas (ELMA), the Argentine State shipping line, had established a direct service to South Africa (see A/9168, para. 97), since it was only because of the length of the trip that ELMA vessels were making stops in South African ports on the Gulf of Guinea and Far Eastern routes. Finally, with regard to the question of *apartheid* in the field of sports, she said that despite her country's consistent efforts to ensure that Argentine athletes complied with the provisions of General Assembly resolution 2775 D (XXVI) and subsequent United Nations resolutions, some athletes had very occasionally, without the knowledge of the authorities concerned, competed with South African athletes chosen on a discriminatory basis. In order to prevent further such incidents, her Government had recently adopted a decision which was reported in the following press release, which she read out:

"The Under-Secretariat for Sports of the Ministry of Social Affairs, in agreement with the Ministry of External Relations and Public Worship, has informed the Argentine Sports Federation, so that it may give appropriate instructions to its members and to the Argentine Rugby Federation, that Argentine athletes are forbidden to compete directly with South African athletes on any basis whatsoever and at any place whatsoever.

"This decision is based on the provisions of resolutions 2775 D (XXVI) and 2923 E (XXVII) of the United Nations General Assembly, which received the votes of more than 100 Member States, including the Argentine Republic.

"This measure will remain in force as long as the policy of racial segregation is practised in South Africa, since that policy not only violates the most elementary human rights but is contrary to the Olympic principle of non-discrimination in sports.

"The Under-Secretariat for Sports, expressing the anti-racist spirit of the Argentine Government and people, associates itself, in its sphere of competence, with the measures which have been taken for the purpose of ensuring that Argentine nationals do not compete with athletes chosen according to criteria which violate the fundamental principles of brotherhood and coexistence among men.

"It is recalled that the same ban applies to the territory of Southern Rhodesia and to its athletes, in conformity with the provisions of Legislative Decree 19846/72.

"The Under-Secretariat for Sports will impose on any organizations and leaders that violate this ban the penalties prescribed by the laws in force."*

* Translation of original Spanish text supplied by the Secretariat.

45. She wished to say in conclusion that the Argentine people and Government maintained a position of solidarity with the oppressed majority in South Africa and that she was certain that the efforts made by the United Nations in combating *apartheid* would not be without effect.

46. Mr. SINCLAIR (Guyana), after congratulating the Special Committee on *Apartheid* for its excellent annual report (A/9022), said that his delegation deplored the continuation and worsening of the policy of *apartheid*, in which a number of Western countries could be charged with complicity. In its report on the implementation by States of United Nations resolutions on *apartheid*, the Special Committee had revealed that despite General Assembly resolution 1761 (XVII), which requested all States to refrain from trading with South Africa, the latter's trade was continuing to grow (A/9168, paras. 43-53). Some 10 industrialized countries accounted for 72.5 per cent of its total trade. In addition, a number of major Western Powers were continuing to obtain raw materials in South Africa and were investing heavily in that country. They argued that a reduction in their trade was not feasible and would ultimately harm the black population of South Africa. However, the current position of blacks in South Africa bore no relation whatever to that country's economic well-being. On the contrary, if the South African régime was permitted to strengthen its economic base it would be in an even better position to defy the decisions of the United Nations.

47. Certain countries, ignoring the embargo imposed by the United Nations, were selling arms to South Africa on the pretext that they would be used for external defence and not for internal repression. However, that argument was not valid, as was apparent, *inter alia*, from the incidents at Carletonville. Furthermore, South Africa's military power posed a direct threat to the peace and security of the African continent. South Africa was supporting Portugal in its colonial wars in Angola and Mozambique and in its acts of aggression against Guinea-Bissau and other independent African States. It was also aiding the illegal régime in Salisbury, which was imposing *apartheid* in Zimbabwe. The growth in South Africa's military power presented an obstacle to the liberation of Angola and Mozambique and of Zimbabwe. As the Heads of State and Government had declared at the Fourth Summit Conference of Non-Aligned Countries, held at Algiers in September 1973, armed struggle was the only way to end colonial and racial domination in southern Africa. Guyana would continue to give moral and financial assistance to the liberation movements in southern Africa. The situation was not without hope. In some areas, particularly that of sports, South Africa had been isolated. Moreover, the Special Committee had adopted a programme providing for more active steps to ensure that United Nations measures against South Africa were implemented.

48. Following the incidents at Carletonville, the International Conference of Trade Unions against *Apartheid*, held at Geneva in June 1973, had considered means by which the trade union movement could take concerted action to bring about the speedy elimination of *apartheid*. It had been decided, *inter alia*, that there should be a boycott of the loading and unloading of goods to and from South Africa and that employees of companies with branches in South Africa should bring

pressure to bear on them to abolish wage discrimination against African workers. If all those measures were applied, the economic support being given to South Africa would be halted once and for all.

49. Mr. PUNTSAGNOROV (Mongolia) noted that the United Nations had been discussing the question of *apartheid* for more than 20 years. Although the allies of colonialism no longer made any attempt to deny that *apartheid* constituted a threat to international peace and security, no progress had been made. Mongolia shared the concern of the Secretary-General, who had stated in section V of the introduction (A/9001/Add.1) of his report on the work of the Organization that the continuation of colonialism and racial discrimination would have grave consequences which would make themselves felt far beyond southern Africa. If *apartheid* continued to exist and to entrench itself, the reason was that the United Nations resolutions were not being implemented because certain Member States were providing protection and assistance to the South African régime. There was a vast amount of evidence showing that the responsibility for that situation rested with the countries which traded with South Africa, and they must be condemned.

50. South Africa was being militarized. Its military budget had grown: not only had the size of its armed forces increased, but it had acquired military industries and technology on its territory. It was co-operating closely with Portugal and Southern Rhodesia in that field. Those facts made it more important than ever to impose an effective arms embargo on South Africa. Pressure should also be exerted on it to make it give up Namibia.

51. In the past year the world campaign against *apartheid* had gained ground. At their Fourth Summit Conference, the non-aligned countries had expressed their total support for the United Nations Trust Fund for South Africa. The International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa, held at Oslo, and the International Conference of Trade Unions against *Apartheid*, held at Geneva, had made interesting proposals and had shown the interest which world public opinion took in *apartheid* questions. His delegation wished to express its great appreciation of the work done by the Special Committee. The Committee's annual report (A/9022) effectively depicted the tragic situation prevailing in South Africa and showed up the régime and those who protected it in their true colours.

52. The liberation movements were an important element in the struggle against *apartheid*. It had become evident that active opposition was growing among an ever larger sector of the population. The events at Sharpeville and those that had more recently occurred at Carletonville were symptoms of the tragic situation in which the South African régime found itself. No one would be deceived by the few reforms it had introduced. The system of Bantustans was really intended to divide the African population.

53. Mongolia associated itself with the speakers who had expressed their support for such political prisoners as Nelson Mandela. It supported the submission to the General Assembly of the draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/9095, annex, and A/9095/Add.1), being considered in the Third Committee. Such a Convention, if adopted

by the Assembly, would serve as a most useful legal basis for putting an end to *apartheid* and for ensuring the implementation of the United Nations resolutions.

54. The delegation of Mongolia wished to reaffirm its opposition to *apartheid* and to all forms of racism, the social and economic causes of which had been eradicated in its own country. It had recently proclaimed a week of solidarity with the victims of *apartheid* and it actively supported, within its modest means, the action of the United Nations.

55. Mr. MØLLER (Denmark) paid a tribute to the Chairman and the Rapporteur of the Special Committee for their work in presenting a most useful report (A/9022), even though it made sad reading in so far as it showed the lack of activity of certain States that professed to be against *apartheid*. While the United Nations had solved a number of problems, it had been powerless before the South African Government's policy of *apartheid*. It was a sad paradox that the social order for which the Government of South Africa stood was being maintained though the struggle against that order had behind it the moral support of the whole world.

56. The democratic and political experience of Denmark and the other Nordic countries inclined them to believe that *apartheid* could be eliminated through persuasion and political pressure. That however presupposed that world public opinion was constantly participating in such political pressure and, more particularly, that States were refraining from taking any steps that would tend to reinforce *apartheid*. It was of overriding importance that all States should, like Denmark, abide by the resolutions adopted by the Security Council calling for an arms embargo on South Africa, and Denmark deplored the fact that some Member States did not.

57. His delegation attached great importance to the dissemination of information on *apartheid*. It had therefore noted with special attention the proposal of the Special Committee to convene a conference of prominent educators, writers and other intellectuals to consider the role they might be able to play in the struggle against *apartheid* (*ibid.*, para. 273). Mass media such as the radio and television also had a big role to play in providing information.

58. With regard to the question of economic sanctions proposed by the Security Council,² the competent body in the matter, Denmark considered that universally applied sanctions would be the way to a peaceful solution. The Danish Government had refused in December 1971 to grant export guarantees for commodities intended for the public authorities in South Africa.

59. He wished to draw attention to the appeal contained in the report of the Committee of Trustees of the United Nations Trust Fund for South Africa (A/9235, annex). The number of States contributing to the Fund was far smaller than that of those who had voted for the resolution on the Fund. Denmark and the other Nordic countries had been by far the largest contributors. His delegation was convinced that humanitarian assistance to the victims of *apartheid* was a necessary supplement to political action. Denmark itself had contributed or pledged \$224,000 in 1973.

² See the report of the Expert Committee established in pursuance of Security Council resolution 191 (1964): *Official Records of the Security Council, Twentieth Year, Special Supplement No. 2.*

60. In conclusion, he would say that the harshness of the terms used in attacking *apartheid* would have little effect. What mattered was which and how many States rallied round the countries and organizations that were making determined efforts to bring an end to the plight of millions of human beings.

61. Mr. DORON (Israel), speaking in exercise of the right of reply, said that the representative of Egypt had as usual made unfounded accusations against Israel on the subject of alleged arms sales to South Africa. Israel had already refuted such allegations at previous sessions and, since they were not mentioned in the Special Committee's report, it might have been assumed that the matter had been settled. No doubt the representative of Egypt hoped that if lies were constantly repeated they might finally be believed. He could only hope that the Committee would not let itself be deceived.

62. As to the representative of the Libyan Arab Republic, he had deemed it necessary to speak though he had nothing to say. The comparisons he had made with reference to Israel were completely unfounded.

63. Though the representative of the German Democratic Republic had been sitting in the Committee for only a few weeks, he had soon acquired the technique of lying propaganda. In referring to the war in the Middle East he had spoken of Israeli aggression, though the whole world knew that it was Israel that had been attacked by Egypt and Syria on 6 October 1973, as had been confirmed by United Nations observers as well as by the Syrian and Egyptian Governments.

64. Mr. TEYMOUR (Egypt), speaking in exercise of the right of reply, said he could well understand the feelings of the Israeli representative, since nothing could be more painful than the truth, and the facts about the relations between Israel and South Africa were irrefutable. At the twenty-seventh session, Israel had been challenged to break off the relations it maintained with South Africa. He would renew that challenge, knowing that Israel could not break off relations with South Africa in view of the number of interests it had in that country. Furthermore Israel did not even vote in favour of the resolutions condemning the policy of *apartheid* of the South African Government. How could it do so, since *zionism* and *apartheid* were but two faces of one coin?

65. He read out a number of extracts from United States, United Kingdom, South African and Israeli newspapers and periodicals which showed that political, economic and cultural ties had existed for a long time between South Africa and Israel. Israel was manufacturing air-to-air missiles which it intended to supply to friendly countries, in particular South Africa. The volume of the traffic by the Israeli airline El Al between Israel and South Africa had doubled since June 1967

and the transport of goods by air had increased by 55 per cent in 1969. Israel was producing a short take-off aircraft which it was intending to supply to South Africa; the same was true of the Gabriel missile which could be used against surface vessels. Furthermore, in 1971, 41 per cent of Israel's non-agricultural exports consisted of cut diamonds, of which it was the world's main producer, and there could be no doubt that the rough diamonds for that industry would come from South Africa. It was also a fact that Israeli industrialists, businessmen and even performing artists frequently travelled to South Africa.

66. The relations between Israel and South Africa thus covered all fields of activity. Israel could offer no argument to refute these facts as all African States knew.

67. Mr. SAHAD (Libyan Arab Republic), speaking in exercise of the right of reply, said he had nothing to add to what the Egyptian representative had said about the ties between Israel and the Republic of South Africa. It was indeed understandable that two such disreputable régimes should work together. The analogy between them was striking. Both were founded on racism. In both countries a minority of immigrants were imposing their policies on the legitimate inhabitants of the country. Both régimes were supported by the same accomplices. Both believed, like the Nazis, that might was right. Lastly, both continued to rely on further arrivals of immigrants.

68. Mr. DORON (Israel), speaking in exercise of the right of reply, said there would be no point in his repeating what he had already said about the imaginary arms sales by Israel to South Africa.

69. Mr. DIETZE (German Democratic Republic), speaking in exercise of the right of reply, said that the recent resumption of hostilities by Israel in the Middle East was proof of the nature of the *zionist* régime. As for the collusion between Israel and South Africa, the Egyptian representative had furnished well-documented and detailed proof of the common intention of the *zionist* and South African régimes to crush the fighters for freedom.

70. Mr. TEYMOUR (Egypt), speaking in exercise of the right of reply, said he had proved the untruthful nature of the statements of the Israeli representative, whose colleague had admitted, at the twenty-seventh session, the accuracy of the accusations made by Egypt. Once again, he would challenge the Israeli representative openly to condemn *apartheid* and to announce that his country would break off diplomatic relations with South Africa, as required by General Assembly resolution 2923 E (XXVII).

The meeting rose at 6.35 p.m.

869th meeting

Tuesday, 23 October 1973, at 3.20 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.869

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa
(continued) (A/9160, A/9188, A/SPC/160,
A/SPC/161):

- (a) Reports of the Special Committee on *Apartheid*
(A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

GENERAL DEBATE (continued)

1. The CHAIRMAN informed the Committee that the representative of Cuba had requested to be included among the speakers. He asked the Committee whether it wished to grant that request despite the fact that the list of speakers was already closed. If there was no objection, he would take it that the Committee agreed to the addition of Cuba to the list.

It was so decided.

2. The CHAIRMAN, recalling the decision taken by the Committee (859th meeting) with regard to the request made by the Special Committee on *Apartheid* in a letter from its Chairman (A/SPC/160), announced that Mr. Mamadou Diarra, the Executive Secretary of OAU, had communicated to him the names of the South African liberation movements recognized by OAU and the names of the representatives of those movements, namely the African Nationalist Congress of South Africa, repressed by Mr. Oliver Tambo and Mr. Thami Mhlambiso and the Pan Africanist Congress of Azania, represented by Mr. Portlako Leballo and Mr. David Sibeko. Should those representatives wish to address the Committee, he would be pleased to recognize them in conformity with the Committee's previous decisions.

3. Mr. MACRIS (Greece) said that his delegation, without necessarily subscribing to everything contained in the reports of the Special Committee agreed with the Rapporteur of that Committee that *apartheid* was indeed like a repeat performance of a Greek tragedy (A/SPC/PV.859). The situation which the Special Political Committee was considering could well be analysed in terms of Greek tragedy. The plot was the history of the founding of the United Nations and the efforts it had made to ensure observance in southern Africa of fundamental human rights, the dignity of the human person and the equality of rights among men and among nations. The state of happiness was represented by the principles of the United Nations Charter and the Universal Declaration of Human Rights. The development of that state in the reality of daily life had been described by the Special Committee on *Apartheid*. It had noted that there was in southern Africa a racism which affected all human activities and constituted the first great tragic act. The second act of the tragedy began with the introduction of new elements the most important of which, as outlined in the conclusions and recommendations of the Special Committee (A/9022, paras. 178-301), consisted in: isolating and weakening

the oppressive régime by political, economic and other measures (para. 198); declining to accept the credentials of the representatives of the South African Government (para. 229); calling on the specialized agencies and intergovernmental agencies to deny membership or privileges of membership to South Africa (para. 229); calling on States to break relations with South Africa (para. 236); calling on States and special organizations to prohibit, prevent or at least dissuade emigration to South Africa (para. 238); appealing to Governments, organizations and individuals to provide material support to the liberation movements (para. 241)—and even military support; continuing the boycott of South African sports teams and stopping cultural exchanges (paras. 250 to 254); and urging all the organizations in the United Nations family to sever all ties with South Africa.

4. In his delegation's view, such measures complicated the task undertaken by the United Nations to eliminate racial discrimination once and for all. His delegation was not convinced that such coercive measures were consistent with the provisions of certain Articles of the United Nations Charter—Article 1, paragraph 2; Article 2, paragraphs 1 and 7; Articles 5, 6, 9 and 12; Article 18, paragraph 1; and all of Chapter VII—or with the provisions of articles 13 and 14 of the Universal Declaration of Human Rights. His delegation was reluctant to support recommendations which could do more harm than did the racists to the citizens and innocent persons of all races who lived in certain countries. It feared that, instead of promoting the liberation and independence of the oppressed peoples, such measures might miss their mark and intensify conflicts between parties which had adopted diametrically opposed positions.

5. On the other hand, it would be appropriate to have recourse to all the means of persuasion which the Charter authorized to encourage the pacific rapprochement of conflicting positions. That procedure might well be more difficult and time-consuming, but his delegation took the view that there should be no departure from the action outlined in the Charter.

6. He recalled the statement made before the General Assembly by the Deputy Minister for Foreign Affairs of his country on 25 September 1973 (2126th plenary meeting). The Greek people had always rejected racial, religious or social discrimination. Accordingly, he unreservedly endorsed the efforts made by the United Nations to put an end to racism and intolerance. But he could not acquiesce in the condemnation of racial discrimination in one country and the tacit toleration of it in another.

7. His country viewed racial discrimination and *apartheid* as a serious obstacle to co-operation and the economic and social development of the international community. His delegation was therefore prepared to give its support to any resolution that might bring about solutions based on the Charter of the United Nations.

8. Mr. ISSAKA (Togo) said that South Africa had not yet been expelled from the United Nations despite its violations of the principles enunciated in Article 1, paragraph 3, of the Charter because the hypocrisy and perfidy of certain permanent members of the Security Council stood in the way of the implementation of the provisions of Article 6, despite the fact that the Security Council had recognized in its resolution 311 (1972) that the situation in South Africa seriously disturbed international peace and security and that the Council was obliged to take urgent measures to secure implementation of its resolutions and thereby promote a solution to the grave situation in South Africa and southern Africa.

9. As soon as they had to assume their responsibilities, certain permanent members of the Security Council took refuge behind pseudo-principles. It was inconsistent to condemn *apartheid* on the one hand and, on the other, to claim that the problem fell within the exclusive competence of the white colonial Government. Such duplicity was repugnant to the African States, just as the attitude of the Security Council was offensive to small Powers because the United Nations power to act had been appropriated by a few members of that organ. That being the case, how could anyone say with a straight face that the United Nations was based on the principle of the sovereign equality of all its Members? One wondered what good was the General Assembly if its decisions were frustrated by its own members.

10. He recalled that the President of the General Assembly, in his opening address, on 18 September 1973 (2117th plenary meeting), had observed that the legal basis for the binding nature of General Assembly resolutions lay in the binding nature of the provisions of the Charter on which they were based. He himself felt that States which did not respect the binding nature of the Assembly's decisions should be subject to Article 6 of the Charter.

11. In view of the ineffectiveness of the Security Council, the General Assembly had decided, by 72 votes to 37, not to accept the credentials of Vorster's representatives. It should be remembered that Vorster's representatives did not represent the indigenous people of South Africa. He noted that the Powers which had voted in favour of accepting the credentials of Vorster's representatives were the ones that had refused to grant observer status to the genuine representatives of the Azanian people. To those who contended that the General Assembly's vote did not take away the right of the representatives of South Africa to sit in the Assembly and that representativeness was not the criterion for determining whether or not credentials were valid, his delegation would reply that the United Nations had the right and the duty to expel Vorster's representatives and to take against South Africa the coercive measures laid down in Chapter VII of the Charter.

12. The South African colonialists counted on the complicity of certain States represented on the Security Council. It therefore came as no surprise that the measures of repression taken against the African peoples were being intensified and that South Africa was defying the United Nations, for it was the Western States—founder Members of the United Nations—that were daily strengthening the military arsenal of the Vorster

group, while there was no provision in General Assembly or Security Council resolutions which made it possible to distinguish between weapons for defence and weapons for repression. Small wonder that Vorster and his team took no account of United Nations resolutions when the Western permanent members of the Security Council circumvented the recommendations of the United Nations and increased their investments in South Africa. Africa had demonstrated its willingness to seek a compromise, whereas South Africa, strengthened by the support of the great Western Powers, refused any dialogue which might permit the achievement of the multiracial society towards which the Manifesto on Southern Africa (Lusaka Manifesto) aspired. But let those who thought only of huge profits know that it was futile to arm the henchmen of international capitalism in South Africa. History, both ancient and modern, taught that force of arms had never triumphed over justice.

13. Mr. DIAKITÉ (Mali) recalled the faith in a new era of peace which the creation of the United Nations had awakened immediately after the Second World War. That hope, embodied in the Charter of the United Nations, had not prevented the re-emergence of racism in the form of *apartheid*, which constituted a grave threat to human dignity and had been denounced by the United Nations since 1946.

14. The tenth anniversary of the Special Committee on *Apartheid* was an appropriate occasion to take stock of the efforts that had been made and to envisage far-reaching measures to remove that scourge. Despite the isolation of South Africa, which had been expelled from several international organizations, the fact had to be faced that its policies had not only been strengthened in South Africa but had also been extended to Namibia and Southern Rhodesia.

15. The repressions and executions being carried out by the South African régime constituted a veritable policy of genocide, as the events of Sharpeville and, more recently, those of Carletonville showed. The Bantustan policy resulted in the displacement of millions of blacks and their concentration on poor lands. With such persecutions, the racist régime left the Azanian people no other solution but recourse to armed struggle. Furthermore, Pretoria was engaging in intimidation and even acts of aggression against independent African countries such as Tanzania and Zambia, and was giving assistance to its natural allies: the illegal Government of Southern Rhodesia and the colonialist régime of Portugal.

16. While it was the mission of the United Nations to maintain international peace and security, it had also, under Article 1, paragraph 1, of the Charter, "to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace".

17. However, the South African racists were able to pursue their policies with impunity because they enjoyed the material, technical and political aid of the NATO Powers. The abstention of certain permanent members of the Security Council at the time of the adoption of Council resolution 282 (1970), and the reservations they had expressed concerning the decision on the embargo on sales of arms to South Africa, were most significant in that regard. Because of the diplomatic, economic and trade relations that many States maintained with South Africa, and also because of the

investments they made there, the decisions of the international community remained without effect. The situation had only worsened during the past 10 years.

18. Nevertheless, the struggle for liberation was being actively pursued. The South African students, both black and white, had held major demonstrations in May and June 1972. Since then, many movements opposing racial segregation had been formed by whites.

19. On the international plane, several countries and several intergovernmental or private organizations had taken retaliatory measures against the racist Government of South Africa. In that connexion, the General Assembly should take into consideration the relevant conclusions of the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa, held at Oslo in April 1973, and the International Conference of Trade Unions against *Apartheid*, held at Geneva in June 1973. His delegation also recommended to the attention of the General Assembly the excellent reports of the Special Committee on *Apartheid*.

20. To resolve that problem the international community should step up its aid to the freedom fighters, ensure full implementation of the relevant decisions by Member States and have recourse to the measures provided for in Chapter VII of the Charter.

21. Mr. KAMARA (Mauritania) wished to congratulate the Special Committee on *Apartheid* for the competence it had shown in its work. The United Nations and international opinion had been concerned with the problem of *apartheid* for a quarter of a century, yet, despite the resolutions adopted by the Organization, some countries showed no desire to act. On the contrary, they were co-operating with South African capitalist circles on the vague pretext of improving the lot of the population. Their action had grave consequences, not only because it strengthened the South African régime, but also because it weakened the United Nations. It was to the same incapacity to enforce its decisions that the League of Nations had owed its decline.

22. It was therefore necessary to enhance the prestige of the Organization and not to let it become a mere platform for oratory. The resolutions adopted to date were insufficient. All countries must apply the embargo on arms to South Africa and, as the Special Committee had stated in paragraph 4 of its report on the military build-up in South Africa (A/9180), the Security Council should take "specific measures to ban the transfer to South Africa of advanced technology and scientific military information" which could "be used for the manufacture of arms, military vehicles and ammunition".

23. Mr. HANSEN (Federal Republic of Germany) said that the United Nations was facing with growing concern the grave implications of *apartheid* for world peace and security. Peace was what the Federal Republic of Germany wanted, and long before becoming a Member of the Organization it had invariably supported Security Council resolutions concerning *apartheid* and the embargo on the supply of arms to South Africa. Basing its policy on the United Nations Charter and condemning racism wherever it appeared, the Federal Republic of Germany respected the will of its people—which knew from experience the ravages caused by that evil—and its own Constitution, as well

as the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 (XX), annex), to which it had become a party.

24. It was true that the Federal Republic of Germany, like many other countries, without entering into political considerations any more than it did in the case of other countries, had trade relations with South Africa. It should however be noted that it did not engage in any official trade; that it did not give South Africa any economic assistance; that, since it had a labour shortage itself it did not encourage its nationals to emigrate to that country; that, unlike the companies of the Federal Republic of Germany trading with the OAU countries, those which traded with South Africa did not enjoy any economic incentives; and, lastly, that EEC, of which his country was a member, gave no preferential treatment to South Africa.

25. It should be stressed that international trade was the corner-stone of the economy of the Federal Republic of Germany and that it was owing to the prosperity it derived from it that it could contribute to the development of other countries, through the United Nations Development Programme, the United Nations High Commissioner for Refugees, the United Nations Educational and Training Programme for Southern Africa, the United Nations Trust Fund for South Africa and OAU. His country believed that trade and politics should remain two entirely separate domains, as long as the Security Council had not imposed economic sanctions.

26. The Federal Republic of Germany rejected *apartheid*. That was why it had been a sponsor of the draft resolution on South African political prisoners adopted at the 863rd meeting. It had also received a delegation from the Special Committee on *Apartheid* (A/9022, paras. 164 to 170). For the same reason, it was participating in the search for peaceful means of ensuring respect for human rights and self-determination for the peoples of South Africa. His country undertook to assist the victims of *apartheid* and those who were preparing themselves to assume responsibility in the advance of their peoples towards freedom and self-determination.

27. Mr. BHATTY (Pakistan) recalled that on 5 October 1973, the Members of the United Nations—through their representatives in the General Assembly (2141st plenary meeting)—had handed down a formal verdict of guilty against South Africa by stating that they totally rejected the racial policies of that country. That condemnation would gather further momentum throughout the world if the inequities of *apartheid* were better known to the public. The United Nations should therefore step up its efforts to expose the sordid situation existing in South Africa and to foil the propaganda campaign of the South African Government, which was trying to mislead world public opinion by pretending that there were signs of evolution in South Africa, which could be promoted only by greater contacts and investment. As the Special Committee had emphasized in its report (A/9022, para. 256), the support of public opinion was essential to secure wider implementation of United Nations resolutions on *apartheid* by Governments and organizations and to persuade the recalcitrant Governments and foreign economic interests concerned to revise their attitudes. He stressed,

in that regard, the value of the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in South Africa and the International Conference of Trade Unions against *Apartheid*. He also felt that the recommendation (*ibid.*, para. 273) that UNESCO be requested to consider convening a conference of prominent educators, writers and other intellectuals to consider their role in the struggle against *apartheid* was very useful.

28. The civilized world could not allow South Africa to extend its policy of racial discrimination, repression and exploitation to the territory of Namibia, which South Africa was continuing to occupy illegally.

29. The most effective way to persuade the South African Government to give up its odious policy was for other Governments, eschewing self-serving interpretations of United Nations resolutions, to bring to bear on it the full weight of world opprobrium. It was the political, military, economic and other collaboration of certain States which encouraged the South African régime to persist in its inhuman policies. His delegation joined with those who had launched an appeal to those States to bring their policies into line with United Nations injunctions.

30. Pakistan, for its part, had always condemned *apartheid* and supported all actions and recommendations aimed at persuading the Government of South Africa to abandon that policy. It had never established diplomatic relations with South Africa, nor did it intend to do so as long as the Government of that country continued to follow its current policy. It had also imposed a complete trade boycott on South Africa, did not grant landing or passage facilities to South African aircraft and had closed Pakistan ports to vessels flying the South African flag. Pakistan had banned the sale to South Africa, and the purchase from South Africa, of arms, munitions, and all types of military vehicles and other strategic goods, and it had condemned the resumption of United Kingdom arms sales to the Pretoria régime. In compliance with the resolutions and recommendations of the General Assembly and the Security Council, Pakistan had suspended all cultural, educational and sports exchanges with South Africa, and its news media were giving proper coverage to the policies of racial discrimination and *apartheid* being practised in South Africa.

31. Believing that the world community had the responsibility for helping to alleviate the sufferings of the victims of *apartheid* and providing assistance to the liberation movements in South Africa, Pakistan contributed to the United Nations Trust Fund for South Africa and the United Nations Educational and Training Programme for Southern Africa, and it hoped that an increasing number of States would contribute to them. On the eve of the Decade for Action to Combat Racism and Racial Discrimination, the world community should rededicate itself to the complete elimination of *apartheid* and racial discrimination. His Government would continue to participate fully in that noble struggle.

32. Mr. SOKALSKI (Poland) recalled that during the Nazi occupation his country had experienced the same oppression and the same practices which the members of the Committee joined in condemning: the denial of human rights, police terror, massacres, complete segregation between the oppressors and the oppressed, and forced labour.

33. His delegation deplored the fact that the legacy of colonialism and neo-colonialism had brought about situations on the African continent—the policies of *apartheid* of the minority Government of South Africa and the conflict in the Middle East—which were incompatible with the very principles of the United Nations and with a number of its resolutions.

34. Nothing could bring greater harm to the cause of the United Nations than failure by its Member States to implement resolutions which they had joined in adopting. For more than two decades, the General Assembly and the Security Council had been trying to persuade the South African régime to abandon its inhuman policy and seek a solution that was in keeping with the principles of the United Nations Charter and the Universal Declaration of Human Rights. However, not only had the South African Government sought to consolidate its system of racist tyranny and exploitation but certain States—most of them members of NATO—heedless of the appeals of a majority of the international community, were maintaining political, military and other relations with the minority Government. Certain multinational corporations of those States bore a grave share of the responsibility for the criminal acts and massacres perpetrated against the black population by the South African police; he cited the massacre at the Western Deep Levels Mine at Carletonville, which belonged to one of those corporations. He could not understand how a State could declare itself opposed to colonialism, racism and *apartheid* and at the same time lend political, military and economic support to the South African Government. Such conduct, which gave moral encouragement to the proponents of *apartheid*, could not but have an adverse psychological effect on world public opinion.

35. The situation was particularly serious because, as the Head of the Federal Military Government of Nigeria had pointed out in the General Assembly on 5 October (2141st plenary meeting), colonialism, racism and *apartheid* were not only an unbearable affront to human dignity but also a grave threat to the sovereign and territorial integrity of independent African States and to international peace and security.

36. He noted that the socialist countries had always, both in word and in deed, supported the just cause of the non-white population of South Africa and abided by all the United Nations resolutions on *apartheid*. Poland would continue to take that position of principle until the phenomenon of *apartheid* was completely eradicated. Since the twenty-seventh session, campaigns of solidarity with the victims of *apartheid* had gained momentum in Poland and the Government had continued to provide material assistance to the heroic peoples of South Africa, Zimbabwe and Namibia. The Polish press, radio and television joined in widely disseminating information on the evils of *apartheid* and on international efforts to eradicate it. The Polish Solidarity Committee and the Society for Polish-African Friendship had taken an active part in campaigns against *apartheid*. Lastly, his delegation was participating in the elaboration of the draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/9095, annex, and A/9095/Add.1).

37. The many observances and conferences organized during the past year as well as the important resolutions adopted at the summit conferences of OAU and the non-aligned countries bore witness to a re-

newed determination on the part of the international community to combat *apartheid*. His delegation, for its part, would support in the General Assembly any constructive resolutions introduced.

38. Mr. ZEMAN (Czechoslovakia) said that his country felt that *apartheid*, an anachronistic system which had brought suffering to millions of Africans, was one of the most important problems of the present-day world. The policy of *apartheid* was not only an instrument of colonial domination but also a means of exploiting the South African working class, which was overwhelmingly black. The racist régime, which was flouting fundamental human rights, had for more than 20 years been enacting extremely detailed laws which enabled it to suppress the national liberation movement of the African people. The General Assembly and the Security Council had repeatedly condemned the racists who had established that criminal régime, but the South African Government defied the resolutions and appeals of the United Nations and shirked its obligations, thus voluntarily excluding itself from the world community of States.

39. However, the South African Government would be unable to resist the pressure of the international community if it did not receive support from international imperialism, which had major interests in South Africa—support that the reports of the Special Committee showed that that Government was receiving. It was international imperialism which, together with the South African régime, bore responsibility for the extension of the policy of *apartheid* to Namibia, which was illegally occupied by South Africa. However, the Africans fighting against *apartheid*, racism and colonialism in South Africa were not alone; the world anti-imperialist and anti-colonialist movement stood beside them.

40. The Czechoslovak Socialist Republic, which had had bitter experience with Hitler's racist theories during the Second World War, had proclaimed in its Constitution that racism was an intolerable ideology that was completely antithetical to socialism. It had been one of the first States to ratify the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) and was among those which vigorously condemned racist acts and strictly abided by the purposes and principles of the United Nations Charter. Since 1963, pursuant to the various resolutions of the General Assembly and the Security Council, it had severed all diplomatic, consular and other relations with South Africa; it condemned the policies of *apartheid* as a crime against humanity and denounced the illegal occupation of Namibia. Czechoslovakia supported the Africans' struggle against *apartheid*; it contributed to the International Defence and Aid Fund and provided 40 scholarships in Czechoslovakia annually for students from colonial areas in southern Africa.

41. Each year on 21 March, the Czechoslovak Committee for Solidarity with the Peoples of Africa and Asia observed the International Day for the Elimination of Racism and Racial Discrimination which marked the tragic events at Sharpeville. In 1973 assistance to the colonial peoples had been substantially increased and Czechoslovak trade unions had taken part in the International Conference of Trade Unions against *Apartheid*. The Czechoslovak Socialist Republic would con-

tinue to give its backing to the struggle of the African peoples to free themselves from colonialism and *apartheid* and would support any resolution that could promote the speedy achievement of those objectives.

42. Mr. TÜZEL (Turkey) noted that the Special Committee stated in its report (A/9022, para. 199) that "the objective of the United Nations is the total eradication of *apartheid* and racial discrimination . . . Its efforts are not directed at a mere relaxation of *apartheid* . . .". Turkey was determined to support all efforts aimed at achieving that objective and it fully endorsed the recommendation (*ibid.*, paras. 123 and 124) that the General Assembly should consider urgently and approve the draft Convention on the Suppression and Punishment of the Crime of *Apartheid*, which could be an important legal instrument for more effective international action against *apartheid*.

43. The international community was in agreement on the fact that that inhuman policy represented a flagrant violation of the fundamental principles of the Charter, of several conventions and treaties and of numerous decisions of United Nations bodies. Turkey had always condemned the policies of *apartheid* of the South African Government and voted for all resolutions expressing such condemnation. It fully complied with the provisions of the Security Council resolutions imposing an arms embargo and hoped that the latter would be strictly implemented. Desiring to aid the oppressed peoples of southern Africa, it contributed to the United Nations Trust Fund for South Africa and appealed to all States, particularly the wealthier States, to contribute generously to the Fund. As the representative of Turkey had said in the United Nations Council for Namibia, Turkey was indignant at the extension of *apartheid* to Namibia, which was illegally occupied by South Africa. The policy of *apartheid* was a threat to peace and security in Africa and thus to the maintenance of international peace and security. Neither the application of the Bantustan policy nor the softening of repressive measures could contribute to a peaceful solution.

44. He wished to pay a tribute to the Special Committee on *Apartheid*, whose work was contributing to increased public awareness of the conditions existing in South Africa, and also to the Unit on *Apartheid*, of the Secretariat. His Government was convinced of the need for concerted international action to eradicate *apartheid* and was ready to lend its moral and material support to all realistic efforts to achieve that end.

45. Miss KEATING (Ireland) congratulated the members of the Special Committee on their efforts. While the United Nations, unfortunately, was hardly closer to a solution of the problem of *apartheid* than it had been at the beginning, it was heartening to read in the reports of the Special Committee that real progress had been achieved in making an ever-increasing number of people aware of the situation and that the many conferences on the subject were attracting increasingly active participation.

46. There was now a glimmer of hope in South Africa itself. She had in mind the struggle of the workers for better wages and recognition of trade union rights, the struggle of black students, supported by some white students, the efforts of the legal political party of the coloured people to denounce racism, the development of political movements uniting African, Indian and col-

oured people, and the conclusion reached by a group of South Africa's leading academics of the danger that the whole of southern Africa might be engulfed in a race war whose possibilities of escalation were incalculable (A/9022, annex I, para. 6).

47. That opposition, both internal and external, had obliged the South African régime to make some readjustments in its policies. However, those adjustments had been made entirely within the framework of *apartheid* and the South African Government was continuing to have recourse to repressive laws, such as the so-called "Sabotage Act" and the "90-day law".

48. Ireland had been one of the sponsors of the draft resolution on South African political prisoners adopted at the 863rd meeting, and her delegation had already had occasion to make known its concern regarding the treatment of political prisoners in South Africa.

49. One of the most disquieting developments was the acceleration of the military build-up in South Africa. The South African defence budget was more than 10 times greater than in 1960. The South African authorities claimed that the country's military posture was primarily defensive and not offensive, but, in their eyes, defence included working with the police in preserving order. Her delegation found that attitude and those statistics ominous, having regard to Security Council resolution 282 (1970) which called for an embargo on the sale of arms to South Africa. Her Government was complying strictly with its obligations under that resolution.

50. With regard to the suitability of the application of economic sanctions by such bodies as EEC, she reiterated her delegation's position that calls for such sanctions were a matter for the Security Council, which alone could take effective actions in that field.

51. Finally, as the Minister for Foreign Affairs of Ireland had said before the General Assembly on 24 September 1973 (2125th plenary meeting), Ireland doubted that it would be in the interests of the South African population as a whole to recommend that all the specialized agencies and intergovernmental organizations should exclude South Africa. Instead, efforts should be made to prove to the white minority that its fears were unjustified and that it would have its place in a free and democratic South Africa. There could be no question of minimizing the importance of the struggle against the scourge of *apartheid*, but one could not lay claim to the human condition and deny it to another.

52. Mr. BOERTIEN (Netherlands) recalled the statement by the Chairman of the South African delegation before the General Assembly on 5 October 1973 (2141st plenary meeting) that South Africa was willing to pursue all avenues of contact and communication and that it was ready to enter into discussions concerning its internal policies with anyone who was genuinely interested in them. Yet the South African delegation was absent from the Committee and was thus keeping that avenue of contact and communication closed. His delegation would therefore transmit the text of its statement to the South African delegation.

53. He wondered whether the Government of South Africa was really blind to the impression made on the rest of the world by its policy of *apartheid*, namely, that the self-government which it claimed to be giving to the different black "nations" was nothing more than self-

administration within solid ghetto walls and that those who left the ghettos to make a living were reduced to the rank of second-class citizens and untouchables in the *apartheid* society.

54. The proposals of the representative of South Africa could not contribute to a solution of the problems arising from an unacceptable situation in which human beings were deprived of their rights, held in economic and social quarantine and humiliated because of the colour of their skins. That situation was not only incompatible with the Charter of the United Nations and the Universal Declaration of Human Rights but also insulting to the majority of countries represented in the Organization. That was why the Minister for Foreign Affairs of the Netherlands, in his address to the General Assembly on 26 September 1973 (2128th plenary meeting), had identified *apartheid* as a threat to peace which could entail the destruction of the minority which was trying to protect itself by means of *apartheid*.

55. Consequently, the Netherlands Government would refrain from any action which might contribute to the perpetuation of *apartheid*; at the same time, it would try to implement those United Nations resolutions on which it had not cast a negative vote. It would support steps taken to persuade South Africa to renounce its *apartheid* policy, and it would respect the arms embargo. Lastly, it would provide financial assistance to the victims of *apartheid* in order to alleviate the effects of that policy in the educational and humanitarian fields.

56. However, the Netherlands by no means thought that South Africa should be isolated. It was convinced of the usefulness of keeping channels of communication open. Contacts between churches, parliamentarians, trade unions, youth organizations and cultural organizations could help to increase understanding in South Africa of the concern aroused by *apartheid* among those peoples and Governments which rejected it.

57. Currently, however, possibilities of contact even at the non-governmental level were blocked. Visas were being refused to Netherlands who wished to visit South Africa, and South Africans who did not share completely the views of the South African Government were denied the exit documents they required in order to visit the Netherlands. Moreover, the South African Government was not leaving open channels of contact and communication when it impeded contact between population groups within South Africa and limited their freedom of movement.

58. The Netherlands was convinced that the world could not and would not accept the perpetuation of racial discrimination in South Africa and it accordingly urged South Africa to enter into a real discussion, which should be a discussion of the very bases and principles of *apartheid* and not merely of the possibilities of minor alterations in that policy. Since the General Assembly had not deprived South Africa of the opportunity of expounding its views before the United Nations, it was regrettable that South Africa did not wish to be heard.

59. Mr. BARAKAT AHMAD (India), Rapporteur of the Special Committee on *Apartheid*, said that he wished to give the Committee some information on the current work of the Special Committee on *Apartheid*. Since the Special Committee had had to prepare four reports for the current session instead of one, it was

difficult to say whether its work could be concluded by the end of the current week. However, a draft resolution on the role of trade unions in the struggle against *apartheid* was now ready. The Chairman of the Special Committee was handling that draft. He invited those members of the Committee who wished to do so to participate in the work of the Special Committee.

60. It was possible that, on the proposal of the representative of Jamaica, a draft resolution concerning the Committee's programme of work would be submitted after the general debate. It would take another week to complete a draft resolution on the dissemination of information on *apartheid*. Finally, a fourth draft resolution concerning the policies of *apartheid* of the

Government of South Africa should be ready some time during the coming week.

61. It was by no means easy to prepare draft resolutions before the opinions of the different groups of countries were known. That was why it had been necessary to wait until the middle of the general debate.

62. The CHAIRMAN urged members to try to help the Committee to abide by the programme of work adopted at its 858th meeting. He also suggested that one additional meeting might be devoted to the general debate on the question of *apartheid*.

The meeting rose at 5.30 p.m.

870th meeting

Wednesday, 24 October 1973, at 10.45 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.870

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa (continued) (A/9160, A/9188, A/SPC/160, A/SPC/161):

- (a) Reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

GENERAL DEBATE (continued)

1. The CHAIRMAN said that the representative of Gabon had requested to be included among the speakers, though the list of speakers had already been closed. If he heard no objections, he would take it that the Committee agreed to grant that request.

It was so decided.

2. The CHAIRMAN said that because of the large number of speakers on the list, he intended to extend the general debate by one more meeting, namely that scheduled for the afternoon the following day.

3. Mr. RAWA (Malaysia) said that the explosive situation in South Africa was posing a great threat to international peace and security. The world had reached a point where confrontation had given way to dialogue, and he welcomed the initiatives taken by many countries to work towards constructive relations. The Government of South Africa, however, was now more than ever firmly entrenched in its position, despite world public opinion and numerous appeals. The white minority régime of South Africa had intensified its efforts to perpetuate the policy of *apartheid* and to consolidate the system of racial oppression and suppression. The African people—the majority of the population—continued to live in misery under the most extreme form of exploitation and oppression, denied their fundamental human rights and dignity.

4. Since its inception, the Special Committee on *Apartheid* had been actively concerned with the problems in South Africa. It had been the focal point of a

number of initiatives intended to bring to the attention of the world the evils and dangers of *apartheid*. No real gains had been made, however, mainly because the white minority régime in South Africa was secure in the knowledge that its powerful friends and trading partners would frustrate any efforts by the United Nations to redress the situation and to eradicate the policy of *apartheid*. Encouraged by the support it received from those friends, South Africa had continued to build massive military and police forces to perpetuate its repressive policy. His delegation was gravely concerned by the use of those forces to suppress the majority population in South Africa simply because of its colour. The Sharpeville incident had made it clear that the white minority régime would stop at nothing in its efforts to perpetuate its inhuman rule. He hoped that the memory of Sharpeville and Carletonville would be a painful reminder to the international community—in particular to South Africa's friends and trading partners—of the responsibility to put an end to the repression. The illegal intervention by South African military and police forces in Southern Rhodesia in order to perpetuate the white minority régime of Ian Smith, and their threatening attitude to the rest of the African continent was certainly a matter of grave concern to everyone. Their acts constituted a grave threat to international peace and security.

5. The South African régime was receiving economic support from its friends. One of the most effective means of eliminating *apartheid* would be the severing of all economic relations with South Africa. International organizations and conferences had passed numerous resolutions to that effect, appeals had been made and economic and other sanctions had been called for. But they had been largely rejected by South Africa's principal trading partners. It was regrettable that by rejecting the appeals, those countries were in fact assisting the Pretoria régime to perpetuate and strengthen its inhuman rule in South Africa.

6. It had to be reiterated that *apartheid* as practised and imposed by the Pretoria régime in both South Af-

rica and Namibia was an international crime that undermined the very foundations for building a just and durable peace. As the Conference of Heads of State or Government of Non-Aligned Countries, held at Algiers in September 1973 had stressed: while *apartheid* prevailed peace would prove limited in principle and scope.

7. His delegation hoped that the appeals for an arms embargo and economic sanctions would be heeded because those measures were crucial to the eradication of *apartheid* and hence to the restoration of the just rights of the majority of the population in southern Africa. His country would continue to give its utmost support to the people of southern Africa in their just struggle against oppression and racism.

8. Mr. SHMYGOV (Byelorussian Soviet Socialist Republic) noted that the report of the Special Committee on *Apartheid* (A/9022) stressed the fact that the policy of *apartheid* was being pursued with the help and support of imperialists and international monopolies. The assistance was being provided because of far-reaching political, ideological, economic and strategic aims pursued by the most reactionary and aggressive forces of imperialism.

9. During the Second World War, many colonial and dependent countries had been drawn into the struggle against imperialism for national liberation and independence. The Soviet Union had considered it a sacred duty to give the national liberation movements the assistance they required. It had therefore proposed two amendments to the draft of Article 1 of the United Nations Charter. Despite opposition from some Western countries, the amendment that had become Article 1, paragraph 2, of the Charter had been accepted, and for the first time in history the principle of self-determination had been recognized as a basis for relations between nations and peoples. Moreover, the legitimate struggle for national independence had thus been legalized, and the dependent countries had been given a guarantee in their struggle for national independence and sovereignty. The second amendment, which introduced the idea of respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion had become part of Article 1, paragraph 3.

10. Having accepted the inclusion of those provisions, the colonialist countries had pretended to show "concern" for "progressive development" towards independence, thereby trying to reduce the intensity of the struggle by colonial peoples for independence, freedom and equality. But those principles were a danger to the imperialists. In 1953 an American professor had written that fantastic demands were being made to do away with the colonial empires because those principles were in the Charter, and he had opposed the idea of self-determination. The ideas themselves had been branded as a "red peril". *Apartheid* was advanced by the reactionaries as an alternative to the threat of Communist penetration hanging over Africa. In 1973 the Minister of Defence of South Africa had described South Africa as a target for international communism and had rejected the "one man—one vote" formula as Communist sedition. In his view the demand to end racial discrimination and *apartheid* stemmed from "exaggerated personal freedom". Both the Minister of Defence and the Prime Minister of South Africa had de-

scribed that country as a "bastion of the free world in Africa" and a "bastion against communism".

11. The political and ideological purposes of *apartheid* were to prevent the ideas of freedom, democracy and progress from spreading across the African continent, to preserve the colonial régime in its most barbarous form, to reinforce the ideology of domination, suppression and slavery, to strengthen the oppressed peoples in the belief that they were doomed, and to deprive them of any hopes for the future.

12. A great deal had been said about the economic aspects of *apartheid*. Appeals had even been made to the reason and morals of the capitalist monopoly bosses. But moral standards were alien to monopoly capital, which placed business and profit above goodness and justice, individual interests and general progress.

13. Despite General Assembly and Security Council resolutions, foreign investment in South Africa had been increasing rapidly in recent years. That investment had helped to bolster the position of the Vorster Government. As the Special Committee's pertinent report showed (A/9168, paras. 54-78), most of the direct investments came from common market countries. The United Kingdom alone had invested £2 million in South Africa. Foreign capital attracted cheap labour and offered enormous profits from the exploitation of the indigenous inhabitants, whose wages, according to the ILO figures, were below the poverty line. United States profits from direct investments in South Africa had increased by more than 19 per cent—twice as much as in other countries, in which the United States of America invested. British companies were also extracting enormous profits. The national wealth of the South African people was being openly plundered. He wondered whether Sir Alec Douglas-Home, the Foreign Minister of the United Kingdom, had been thinking of similar investments when he had addressed the General Assembly on 26 September 1973 (2128th plenary meeting) and suggested private investment in the developing countries to counter the Soviet proposal under agenda item 102 to provide those countries with real and disinterested assistance out of a 10 per cent reduction in the military budgets of the permanent members of the Security Council.

14. Certain Western countries found it advantageous to trade with South Africa and were therefore interested in preserving it as a reserve of cruel racism. The favourable conditions created by the Vorster régime had contributed to the growth of trade between a number of Western States and South Africa.

15. There was also a strategic aspect to the policy and practice of *apartheid*. Imperialist forces wanted South Africa as a bridgehead from which they could maintain the peoples of Africa in obedience by threat of arms. The aggressive forces of the Western countries therefore encouraged and supported the policy and practice of *apartheid* in South Africa and they blatantly violated the Security Council provisions for imposing an arms embargo in South Africa. They supplied licences, advanced technology and scientific military information, and helped South Africa to build military installations. Joint military manoeuvres had even been organized by South Africa and the United Kingdom. The reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9180) showed that South Africa had become a powerful NATO military base. With the assistance of certain

Western countries, a diversified military industry had been set up there. South Africa's military budget was 10 times what it had been in 1960. The South African leaders, in an effort to mislead the African countries and world public opinion, had stated that the arms were necessary to maintain internal order. In fact, the purpose of South Africa's growing military potential was to retaliate against African countries that had achieved independence, to wage aggressive war against neighbouring States and to spread its inhuman policy of *apartheid* beyond the borders of South Africa. South Africa's growing co-operation with Portugal and Southern Rhodesia against the African national liberation movement was proof of that. The Pretoria régime was the greatest threat to the security of the independent African States, and to their territorial integrity and sovereignty.

16. He paid tribute to the Special Committee for its work in mobilizing world public opinion and in coordinating action by various national and international movements engaged in the fight against *apartheid*. His country was making its contribution to the development of international co-operation and to the fight for national freedom and independence, human rights, peace and progress. The Byelorussian people condemned *apartheid* in South Africa. It was widely informed about the valiant fight of the world's leading social forces against the ideology and practice of national and racial oppression, and it expressed its total support for and solidarity with those who were fighting colonialism, racial discrimination and *apartheid*. He was glad to announce that on 5 October 1973 the Presidium of the Supreme Soviet of the Byelorussian Soviet Socialist Republic had ratified the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex). The socialist system fully guaranteed all those rights.

17. His delegation fully supported the conclusions and recommendations contained in the annual report of the Special Committee (A/9022). He was convinced that the United Nations would do what was necessary to put an end to the shameful system of *apartheid* in South Africa.

18. Mr. SINGH (India) paid a tribute to the contribution made by Mr. Ogbu of Nigeria in his capacity as Chairman of the Special Committee on *Apartheid*.

19. There were still more than 40 United Nations resolutions on *apartheid* totally or partially unimplemented. Nevertheless, a closer look at developments would reveal that not all the efforts made had been in vain. Recent events showed that a feeling of disgust and revulsion was overtaking the Member States, and the white people themselves. The denunciation of *apartheid* by Chancellor Willy Brandt of the Federal Republic of Germany in the General Assembly on 26 September 1973 (2128th plenary meeting) was of historic importance. The Committee's adoption by acclamation (863rd meeting) of the draft resolution on political prisoners in South Africa¹ had come as a shock to men fed on propaganda and lies. The *Sunday Times* of Johannesburg had emphasized that Germany too was denouncing South African policy. Under their apparent unconcern, the racists were beginning to crack. But

they were showing still greater defiance of successive United Nations resolutions, they had unleashed a reign of terror, and had started a repressive policy of unprecedented ferocity. The deteriorating situation in South Africa clearly posed a grave threat to peace. The time had come for the Security Council to act once and for all to spare the blacks of South Africa from their continuing agony and mounting tragedy. In the short span of 17 years, the great Powers had shown that their solutions could be effective. They must let the best in them assert itself and speak out clearly and unequivocally.

20. Close scrutiny of the South African economy revealed its Achilles heel. It was unfortunate that the Security Council had not even considered the report of the Expert Committee it had established by its resolution 191 (1964).

21. In August 1963 when the Security Council, by its resolution 181 (1963), had solemnly called upon all States to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa, three permanent members of the Council had placed special interpretations on the terms used. Nevertheless, it was significant that none of the major Powers had openly flouted the Security Council resolutions. It was distressing that between 1962 and 1972 South African trade figures had grown substantially, helped by surreptitious avoidance of Security Council and General Assembly resolutions.

22. Ironically, the Powers which could facilitate the adoption of an effective Security Council decision were the very Powers accused of supporting the minority régime in South Africa. The battles against *apartheid* therefore had to be fought beyond the frontiers of South Africa—in the countries on which South Africa depended for economic support. South Africa's efforts to divert its exports into other markets, in violation of United Nations resolutions, had been helped by some friendly countries which had become intermediaries for re-export. Effective action in the Security Council was therefore impossible without an effective campaign to disseminate information in the countries which were likely to block any effective resolution in the Council.

23. It was no coincidence that the Nazi sympathizers and terrorists of the Second World War were now responsible for the most racial propaganda campaign in the world. Almost all South African racial propaganda contained an underlying assumption that white supremacy was right, and that white people were better, more civilized, more hard-working and even more Christian than blacks.

24. South Africa had persuaded many leading economists and industrialists to repeat the claim that the Africans were financially better off in South Africa than anywhere else in Africa. But Pretoria's own statistics showed that African *per capita* income in South Africa was little more than \$125 per year, or about eighth by size in Africa. Poorer States under black rule provided a better living for their population than did South Africa, the wealthiest country on the continent. South Africa's campaigns to persuade the world that the conditions of black labour were improving, that there were substantial wage increases, and that black men would henceforth be brought into jobs hitherto exclusively reserved for whites, were a tissue of lies calculated to divert the mounting indignation of people at the brutalities committed at Carletonville. Most people

¹ Subsequently adopted by the General Assembly as resolution 3055 (XXVIII).

did not know that South Africa's claim to have solved racial problems by adopting "separate development" policies was merely a skilful camouflage to preserve white privileges in South Africa for ever. It was obvious that a concerted world-wide effort was needed to stem the flow of racial material and misinformation from South Africa, and to replace it in the public eye with the truth.

25. There was no need for counter-propaganda; the truth alone would suffice. The world must first be made aware of the truth about South Africa, so that an honest and fair judgement could be made of the real situation in the country and so that it could be seen how wide the gap was between South African facts and South African propaganda. That would discredit at last the white propagandists and their supporters all over the world. Those non-South Africans who had, knowingly or unknowingly, supported the division of mankind by race or colour, must be shown that their arguments were based on misrepresentation and fallacies, and that they had misled their own countries and peoples on behalf of a foreign racist State. Foremost among them were the builders of public opinion in the mass media throughout the world. The countering of racial bias in the press of the free world was a difficult long-term operation, particularly since many journalists sincerely believed the white distortions about South Africa to be the truth.

26. If a short-term view was taken, South Africa appeared an extremely attractive market, but it was artificially limited. In a nation of 21 million people, only 4 million had the earning power to constitute a proper market. So any industry which collaborated with the *status quo* in South Africa was crippling its own long-term prospects because the 17 million other potential buyers were held back by the very racial policies with which overseas industry was collaborating. The capitalist countries were not only crippling their own export possibilities to South Africa for strictly short-term reasons but were also helping to create a tragic situation which could destroy even the existing markets in southern Africa as well as alienating the growing markets in independent Africa.

27. Public opinion must therefore be educated so that it could impress upon Governments that no rational distinction could be made between arms for internal repression and for external aggression. The arms supplied to South Africa were being used to suppress the legitimate demands of the black people, just as those supplied by NATO had been used in Angola and Mozambique.

28. The Office of Public Information could play an important role in planning, advising and executing some of the suggestions made in paragraphs 131 to 146 of the Special Committee's report (A/9022). His delegation would welcome a statement by a representative of that Office in the Special Political Committee. Paragraph 273 on the possible convening by UNESCO of a conference of educators, writers and other intellectuals was too vague and should have spelt out the details of such a conference. He hoped it would be possible to include a suggestion that such a conference should be held in 1975 in one of the Committee's draft resolutions.

29. His delegation also endorsed the recommendation in paragraph 275 regarding a study by UNITAR, whose previous study entitled *The United Nations and the*

News Media (ST/7) had been very useful. Successful seminars had been held by the Co-ordinator of Training Programmes and he hoped that a seminar could be devoted to explaining the difference between ordinary racial discrimination and *apartheid* in South Africa.

30. Since his country was a member of the Special Committee, it naturally approved the programme of work contained in chapter II, section O, paragraphs 289 to 296 of the report. It attached particular importance to the recommendation that the Special Committee should hold a two-week session in Europe in May-June 1974, despite its financial implications. It should be noted that South Africa's propaganda expenditure on its information services had risen from \$125,000 in 1948, when the Afrikaner nationalists had come to power, to some \$9 million in 1973. It was imperative to continue to educate Western public opinion on the basic aim of the white minority régime of Pretoria. Statements by members of the South African Government had made no secret of their intention to maintain white supremacy in South Africa.

31. Mr. PLAJA (Italy) said that leading sociologists had warned for some time that racial antagonisms were still one of the most persistent evils of human society and recent events in several countries had tragically borne out their words. The United Nations could not fail to express deep concern at the spreading of all forms of racial discrimination, which constituted a flagrant violation of the principle of the equality of all peoples. The *apartheid* system was particularly alarming because it advocated racial discrimination as its proclaimed objective. That system was not only resented as an affront by the independent African States but also condemned by the overwhelming majority of States Members of the United Nations.

32. Italy had voted in favour of many resolutions on the question and contributed to the United Nations funds for assistance to the victims of *apartheid* because racial discrimination was alien to the Italian people and to its culture.

33. However, *apartheid* was a very complex problem and any change in the existing situation could be the result only of a process whereby the policies on *apartheid* were gradually replaced by a real dialogue between the various communities. As the Manifesto on Southern Africa (Lusaka Manifesto) had emphasized, that could be achieved only by the peoples of South Africa themselves.

34. The task of the United Nations was to help bring about those changes. Its action had two main objectives: the dissemination of information and the application of measures to bring pressure upon the South African Government. Under the guidance of the Special Committee, dissemination of information had been expanded in scope and improved in effectiveness. His delegation supported the suggestions made in the Special Committee's report (A/9022, paras. 256 to 270) for rendering more effective the information activities for the enlightenment of world public opinion and in particular of public opinion in South Africa. It was particularly interested in the latter, where much remained to be done. The United Nations must, for instance, establish and expand contacts with the youth of South Africa and in particular inform it about activities in the field of human rights.

35. The Special Committee's report also made many suggestions concerning the second objective—measures designed to bring pressure on South Africa. All such action should be accompanied by a constant objective study of social and political developments in South Africa and of the reactions to the various initiatives undertaken by the United Nations, which would show which measures had a positive effect and should be intensified. Such a study called for great impartiality and total renunciation of doctrinaire approaches. Two main areas for study were the Bantustans and the urban blacks. An increasing number of people living in the former were criticizing the "homeland" system, pointing out that the territories allocated to them were not economically viable, so that the Bantustans were only reservoirs of migratory manpower. The United Nations should follow those developments closely. Recent strikes had shown that the urban blacks were becoming aware of their economic power. International firms with branches in South Africa could set an example by treating their black workers according to international standards. The assistance of international labour organizations should be sought to help South Africa to bring its black urban workers into a normal democratic trade union system.

36. The economic sanctions advocated by some delegations were a complex matter, which would be costly for many countries and would, on the basis of past experience, have doubtful results. Sanctions should, in conformity with the United Nations Charter, be decided upon by the Security Council. Italy would abide by any decision taken in full respect of the provisions of the Charter.

37. The problem of sanctions must be studied in depth. Italy had contributed to the preliminary study on the practicability and effect of sanctions called for in Security Council resolution 191 (1964). That study should be further developed in order to determine the far-reaching consequences of sanctions and to devise ways and means to avert the damage that they would bring to many economies. A modest but necessary beginning would be for the Special Committee to give in its annual report a complete and true picture of South Africa's international trade, based in particular on the *Monthly Bulletin of Statistics* of the United Nations, instead of a short list of arbitrarily selected States. Useful investigation could further be made into indirect trade relations through third countries and under the cover of fictitious companies.

38. If economic sanctions did not seem practicable at the current juncture, various limited measures within the capabilities of the United Nations would contribute to make the pressure of the Organization and world public opinion felt in South Africa. One was the arms embargo. Italy had voted in favour of Security Council resolution 311 (1972) and the relevant General Assembly resolutions, had implemented them all and would continue to do so. The Chairman of the Special Committee had written to him about press reports on the alleged sale of Aeromacchi AM3C aircraft to South Africa, a useful initiative because such reports were not an adequate proof of commercial transactions and because the procedure ensured mutually beneficial co-operation between the United Nations and Member States. He had replied on 1 October 1973 refuting, on instruction from his Government, those press reports. He had noticed, however, from the Special

Committee's report on the military build-up in South Africa (A/9180) that, while the letter from that Committee's Chairman had dealt with press reports concerning Aeromacchi AM3C aircraft, the report had referred (*ibid.*, annex, para. 19) also to press reports, not confirmed, about another model of the Aeromacchi, the MB 326K trainer. Had the Special Committee's Chairman referred also to those press reports in his letter, the answer given him would have included refutation also of the press reports concerning that model. He further noticed that, while the Special Committee had given publicity to controversial press reports, no mention had been made in the report about the statement of denial made by the Italian Government. He therefore wished to reiterate that the inquiry of the competent authorities in Italy had led to the conclusion that the press reports had been unfounded.

39. As the problem of *apartheid* was mainly moral and social, the impact of the United Nations action was primarily moral and political. The Organization should make South Africa feel the moral weight of its condemnation of racial discrimination, thus opening the way to a peaceful process of change in that country. Italy would certainly contribute towards attaining that objective.

40. Mr. PAPADEMAS (Cyprus) said that, as in past years, the report of the Special Committee (A/9022) showed some progress in combating *apartheid* and some deterioration in the situation. The Committee was well aware of the events of the past year in South Africa and the oppression of its heroic black population, culminating in the massacre of black workers at Carletonville, and of the historical background to the *apartheid* policy so lucidly described in the statement just made by the representative of the Byelorussian SSR, which had been one of the original signatories of the Charter. The question was, what was being done both collectively by the United Nations as an international organization and individually by the different Member States to change that situation. The United Nations had many covenants, declarations and resolutions on the elimination of racial discrimination and *apartheid* to its credit, most of which were implemented by some Member States. A new draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/9095, annex, and A/9095/Add.1) was under discussion in the Third Committee and he hoped that it would be adopted by the General Assembly.

41. With regard to the action of individual countries, he reaffirmed Cyprus's absolute dedication to the principles of the Charter and strict observance of all resolutions on racial discrimination and *apartheid*. It had signed and ratified the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) and the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (resolution 2200 A (XXI), annex), and made a modest contribution to the United Nations Trust Fund for South Africa. Above all, it provided moral support for the struggle to eliminate the scourge of *apartheid*.

42. An increasing number of people throughout the world were becoming aware of the inhuman practices of *apartheid* in South Africa and he agreed with the Rapporteur of the Special Committee (859th meeting) that more money should be spent on the dissemination of

information. Unfortunately the point had been reached where only those who had material interests in trading with South Africa closed their eyes to that inhuman practice.

43. It was high time that the Government of South Africa realized that it could not tyrannize for ever the indigenous population of what that Government called its country. No system based on oppression and tyranny over human beings could exist for long. Although the blacks in South Africa would continue to suffer for some time, their struggle against tyranny was being intensified and the whole world gave them moral and other support. It was to be hoped that the South African Government would realize that fact and change its policy before it was too late.

44. Mr. BARTOLOME (Philippines) noted that the Committee was gathered once again to condemn the evil of *apartheid*, urge more generous assistance to its victims and opponents, recommend more stringent sanctions and issue more urgent appeals for their observance, for, although such measures had failed so far to eradicate *apartheid*, the struggle must go on.

45. In the forefront of the struggle were the people of South Africa themselves, in particular those—both black and white—who had placed their lives and liberty on the line for the sake of dignity and freedom and who were suffering and dying for having dared to raise their voices against the racist régime. The best way of supporting those brave people was by giving more generously to the various funds established for the assistance of the victims of *apartheid* and racist colonialism in Africa. In that connexion he recalled the modest contribution his Government had made to such funds. However, as the representatives of the two national liberation movements had recently pointed out, support to the victims of *apartheid* should go hand in hand with moral, political and material assistance to the liberation movements.

46. The other aspect of the international campaign against *apartheid* was the effort, centred in the United Nations, to isolate the régime in the political, diplomatic, economic, transport, cultural, athletic and military fields. Unfortunately, that effort had so far been largely unsuccessful because of the failure of certain Powers to support such action fully. In the best year, although progress had been made in the sports boycott, such action in other fields had been less successful. Indeed, trade and transportation links had actually increased and what was more ominous, the arms embargo continued to be violated. With the support it had received in the form of capital, licences and technical assistance from abroad the Pretoria régime had been making progress towards its goal of self-sufficiency, particularly in the production of weapons. The nearer it came to that goal the less effective international sanctions would become.

47. The Philippine Government maintained no relations of any kind with South Africa; moreover, it discouraged its citizens from visiting that country and denied visas to South Africans unless they renounced, under oath, their Government's *apartheid* policies. As the Secretary for Foreign Affairs of the Philippines had stated before the General Assembly on 2 October 1973 (2136th plenary meeting), the immediate short-term cost of trying to effect a change was nothing compared to the freeing of whole enclaves of humanity. To that

end, he repeated his delegation's suggestion that the campaign against *apartheid* be directed above all towards applying popular pressure on the Governments and corporations of all Members of the United Nations which maintained ties with South Africa. Despite the recent dismal developments in the establishment of Bantustans, reported by the Special Committee on *Apartheid* (A/9022, annex I, paras. 28 to 43), the intensification of opposition to *apartheid*, both on the internal level through strikes, and on the external level in the form of a strong commitment to the anti-*apartheid* cause from the new leaders of Australia, New Zealand and the Netherlands, was encouraging. The Federal Republic of Germany in a statement issued on 27 August 1973 jointly with a delegation of the Special Committee on *Apartheid* (A/AC.115/L.370) had also indicated its support. In addition, action had been taken against Western corporations dealing with South Africa and a number of trade unions, universities and church groups had either withdrawn their funds from corporations involved in South Africa or urged the withdrawal of the investments of such firms from that country. The decisions agreed upon at the International Conference of Trade Unions against *Apartheid* (A/9169, annex I) calling on all workers' unions to take direct action against trade with South Africa through boycotts of cargo to and from South Africa and urging workers to pressure corporations to cease collaborating with the régime and to abolish discrimination against African workers in their branches in South Africa had great potential impact. At the same time, the anti-*apartheid* movements had intensified their information campaigns to focus world attention on the crimes and atrocities of the régime. In that connexion special tribute should be paid to the Special Committee which, together with its Chairman, had played an important role as catalyst in the world-wide campaign against *apartheid*.

48. Mr. MALO (Albania) noted that the exodus of representatives of about 100 countries from the General Assembly Hall during the statement by the representative of South Africa on 5 October 1973 (2141st plenary meeting) demonstrated the international community's contempt for and condemnation of the Fascist Pretoria régime and should be a warning to those States that were helping the régime to pursue its inhuman policy.

49. Many resolutions had been adopted by the United Nations in the past 25 years recommending that Member States should cut off all relations with the racist régime as long as it pursued its *apartheid* policy. That régime, however, continued to ignore the United Nations decisions and to pursue its policy by means—imprisonment, torture and execution—that were tantamount to genocide. Indeed, the recent increase in the cost of hospital treatment for Africans in a country where there were only 120 doctors for a population of more than 15 million Africans left no doubt as to the régime's desire to eliminate a large part of the non-white population.

50. South Africa dared to flout the repeated resolutions of the United Nations and world public opinion only because of the political and economic support it received from certain countries, especially its main trading partners. In the past 10 years trade between South Africa and the United Kingdom, the United States of America and the Federal Republic of Germany had considerably increased and the large corpo-

rations of those countries had increased their investments in South Africa, taking advantage of the slave labour of the black population. To condemn *apartheid* while increasing relations in every field with the racist régime was indeed hypocritical. Moreover, the growing penetration of imperialist monopolies in South Africa went hand in hand with the military penetration of certain NATO countries. Indeed, South Africa had become a bridgehead of imperialism in Africa. Its military budget for the year ahead would amount to \$450 million. In view of its assistance to the Rhodesian racists and Portuguese colonialists, and its aggressive stance in general, the fears of the independent African States were quite understandable.

51. It was clear now that the South African racists would heed neither reason nor world public opinion. However, oppression would inevitably lead the oppressed to rise in revolt. He was pleased to see that the liberation struggle was beginning to gain momentum after the bloody repression of 10 years earlier. The racists and Fascists were shortsighted as well as criminal. They seemed unable to learn from experience and did not realize that islands of colonialism could not subsist indefinitely in the African continent. The Albanian people would always support the just struggle of the people of South Africa and would never have any relations with the racist régime of South Africa.

52. Mr. BOOH (Cameroon) said that the situation in South Africa seemed to have brightened somewhat in the past year for, although South Africa was still a police state, large segments of the oppressed population had shown their determination to defend their rights and dignity. At the same time support for the anti-*apartheid* movements had increased on the international level except in those Western countries that, unfortunately, continued to co-operate with the racist forces.

53. *Apartheid* had again been declared a crime against humanity and a grave threat to international peace and security at various conferences earlier that year, and all peace-loving countries had pledged to increase their moral and material aid to the liberation movements of South Africa. That had merely goaded the racist régime to desperate action, such as the massacre of the Carltonville miners whose only crime had been to aspire to the fundamental human rights recognized to all men in the Universal Declaration of Human Rights. The statement by the envoy from Pretoria that the South African Government was a Government of change was an insult to the millions of Africans who had been assassinated, imprisoned without trial or driven from their homelands. Besides, it was clear that no change in the current policies was envisaged. Furthermore, the statement by that same envoy that the Pretoria régime wished to sign pacts of non-aggression with other African States was quite ludicrous since African States had no need of such pacts in order to live at peace with one another. Had South Africa truly believed in the virtues of peace and equality it would have heeded the repeated pressing appeals of the international community. Instead, on being presented with the proposals for a peaceful settlement of the problems of southern Africa contained in the Lusaka Manifesto, it had defiantly increased its acts of aggression against certain independent African States.

54. His delegation felt that the racist Pretoria clique, by demonstrating its profound contempt for the United

Nations and its ideals, had forfeited its right to belong to the Organization and that supporters of the inhuman régime could not possibly represent the African majority of that country.

55. The Western Powers bore a considerable responsibility for the perpetuation of racial discrimination in southern Africa because they maintained profitable trade relations with South Africa. The attempts made by the President of Zambia, Kenneth Kaunda, and the President of Mauritania, Moktar Ould Daddah, on behalf of OAU after the seventh Summit Conference of that organization, in 1970, to change that situation had met with little success. Such indifference and hypocrisy on the part of countries whose attachment to freedom and democracy was well known was deeply shocking, and was not in the interests of peace. In particular, the fact that countries that bore the principal responsibility for maintaining the peace unabashedly violated their commitments cast grave doubts on the future of the United Nations.

56. However, Africa continued to have faith in the Organization's ability to help solve the problems of colonialism and *apartheid*. In that connexion, it was to be hoped that the Committee would realistically appraise the statement made by the Head of the Federal Military Government of Nigeria before the General Assembly on 5 October 1973 (2141st plenary meeting). Naturally, if that confidence proved to be misplaced, Africa would have no choice but to arm itself for the great racial confrontation in southern Africa. As the President of the Republic of Zaire had stated before the General Assembly on 4 October (2140th plenary meeting), that was a sacred struggle and no sacrifice would be too great. However, it was to be hoped that so extreme a solution could be avoided.

57. To that end he suggested that all countries should scrupulously observe the arms embargo against South Africa and refrain from any type of military co-operation with the racist régime. In addition, they should immediately cease all economic, financial and scientific co-operation with that State and increase their moral, political, humanitarian and material assistance to the national liberation movements and the victims of *apartheid*. Finally, they should envisage taking more vigorous steps under Chapter VII of the United Nations Charter to end that criminal policy. His delegation would support any draft resolution based on those principles.

58. He wished to thank the Special Committee on *Apartheid* and its Chairman for their excellent work and all people who were taking specific steps to support the victims of *apartheid*, in particular, the Norwegian Government for having hosted the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid*, held at Oslo in April 1973.

59. Mr. OHTAKA (Japan) said that the recent increase in international awareness of the evils of *apartheid* owed much to the energetic work of the Special Committee. However, despite repeated appeals and decisions by the United Nations, the South African Government had intensified rather than modified its *apartheid* policy. His delegation therefore believed that, on the eve of the Decade for Action to Combat Racism and Racial Discrimination, the United Nations should redouble its efforts to obtain full international co-operation in combating the policy of *apartheid* and

further stimulate international awareness of its inherent evils and dangers. His Government had always co-operated faithfully with the Organization's efforts to eradicate all forms of discrimination and would continue to do so. Its determined opposition to any form of racial discrimination was well known, and it unequivocally condemned the Government of South Africa for its policy of *apartheid*.

60. Japan had faithfully complied with the United Nations decisions and recommendations, whether for action in the diplomatic, military, economic or cultural areas, and it believed that the most important of those measures was the arms embargo. The United Nations resolutions made no distinction between sophisticated weapons for external defence and small arms for internal repression. He was therefore convinced that all Member States should stop arms dealings of any kind with the South African Government and refrain from supplying it with military technology. Japan had no military dealings with South Africa and had enforced a total arms embargo. Nor had it any diplomatic relations with that country and had no intention of establishing them in the foreseeable future.

61. The Special Committee's report cited (A/9022, para. 211) the economic relations of certain States, including Japan, with South Africa as one of the obstacles to effective international action against *apartheid*. The basic policy of Japan, a trading nation whose economy depended on relations with all countries in the world, was to develop economic and trade relations with every country. However, because of its firm opposition to the policy of *apartheid* and in the spirit of international co-operation, it had treated South Africa as an exception. Although it had been seeking to liberalize Japanese investments abroad, it had no direct investments in South Africa. It had never adopted any special measures to promote trade with South Africa or granted any preferential trade arrangements to that country.

62. The Japanese Government had consistently supported humanitarian and educational assistance to the victims of *apartheid* through an annual contribution to the United Nations Trust Fund for South Africa and the United Nations Educational and Training Programme for Southern Africa and he was pleased to point out to the Committee that it had increased its contribution

from \$20,000 to \$80,000 for the current fiscal year. Its consistent policy was to make the best possible contribution to the elimination of racial discrimination from southern Africa and the restoration of justice and fundamental rights to all African people.

63. Mr. BENHIMA (Morocco) said that the United Nations had done useful work in mobilizing world public opinion against a problem which affected the existence of an enslaved people which was fighting to recover its African identity and aspired to live in dignity and the respect of its rights. *Apartheid* was not a recent phenomenon but was the ultimate result of a doctrine devised during the past century to ensure the supremacy of one race over another in the name of civilization.

64. The numerous United Nations resolutions and appeals had been in vain because the Pretoria Government, strong in the knowledge of solid, scarcely disguised support, countered with increased repression and an obstinate refusal of any dialogue with the true representatives of the African inhabitants. Those suffering people, who still hoped for emancipation, might justifiably doubt the effectiveness of United Nations action since the South African Government gave no signs of changing its policy of separate development. The States Members of the Organization, which all claimed to respect the principles of its Charter, must answer that challenge by the scrupulous implementation of the resolutions adopted by the majority. They must extend their condemnation to the countries which, while supporting the measures recommended by the United Nations, at the same time supplied South Africa with capital and arms, which not only helped to increase repression within the country but also constituted a serious threat to the security of neighbouring countries through other no less detestable régimes—Ian Smith's Rhodesia and Marcello Caetano's Portugal.

65. His delegation, wishing to contribute to the work of the Committee, emphasized that the United Nations must take determined action to see that the rights of the African inhabitants of Azania to life in dignity, equality and justice were fully recognized.

The meeting rose at 1.30 p.m.

871st meeting

Wednesday, 24 October 1973, at 3.20 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.871

AGENDA ITEM 42

Policies of *Apartheid* of the Government of South Africa
(continued) (A/9160, A/9188, A/SPC/160,
A/SPC/161):

- (a) Reports of the Special Committee on *Apartheid*
(A/9022, A/9168, A/9169, A/9180);
- (b) Reports of the Secretary-General (A/9165)

GENERAL DEBATE (continued)

1. Mr. LEWENHAUPT (Sweden) thought it encouraging that at the current juncture no one tried to

defend racial discrimination, except for the few Governments which practised it themselves. But in defiance of the resolutions adopted by the United Nations, which had been discussing *apartheid* for more than two decades, the South African Government was persisting in its policy which not only violated the principles of the Organization's Charter but threatened international peace and security.

2. There seemed to be no sign of any modification in that policy. Mr. Muller, Minister for Foreign Affairs of South Africa, had stated before the General Assembly

on 5 October 1973 (2141st plenary meeting) that his Government's policies provided, in a spirit of human dignity, for the different black "nations" in South Africa to achieve self-government in the geographic areas of their jurisdiction and to advance to complete sovereignty and independence in the sense in which that concept was generally understood; he had added that the South African Government was continually in dialogue with the black leaders at all levels. However, according to the report of the Special Committee on *Apartheid* (see A/9022, annex I, para. 34), less than half of the African people lived in the Bantustans, which were barren territories enjoying none of the rights associated with independent nations, while the majority of the population had no political rights whatsoever. In its attitude towards Africans, the Government showed no respect whatever for their human dignity.

3. The appeals made to the South African Government had merely served to make repressive measures harsher. A new development had been that African workers' strikes had spread steadily in 1973, with the result that the Government had adopted new legislation which, far from recognizing the African workers' right to strike, merely strengthened the Government's hold on them. In September, at Carletonville, the strike had taken a tragic turn. The Swedish Government condemned the killings just as it condemned the policy of *apartheid*.

4. His Government considered that the United Nations must pursue its struggle against *apartheid*, and, in that connexion, he welcomed the Special Committee's decision to make its programme of work more action-oriented. The United Nations must in particular enlighten public opinion on racial problems and co-ordinate national efforts to that end. The International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa, held at Oslo in April 1973, and the International Conference of Trade Unions against *Apartheid*, held in Geneva in June 1973, had proved most useful.

5. The Swedish delegation wished to endorse the words of the Chairman of the Committee of Trustees of the Trust Fund for Southern Africa (A/9235, annex) and appealed to Member States to show their moral solidarity with the international community by contributing generously to the Fund.

6. The Swedish Minister for Foreign Affairs, in his address before the General Assembly on 11 October 1973 (2149th plenary meeting), had denounced the co-operation between Portugal, Southern Rhodesia and South Africa, which had helped to spread the idea of *apartheid* among the white minority in Southern Rhodesia, had enabled Southern Rhodesia to trade illegally with the rest of the world, and had facilitated the build-up of South African military and police power.

7. The various United Nations resolutions concerning the embargo on arms to South Africa were not scrupulously carried out by all Member States. According to the Special Committee, the amount of the defence budget of South Africa was now well over 10 times what it had been in 1960 (see A/9180, annex, para. 4), and it was the policy of the South African Government that its Defence Force must play an active part in maintaining order. The Security Council should, in view of the available information, endeavour to tighten the em-

bargo. In that connexion, his delegation would once again request the Council to review all aspects of the *apartheid* problem and consider what further measures, including universally applied sanctions, could be taken in order to bring about a change in South Africa's policies.

8. His delegation hoped that the Pretoria Government would heed the draft resolution on solidarity with the political prisoners in South Africa submitted by Sweden and New Zealand, on behalf of a dozen countries.¹ With regard to the General Assembly's decision (2141st plenary meeting) to reject the credentials of the representatives of South Africa, the South African Government had every reason to regard that vote as an earnest warning to it to change its ominous course.

9. Mr. DUARTE (Colombia) noted that world public opinion had become conscious of the problem of *apartheid* and was more or less unanimous in rejecting it. He congratulated the Special Committee on the perseverance it had shown in carrying out its task.

10. His delegation wished to reaffirm its faith in the principles of the United Nations Charter and in the rights and freedoms of the human person, and it condemned all forms of racial discrimination as being a crime against humanity.

11. The United Nations must pursue its struggle until the last vestiges of racial discrimination had been eliminated. That struggle was an encouragement for the oppressed peoples and South Africa should be aware that it was being watched by world public opinion. That was what had caused it to exercise some caution when thousands of its workers had engaged in illegal but successful strikes to obtain higher wages. The United Nations should also give its support to the campaign of the South African students.

12. The United Nations had not as yet sufficient means at its disposal to enforce the implementation of its resolutions. Thus none of the measures called for in resolution 2923 E (XXVII) of the General Assembly had proved effective because several countries had failed to observe them.

13. He proclaimed the solidarity of his Government and people with the people of South Africa and stated his conviction that the efforts of the United Nations would prove successful in the not too distant future.

14. Mr. ACQUAH (Ghana) said that on the occasion of the twenty-eighth anniversary of the United Nations he would like to recall that the Charter affirmed the dignity and worth of the human person regardless of race, creed or colour. Yet in South Africa the noble principles of the Charter applied only to the whites.

15. His delegation wished to pay tribute to the Special Committee for the competence with which it had compiled information on the situation in South Africa despite the precautions taken by the Government of that country to hide the scope of its crimes and the degree of collaboration it was receiving from its partners. His delegation also wished to pay tribute to the representatives of the national liberation movements of South Africa and to Amnesty International for the personal evidence they had supplied.

¹ The text was subsequently adopted by the General Assembly as resolution 3055 (XXVIII).

16. His delegation wished to draw a distinction between justice and legality. It respected legality only when it was a reflection of justice. It was in the name of legality that the representatives of South Africa were authorized to sit in the General Assembly of the United Nations. But how could the United Nations reconcile the presence among its representatives of a country which had excluded itself from the United Nations through its policy of *apartheid* with the work it was doing for the social and economic development of all peoples. It was also in the name of legality, not of justice, that the representatives of the United Kingdom, the United States and Portugal had expressed reservations with regard to certain questions discussed by the Special Political Committee.

17. South Africa, like Mozambique and Angola, was a colony. It was absurd to speak of national independence and sovereignty in the case of the Bantustans which were so poor that they had no hope whatever of survival. They were reserves of cheap labour whose lot in their own country was far inferior to that of equivalent workmen in Kenya and Ghana, despite certain faulty comparisons that had been made. Since South Africa was virtually a colony, its people had to be liberated and ensured the right of self-determination.

18. Ghana consequently welcomed the draft resolution submitted by New Zealand and the Scandinavian countries and adopted by the Committee at its 863rd meeting¹ as marking the birth of a new era in interracial relations. Besides showing their sympathy, the authors of that draft resolution were proposing the adoption of active measures. Like them, Ghana believed that it was because peaceful methods had been frustrated that the liberation movements in South Africa had decided that, notwithstanding the principles of the Charter, recourse must be had to armed struggle.

19. Though he was baffled by the apparent duplicity of the United Kingdom, which had formerly fought for the freedom of the world and was now condoning the policy of *apartheid* in South Africa, he was inclined to believe, judging by certain recent signs, that the countries which had so far given the impression that they were bolstering South African policy might be initiating some changes. He hoped that the representative of the United Kingdom would reassure the Committee on his Government's intentions in South Africa and state what action it intended to take in connexion with the military raids into its Rhodesian colony undertaken by South Africa.

20. He hoped that the representative of the United States of America would announce that his Government had decided to put an end to the support it was giving South Africa and to the violation of the sanctions imposed against Rhodesia, and that the representative of France would state that his country had decided to put an end to arms sales to South Africa. It was his hope that all countries cited by the Special Committee on *Apartheid* would put an end to their trade with South Africa and that Portugal would undertake to free its colonies and put an end to its alliance with South Africa, whose policy of *apartheid* it condemned just as did other States Members of the United Nations.

21. Mr. MENDEZ RIVAS (Uruguay) regretted that in spite of international action, including the adoption of numerous General Assembly resolutions condemning *apartheid*, that legalized and odious form of oppression had grown even worse. His delegation, which had

supported the draft resolution on political prisoners in South Africa adopted at the 863rd meeting, thought that there should be a changed strategy which would render more effective United Nations action to eliminate racial discrimination. It was ready to support any measure to that end.

22. In accordance with its legal and democratic tradition of respect for law and justice, Uruguay had laid down in its constitution the principle of equality before the law, and had given the force of law to the International Convention on the Elimination of all Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) and recognized the competence of the Committee on the Elimination of Racial Discrimination. It would join in the efforts of those countries that wanted to proscribe the scourge of racism.

23. *Apartheid* not only compromised human values, but undermined the very foundations of international security, for violence begets violence. To fight against its results was not enough, its causes too had to be attacked. A psychological action must be undertaken to root out discrimination in the minds of men. The dissemination of information and the people's potential for struggle against *apartheid* must be improved by mobilizing the conscience of the world against that crime.

24. His delegation was ready to support additional draft resolutions, provided they were aimed exclusively at defending the rights that had been trampled underfoot, and it would support on principle any measure defending equality as the corollary of freedom. Uruguay was happy to note that the elements of an immediate and future programme of action proposed by the Special Committee (see A/9022, paras. 219 to 223) were in keeping with the position it had taken at previous sessions, and it thought they should be adopted as a whole. Thus, the next decade, which would be devoted to the elimination of all forms of racial discrimination, might see the dawn of a new era of liberty and equality for all mankind in which true brotherhood prevailed. Efforts to defend and safeguard freedom—from whatever quarter—should be welcomed, provided that the lustre of democracy did not in fact cloak a perversion of that freedom.

25. Mr. GUELEV (Bulgaria) observed that the files of the United Nations were overflowing with documents on *apartheid* and with proposals and decisions concerning the most effective means of putting an end to what was an intolerable and alarming situation. However, the reports which the Committee had before it at the current session were more than routine; in particular, they condemned the manner in which any sort of change was being blocked by foreign interests which, having a big political, strategic and economic stake in the oppressive system in South Africa, wished to see it perpetuated. The information was more clear-cut than ever, and there was every reason to hope that the struggle against *apartheid* was approaching its decisive phase.

26. Reviewing the conclusions arrived at by the Special Committee on the basis of the assessment it had undertaken on its tenth anniversary, and described in paragraphs 178 to 218 of its report (A/9022), he stressed the need for a redoubling of efforts aimed at the elimination of *apartheid* which was not only a crime against humanity but also a colonial phenomenon which

gravely threatened the peace and security of Africa and the entire world.

27. As the crisis in South Africa had grown worse, opposition to the criminal policy of *apartheid* had become stronger. He noted in that regard the role of the international campaign against *apartheid*, including the International Conference of Experts at Oslo and the International Conference of Trade Unions against *Apartheid*, which had formulated specific action programmes (see A/9022, para. 225, and A/9169, annex) that called for close study by the United Nations. Indeed the measures recommended at those Conferences coincided in many areas with the main views and proposals contained in the report of the Special Committee, and his delegation had no difficulty in endorsing them. As in the past, it was prepared to help in the task of working out relevant draft resolutions. His country vigorously condemned the system of slavery and oppression which the racists had established in South Africa, and it had always participated actively in international action aimed at eliminating colonialism and *apartheid* in southern Africa. It respected and strictly implemented the resolutions of the General Assembly and the Security Council and did not maintain relations of any kind with the racist régime; it intended to adhere to that policy in the future. The South African liberation movements, like those of Angola, Mozambique and Southern Rhodesia, could count on the support of the Bulgarian people and Government.

28. The time for speeches was over. Decisions and resolutions were not enough, since all too often they were completely ignored by certain States. As the Special Committee had declared, the United Nations must be "action-oriented" (see A/9022, para. 220) and must formulate an effective, coherent programme which would have a chance of producing immediate, concrete results in providing real and substantial assistance to the legitimate struggle of the liberation movements. It would be futile to expect any change in Pretoria's policy and to count on the good faith of the racists. The only effective way to combat that policy was to bring about South Africa's complete isolation in conformity with the many resolutions and decisions which had been adopted by overwhelming majorities. There must be an end to all forms of co-operation with South Africa, and those States which supported the unholy alliance of the Pretoria racists, the Portuguese colonialists and the illegal régime of Ian Smith must be reminded of their responsibilities. Every opportunity must be taken to unmask the interests which were profiting from *apartheid* and blocking international action, and there was an urgent need for effective measures to apply the arms embargo.

29. All States, or nearly all, had voiced horror at the policy of *apartheid*, but some of them seemed to be lacking in will when it was a question of taking the necessary measures. The need for action had never been more urgent, for experience showed how dangerous it was to tolerate situations which threatened peace and security. International pressure should be brought to bear in a decisive manner on the *apartheid* régime and those who offered it encouragement, for that was the only effective way to strengthen the liberation movement of the South African people, support their courageous struggle for their rights and their freedom, and eliminate colonialism, racism and neo-nazism in southern Africa.

30. Mr. SINGH (Nepal) said that the inhuman policy of *apartheid* was designed to perpetuate the myth that blacks were inherently inferior to whites. The South African Minister of Bantu Administration and Development had said the following:

"... the Bantu persons coming to work in the white areas ... are not allowed here in terms of our policy to achieve economically, in the sphere of labour, the same or equal status as that of the whites ... they do not enjoy equality with the whites. They do not even have the potential equality with the whites. They may only occupy those posts which are exempted for them, from which the whites have withdrawn themselves or which the whites have never occupied" (*ibid.*, annex I, para. 15).

It should be noted in that connexion that the "white areas" made up 87 per cent of the country and included all the cities and ports.

31. Defying the United Nations resolutions, South Africa was continuing to consolidate its system of racist oppression and exploitation, which constituted a crime against humanity, a flagrant violation of the principles of the United Nations, a denial of human rights and a threat to international peace and security. The persecution and inhuman torture of the opponents of *apartheid*, who were fighting for their inalienable right to self-determination and independence, shocked the conscience of the civilized world, and his delegation had repeatedly expressed its concern in that regard. It demanded that the South African Government should repeal all discriminatory laws and release all political prisoners immediately.

32. The nefarious Bantustan policy, which aimed at dividing the African peoples, had failed because the Bantustan leaders, under the constant pressure of public opinion, had begun to demand more land for the Africans and had come out in favour of the unity of the African people. It was heartening to note that the South African régime had failed to divert world attention from *apartheid* with its so-called "outward policy" and "dialogue".

33. Disregarding the resolutions of the Security Council, South Africa had extended its policy of *apartheid* to Namibia, and its unholy alliance with Ian Smith and the Portuguese authorities had added to the magnitude of the problem of southern Africa. In addition, the military build-up in South Africa was a threat to international peace and security. His delegation strongly urged the major Powers to implement strictly Security Council resolution 282 (1970) concerning the arms embargo and to desist from strengthening the Pretoria régime. It should also be noted that the economic collaboration of certain States and the complex network of relationships between foreign economic interests and South African companies constituted a major obstacle to any effective United Nations action against *apartheid*.

34. His delegation vigorously supported the inalienable right of the African people to equality, justice, self-determination and independence, as well as the granting of moral and material assistance to the liberation movements. It was also essential to promote such activities as the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa and the International Conference of Trade Unions against *Apartheid*. It was gratifying to

note that the economic interests involved in South Africa had been encountering increasing opposition in their home countries from church, student, trade union and other groups. The dissemination of information was essential as a means of inducing the recalcitrant Governments and foreign economic interests concerned to revise their attitudes. The educational kit on racial discrimination and *apartheid* prepared by UNESCO as well as films and audio-visual materials could play an important role in that regard.

35. His delegation believed that a peaceful solution of the South African problem lay only in the universal application of the economic and other measures provided for in Chapter VII of the United Nations Charter, and it hoped that the Security Council would heed world public opinion and impose such sanctions. As the King of Nepal had said at the Fourth Summit Conference of Non-Aligned Countries held at Algiers in September 1973, the racist régimes in southern Africa were trying to turn the clock of history back to the dark era of colonialism and had created a situation which had become explosive.

36. Mr. WEIDINGER (Austria) said he hoped that the draft resolution adopted at the 863rd meeting, on the Day of Solidarity with Political Prisoners in South Africa would make the South African Government realize that its racial policy was leading it into a state of moral isolation. A policy based on racial discrimination, which institutionalized the separation of different groups of the population, led to violence, persecution and grave tension. Strict implementation of the Security Council decisions imposing an arms embargo on South Africa was therefore essential; Austria, for its part, had always complied with those decisions and would continue to do so.

37. Because of its concern with the human consequences of *apartheid*, Austria had contributed to the United Nations Trust Fund for South Africa and planned to increase its contribution substantially in 1974. The contribution that the Austrian trade unions were making to the United Nations Educational and Training Programme for Southern Africa, which was to be renewed in 1974, was evidence of the negative impact of the policy of *apartheid* on Austrian public opinion. The Austrian trade unions had also participated in the International Conference of Trade Unions against *Apartheid*. As a member of the Security Council, Austria had taken part in the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa, held at Oslo, at which it had been represented by two experts. The proposals emanating from the latter Conference² should serve as a signal warning the defenders of *apartheid* to change their policy without further delay.

38. His Government firmly rejected the policy of *apartheid*, just as it rejected any policy of inequality based on racial, religious or other grounds, and it deplored the fact that all the efforts of the United Nations had been ignored by the South African Government. It would continue to support all efforts to bring about a positive change in the situation by peaceful means in the spirit of the Charter.

39. Mr. SALJUQI (Afghanistan), noting once again that the United Nations had failed to bring about a

reversal of the policies of *apartheid* of the Government of South Africa, said he wondered how long the international community could endure the atrocities being committed against human rights and fundamental moral principles. Afghanistan, for its part, categorically rejected racial discrimination and condemned those atrocities.

40. The most deplorable of the tactics by which the minority Government of South Africa was suppressing the rights of the majority of the population was the policy of segregation reflected in the Bantustan system. In applying that policy, the minority régime argued that it was giving the various races an opportunity to choose their own way of life in the future and to become nations which would be able to join the United Nations. However, common sense made it obvious that the South African minority régime actually intended in that way to create a number of weak, dependent satellite States while leaving the most productive areas of South Africa in the hands of the white settlers.

41. If the Members of the United Nations did nothing but hold ceremonial gatherings to discuss the problem, there was no question that the South African minority Government would pursue its policy of isolating and politically destroying the indigenous inhabitants of South Africa. The United Nations had, of course, adopted numerous resolutions aimed at putting an end to the inhuman acts of the South African Government, but the latter replied with defiance. For example, General Assembly resolution 1881 (XVIII) reflected the view of world public opinion that peace could not prevail in Africa unless the African leaders who opposed *apartheid* were released from prison, but the number of Africans who were being persecuted and imprisoned in South Africa was increasing and the situation had become intolerable.

42. One reason that the United Nations resolutions had no effect was the failure of certain Member States to comply with them. The implementation of the resolutions regarding the severance of economic and trade ties with South Africa had been most unenthusiastic, and the arms embargo resolutions had never received any serious consideration.

43. His delegation was sure that the South African masses would continue their advance towards majority rule, but it did not know what sacrifices they would have to make in order to achieve that right. In any event, the responsibility would have to be borne by those Member States which, for reasons of material interest, did not comply with United Nations resolutions.

44. His delegation firmly believed that if the practice of *apartheid* was allowed to continue, the situation in South Africa and in the whole of southern Africa would deteriorate further, with grave consequences for the racist régime of South Africa.

Mr. Singh (Nepal), Vice-Chairman, took the Chair.

45. Mr. ABOODY (United Arab Emirates) agreed with many previous speakers that the world community had the obligation to do everything in its power to solve the problem created by *apartheid*. It regretted the failure thus far, in spite of Security Council and General Assembly resolutions to put an end to the *apartheid* régime. It was true that the programme, designed to force the South African Government to retreat from its

² The text of the proposals has been published in *Objective: Justice*, vol. 5, No. 3, issued by the Secretariat.

inhuman policies, especially the sanctions; had not been sufficient, but their impact had been greatly reduced by the refusal of some States, including Israel, to implement them.

46. The United Arab Emirates was not surprised at Israel's attitude, since Israel's policies of racial discrimination against the Palestinians paralleled the policies of the white racists of South Africa against the indigenous people. The affinity between the two States was evident and the collaboration was natural. Their policies of hatred and discrimination stemmed from a common ideology.

47. Condemnation of *apartheid* was not enough. Action must be taken immediately in all fields, and all States should fully implement the resolutions if the principles of the United Nations Charter were to become a reality.

48. Mr. YEDRA (Cuba) paid tribute to the Chairman and the Rapporteur of the Special Committee on *Apartheid* and all their associates; their detailed reports were helpful in clarifying the situation that prevailed in South Africa.

49. For 28 years the United Nations had been condemning, by countless resolutions, declarations and appeals, the policies of *apartheid* which subjected 14 million Africans in South Africa to oppression by a racist minority. But the current session of the General Assembly was being held at a time which favoured the progressive and anti-colonial forces, as evidenced by the victory of the Viet-Nameese people against United States imperialism, the advances made by the liberation movements, the growing strength of the socialist camp and the victories won by the working class in the capitalist countries.

50. Racism was one of the most horrible evils used by imperialism to divide and oppress human beings. It was the corner-stone of *apartheid*, which enabled the white racist minority in South Africa to exploit and subjugate the indigenous people. As shown by the resolutions of the International Conference of Trade Unions against *Apartheid* and the Fourth Conference of Non-Aligned Countries, that hateful régime was condemned by world public opinion.

51. Yet in spite of all the efforts exerted throughout the world, the South African Government was applying its policies more intensively. Such behaviour would be impossible if South Africa did not enjoy the evident and growing support of the NATO countries, particularly the United States of America, which were helping the racists in the economic, technological and military fields. The great United States monopolies obtained millions of dollars in profits each year from their investments in South Africa. Paragraph 65 of the Special Committee's report on the implementation of United Nations resolutions on *apartheid* (A/9168) gave some interesting details on United States activities in South Africa. It was quite well known that the material delivered by the United States to South Africa included elements that could be used for oppressing the indigenous people. The result of that collusion between imperialism and *apartheid* was that the economic and military power of the South African régime had increased. South Africa's military budget had multiplied more than tenfold between 1960/1961 and 1973/1974. Today South Africa was a military power which threatened the security of independent States such as

Zambia and the United Republic of Tanzania and which was riding roughshod over the rights of the peoples of Zimbabwe, Namibia, Angola and Mozambique.

52. But those peoples were not remaining passive, as was demonstrated by the strikes of South African students and workers, the heroic resistance of the South African liberation movements and the struggle waged by the patriots of Zimbabwe, Namibia, Angola and Mozambique; all of those efforts would sooner or later be crowned with success, as had been the case in Guinea-Bissau.

53. The revolutionary people and Government of Cuba again condemned the South African régime and its imperialist protectors; as in the past, they firmly supported the oppressed people of South Africa, its progressive organizations and the liberation movements whose task it would be to crush the racist minority, the colonialists and the exploiters. The sacrifices of the imprisoned patriots and the blood of workers shed at Carletonville were opening the way that would lead to final liberation.

54. Mr. BIRIDO (Sudan) commended the Chairman and the Rapporteur of the Special Committee on *Apartheid* for their clear presentation of that Committee's reports, the conclusions and recommendations of which his delegation fully approved.

55. There was hardly any delegation in the Special Political Committee that would question the desirability of international action to eliminate *apartheid*. The universal condemnation of *apartheid* was due to the international community's recognition of the dangers which that system posed to world peace, since the white minority pursuing the policies of *apartheid*, determined to retain power and deprive the majority of the South African people of its rights, did not hesitate to resort to arms and violence.

56. Incidents such as the Carletonville massacre showed the full brutality of the offensives being launched by the South African police in order to crush organizations and forces that were defending human rights and the principle of equal opportunity. The South African Government had always refused to recognize or negotiate with the leaders of the persecuted majority. It had always rejected any negotiated solution of South African problems and had sought only to incarcerate or put to death the spokesmen of the indigenous people. Such behaviour was a clear provocation to African States, and the States members of OAU wanted to bring about the elimination of colonialism and racism.

57. The menace to peace constituted by the policies of the South African Government had been further aggravated by the fact that the resistance it evoked in the country had led that Government to increase its military might. It did not take much imagination to see that South Africa was drifting towards a major conflict along racial lines. For more than a quarter of a century the United Nations had been seeking to avert such a conflict. Its resolutions, year after year, had reflected the growing detestation with which the great majority of the world's people viewed the policies of racial oppression. But the General Assembly's appeals to the South African Government had remained without effect. That was why the General Assembly 12 years earlier by its resolution 1663 (XVI) had urged all States to take such separate and collective action as was open to them in conformity with the Charter to bring about the aban-

donment by the South African Government of its racial policies and had subsequently, in its resolution 1761 (XVII), of 6 November 1972, explicitly recommended certain measures. Those measures consisted mainly of economic and political sanctions against South Africa; it had been thought that their impact on the South African economy would be enough to make South Africa give up *apartheid*. Since that time the Special Committee on *Apartheid* had repeatedly emphasized the importance of full implementation of the measures recommended by the competent organs of the United Nations.

58. However, while some States had implemented the resolutions adopted, others had ignored them, as evidenced by the relevant report (A/9168). In that connexion, his delegation wished to point out a fundamental fact regarding the efforts made to eliminate *apartheid*. The question of *apartheid* represented a severe test for the future and prestige of the United Nations in its role as an organization committed to the maintenance of world peace and to the principle of justice. It was in that context that his delegation viewed the fact that some Member States, including the United States of America, the United Kingdom, France, Italy, Japan and the Federal Republic of Germany, had increased their political, military and economic commitments in South Africa, thereby making possible the survival of the South African Government's policies of *apartheid*.

59. The States he had mentioned were collaborating in the maintenance of the established social order in South Africa and making it necessary for the groups that favoured change to consider resorting to force. The choice was clear: either South Africa's major trading partners wanted a change in that country, in which case they would reduce their economic and military rela-

tions with it, or they were strengthening their co-operation with the current régime in the hope of averting unwelcome change. It appeared that they had opted for the second choice, since the percentage increases between 1962 and 1972 in trade with South Africa were 106 per cent for the United Kingdom, 151 per cent for the United States of America, 277 per cent for the Federal Republic of Germany, 365 per cent for Japan, 134 per cent for Italy and 200 per cent for France. That was how the South African Government obtained new financial means to resist changes and gained assurance that Western countries would act to keep the South African Government in power in order to defend their own interests. The warnings about the creation of new Viet-Nams in South Africa had therefore ceased to be tenuous.

60. Another disturbing aspect of the failure to implement United Nations resolutions was the fact that South Africa had been able to circumvent General Assembly resolutions by having its products re-exported by friendly countries. One such country was Israel, and it was paradoxical that Israel was collaborating with a régime led by notorious anti-Semites.

61. In conclusion, his delegation wished to emphasize that the United Nations must take every possible step to ensure respect for the principles enshrined in the Charter and to secure the abandonment by the South African Government of its racist policies. Otherwise the prospects were grim both for southern Africa and for the rest of the world. Those were the considerations that would govern his delegation's position concerning the draft resolution to be submitted.

The meeting rose at 5.25 p.m.

872nd meeting

Thursday, 25 October 1973, at 3.10 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.872

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa
(continued) (A/9160, A/9188, A/SPC/160,
A/SPC/161):

(a) Reports of the Special Committee on *Apartheid*
(A/9022, A/9168, A/9169, A/9180);

(b) Reports of the Secretary-General (A/9165)

GENERAL DEBATE (concluded)

1. Mr. DUMA (Romania) said that his delegation associated itself with those that had supported the recommendations contained in the report of the Special Committee on *Apartheid* (A/9022). It noted, with sorrow and anger, that for 25 years the United Nations and the international community had been grappling with the problem of *apartheid*, and despite innumerable resolutions adopted by the General Assembly and the Security Council, no substantial progress had been

made in eradicating *apartheid* which was a crime against humanity, a flagrant violation of the principles of the United Nations, a denial of human rights and a serious threat to peace and security on the African continent.

2. Since the twenty-seventh session, South Africa had intensified its criminal policy against the coloured population and all those who opposed *apartheid*, as evidenced by the recent massacre of miners at Carletonville. Furthermore, with the support of certain Member States and international monopolies, South Africa was reinforcing its illegal occupation of Namibia, plundering the natural resources of the Territory and suppressing the aspirations of the Namibian people. The United Nations had called upon South Africa several times to abandon its inhuman policy and to find solutions in accordance with the principles of the Charter and the Universal Declaration of Human Rights. South Africa had responded with contempt and was even now boycotting debates on the issue.

3. His delegation believed that the efforts made so far had contributed to strengthening world public opinion that *apartheid* was an inhuman policy and that determined and urgent measures were required for its abolition. Romania resolutely condemned the policy of *apartheid* which was one of the most virulent manifestations of colonial oppression and a permanent source of tension throughout the African continent and all over the world. Indeed, South Africa sent its armed forces to support the minority and colonial régimes in Southern Rhodesia, Angola and Mozambique; it committed acts of aggression against other independent African States and threatened the rest of Africa by increasing its military might.

4. The Romanian people, who had themselves suffered under foreign oppression, felt deep solidarity with the struggle of the African people to gain their national freedom and to liquidate the vestiges of colonialism and racial discrimination. The President of the State Council of the Socialist Republic of Romania had reaffirmed that policy several times, notably in the message which he had recently addressed to the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa at Oslo. His delegation affirmed that all oppressed peoples had the right to fight for their liberation by any means at their disposal, including armed struggle. That principle was laid down in the resolutions of the United Nations and in the Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations (General Assembly resolution 2627 (XXV)). History demonstrated that the decisive factor in the elimination of the colonial yoke was the struggle of the oppressed peoples themselves and of their national liberation movements. It was also necessary, however, to mobilize and unite all progressive forces against racism and racial discrimination. The national liberation movements in southern Africa must be recognized as the true representatives of the oppressed peoples. As the President of the State Council of the Socialist Republic of Romania had stated in the message addressed to OAU on the occasion of its tenth anniversary, on 25 May 1973, Romania was determined to grant all political, diplomatic, moral and material support to the African States and to the liberation movements on the continent in their just struggle for freedom and racial progress and for the achievement of their vital aspirations.

5. Romania believed that it was essential for the United Nations to strengthen its role by adjusting to the realities of the contemporary world and that all Member States had the common duty to make the Organization more active. It joined in the appeal made by the Special Committee to Member States which supported the South African régime to reconsider their position and to participate in the concerted efforts for the elimination of *apartheid* (see A/9022, paras. 183 and 184). In that connexion, the adoption of the draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/9095, annex, A/9095/Add.1) should create the necessary international juridical framework. Yet, *apartheid* and racial discrimination could not be entirely eradicated as long as colonial and neo-colonial oppression persisted, as long as the peoples' right to self-determination was not universally respected and as long as force and interference in the internal affairs of peoples were used to repress national liberation movements. His delegation was determined to co-operate in

any energetic action aimed at the urgent and definitive elimination of the colonial system of *apartheid* and racial discrimination.

6. Mr. ASSUMPCÃO DE ARAUJO (Brazil) said that recent developments in the situation in South Africa, as set out in the reports of the Special Committee, and in particular the events which had taken place at Carletonville practically on the eve of the current session of the General Assembly, could evoke only feelings of sorrow and indignation. It was astonishing that after 10 years of international sanctions and despite world-wide disapproval and the increased isolation of that country, the Government of South Africa was persisting in its cruel and senseless policy in violation of the principle of the inalienable right of peoples to self-determination and to full and unconditional integration into society. The international community must unceasingly strive to ensure that the non-white population was recognized as having the same rights as the white minority. Such an action would be possible only if all measures of *apartheid* were abolished.

7. Five million non-white citizens had been obliged to take up residence in so-called "homelands"—which were, in fact, nothing but concentration camps—and an additional 1 million persons had been forced to leave their homes as a result of measures taken in order to facilitate the implementation of the policy of racial discrimination. Furthermore, in disregard of the decisions of the United Nations, South Africa, which illegally occupied Namibia, had now divided that Territory into pseudo-independent Bantustans. Nothing was more repugnant to Brazil than the systematic exploitation of the workers of African origin who not only were barred from any position of leadership, but, despite the recent wage increases, were still deprived of the benefits to which they were entitled because of their essential role in the economic development of the country.

8. The example of Brazilian culture and civilization gave the lie to the doctrine of *apartheid* and to all theories based on racial discrimination. All races were represented in the Brazilian population and, as the Minister for Foreign Affairs of Brazil had stated during his recent visit to 11 African countries, Brazil was particularly proud of the African contribution to its way of life. Racial discrimination was contrary to the principles of the Constitution, and was a crime punishable under Law No. 1390 of 3 July 1951, which represented the single-minded aspirations and conscience of the entire Brazilian population. During the Second World War, Brazilian armed forces had fought in defence of democracy and against Nazi and Fascist doctrines. At that time, Brazilian intellectuals had published a manifesto against racial prejudice in which they had reaffirmed the unwavering doctrine of the Brazilian school of anthropology against the theoreticians of racism and had indicated future plans for active participation in international organizations such as UNESCO which studied the problems of racial tensions. That participation was marked by the Seminar on *Apartheid* which had been held in Brasilia, in August and September 1966.

9. Brazil, because of its experience in racial harmony, was even more astonished that the Government of South Africa had laid down, as official State doctrine, the anachronistic phenomenon of *apartheid*. The entire Government machinery was used to encourage racial

discrimination and to perpetrate flagrant violations of human rights and fundamental freedoms. As Mahatma Gandhi had done, he too wondered if a civilization was worth its name if, for its existence, it required the doubtful prop of racial legislation and lynch laws.

10. Resolved to do its utmost to contribute to the elimination of *apartheid*, the Brazilian Government fulfilled to the letter all the decisions taken on that issue by the Security Council, in particular resolution 282 (1970), and it regretted that other States had not been equally stringent. Concerning the questions dealt with in paragraph 90 of the pertinent report of the Special Committee (A/9168) and paragraph 177 of its annual report (A/9022), he recalled that the refusal of landing facilities at national airports to all aircraft belonging to the Government of South Africa and companies registered under the laws of South Africa was a measure envisaged by the General Assembly in its resolution 1761 (XVII). However, Brazil had abstained during the vote on that resolution because it felt that the imposition of sanctions of any kind was within the competence of the Security Council and that the adoption of measures of that nature contributed nothing to combating *apartheid* but served only to turn the country's leaders against the black population even more than before. With regard to table (d) (3) in annex III to that report (A/9168), the vessels of a Brazilian shipping company called at a South African port because that was a navigation necessity for vessels sailing to the Far East and such navigation was essential for the Brazilian programme of economic development. In the field of sports, the Brazilian Government had, further to its communication to the Special Committee on *Apartheid* regarding the Davis Cup (see A/9022, para. 110), informed the Committee that, on the recommendation of the Brazilian Government, the Brazilian Lawn Tennis Federation had decided that its team would not play with the South African team either in South Africa or in Brazilian territory.

11. As in previous years, Brazil would contribute in 1973 to the United Nations Trust Fund for South Africa. As the representative of Sweden had said at the 871st meeting, one of the most important tasks of the United Nations was to enlighten public opinion on racial problems and to co-ordinate national efforts to that end. There was little doubt that such marshalling of public opinion and of the conscience of the world had been responsible for the first small political concessions of the South African Government with regard to wages and participation in sports.

12. Mr. OBAME (Gabon) was happy to note that the representatives of the two German States were sitting in the Committee. Those States, which had set an example of moral rectitude in the trials of their nationals who had been found guilty of crimes against humanity, should prove a strong asset in dealing with the last Fascists of history: the Vorsters, Smiths and Caetanos.

13. The South African policy of *apartheid* was a problem which dealt with the degradation of the human race, a permanent crime against humanity, the greatest plot in history to be hatched against the continent and peoples of Africa. That was borne out by the words of Cecil Rhodes and General Smuts—at that time Prime Minister of the Union of South Africa—as quoted in *Objective: Justice* (vol. 4, No. 4) and in Mr. Verwoerd's statement in 1963 that South Africa was to be kept white

and that "keeping it white" could only mean one thing, "namely white domination, not 'leadership' not 'guidance', but 'control', 'supremacy'." It was in the name of such principles that men had agreed to depersonalize other men.

14. Illegal searches, arrests, arbitrary removals and the internment of persons whose only crime was to live in human dignity in their own country were a daily occurrence in South Africa. It could not be otherwise in a country where man was held as inferior to a machine because of his colour. Indeed, statistics showed that in South Africa the monthly wage of a highly skilled African worker was less than half the monthly maintenance costs of an electric generator. A United Kingdom national had pointed out that cheap native labour was for South African mines and industry what rain and pasture were to Australian and New Zealand stock-raising.

15. However, despite repression, the patriots of all colours, including students, refused to endure arbitrary treatment, humiliation, racial hatred, exploitation and gangsterism. The injustice and cruelties to which they were subjected aroused universal admiration for them and they deserved the gratitude of their country. The unanimity with which the masses of the South African people were resisting *apartheid* was a most important factor in the situation, for all those who had no other country than Africa, whatever their origin, colour or belief, were authentic Africans. They were right in thinking that from the diversity of their contribution a viable nation must emerge in which social justice would reign and which would have a Government based on a popular majority.

16. That the South African Government should want to hold down millions of citizens through despotic rule and genocide was an infamous circumstance, and the Governments of all democratic civilized countries should join in putting an end to it. In the meantime, those whites who showed a realistic approach were persecuted, expelled, deprived of their property, or became refugees or stateless persons. The Committee should consider special measures to enable such fair-minded persons to lead a new existence and to pursue the struggle with those patriots who remained in South Africa. In that way the democratic forces of South Africa would not be tempted to regard the noble cause they were defending as leading to destitution.

17. *Apartheid* was the greatest existing threat to human rights and peace. The rapidity with which that immoral concept was extending to other African regions must be a cause of concern. In so far as South Africa was supporting reactionary forces, *apartheid* was a constant threat to the security of independent African States in southern Africa.

18. During the Security Council's meetings at Addis Ababa in the beginning of 1972, those who had supplied aircraft and tanks to South Africa had claimed that the arms supplied were defensive, though they had never specified against which countries adjacent to South Africa that country would have to defend itself. Consequently their assertions had been regarded as an insult to Africans and to the conscience of the representatives of other nations.

¹ See *Official Records of the General Assembly, Eighteenth Session, Annexes*, addendum to agenda item 30, document A/5497, para. 83.

19. The question was to decide how the United Nations could deal with the problem of *apartheid* when its most powerful Members were strong supporters of that system. He wondered how it was possible to explain to the Africans that the weapons which destroyed them had been supplied to those Fascists by countries that claimed to be the friends of Africans, how the problem of *apartheid* could be solved without a proper awareness on the part of American, European and other large-scale investors of what they were doing, and how they could be made to understand clearly that it was not in their interest to expose themselves to the anger of the people against whom the weapons they were now supplying would one day prove ineffective. The Committee would not have wasted its time if it had dealt with each of those problems. Determination on the one side and frankness on the other were the essential requirements: there was no room for hypocrisy.

20. The problem of *apartheid* also concerned the specialized agencies. The ILO could play an important part in briefing trade unions, and UNESCO could consider action at the university level in the field of human rights. A radio station in Africa could broadcast educational programmes to South Africa in several of the languages spoken in that area, in order to provide some civic training to civilians on the question of *apartheid*. The attempts at suppression and the reprisals to which such broadcasts might give rise would be bound to arouse the attention of the population.

21. Thus all those to whom human dignity and the principles of social justice were dear could help a great deal in the struggle against *apartheid*. Gabon and Africa as a whole were grateful to those States that were already engaged in that struggle. His delegation congratulated the authors of the documents before the Committee. The clearness of presentation and the wealth of information they provided made them indispensable for acquiring a better knowledge of *apartheid* and thus combating it more effectively.

22. Mr. JOB (Yugoslavia) pointed out that the general debate made it possible to examine *apartheid* in the light of the most recent events. The picture which the representatives of the liberation movements had furnished was that of a modern inferno, worse than that which Dante had described. Nevertheless, Yugoslavia was gratified to note the increased efforts that were being made to combat that scourge. Indeed, after having for a long time had recourse to nothing more than exhortations, the United Nations was now proposing to take definite measures.

23. What were the forces opposing one another in the existing situation? On one side were the people of South Africa, the peoples of southern Africa, the black African States in general and a large number of States Members of the United Nations. On the other side were South Africa, Portugal, Southern Rhodesia and their accomplices. Despite the numerical inferiority of the latter, it would be wrong to underestimate their strength which was considerable, thanks to the support they derived from the Western Powers in the name of the struggle against international communism (see A/9180, annex, para. 1). But no one would deny that the cause of the just was making some progress, though the degree of success varied and depended on the intensity of the efforts made. In that connexion it should be emphasized that a blow dealt against one opponent of

justice also weakened the others. The co-operation between the United Nations and countries or groups of countries, intergovernmental organizations and other bodies should therefore be encouraged.

24. The Special Committee's report (A/9168) dealing with the application of the arms embargo on South Africa provided noteworthy information on the aid given by the NATO countries to South Africa. They showed the need to extend the struggle to the countries that were South Africa's accomplices, by urging the peoples of those countries to exert pressure on their Governments. *Apartheid* should become increasingly costly, financially and otherwise, to South Africa and its allies. That was why the same sanctions should be applied against South Africa and Portugal as were applied against Southern Rhodesia.

25. It was also important to follow the example of the International Conference of Trade Unions against *Apartheid* held at Geneva in June 1973 and ensure that all the enemies of *apartheid* should unite regardless of their political or economic system.

26. The number of missions of the Special Committee to Governments should also be increased. The results of the visit that the Committee had made to the Government of the Federal Republic of Germany were stated in its report and were reflected in the statements which Chancellor Willy Brandt had made before the General Assembly on 26 September 1973 (2128th plenary meeting).

27. As the events in the Middle East showed, régimes of the Israeli or South African type would sooner or later destroy themselves. It was encouraging to note the solidarity which several African States had displayed towards the Arab countries by breaking off diplomatic relations with Israel. If necessary, such solidarity could take the form of military support.

28. As time went on, increasing attention had been paid at the United Nations to the liberation movements through their representatives, who had risen from the status of petitioners to that of observers. Now, by including in its agenda the question of the illegal occupation by Portuguese military forces of certain sectors of the Republic of Guinea-Bissau (agenda item 107), the General Assembly was recognizing the independence of that country and was thus conferring a representative and legal status on the fighters who had liberated it. Yugoslavia was happy to note that decision.

29. The United Nations already had three special funds for the victims of *apartheid*. It was now time to set one up for the freedom fighters. Yugoslavia had already established such a fund. It was time that the United Nations should recognize openly the support it was giving to the cause of freedom. It had nothing to hide in that respect.

30. There was no need to repeat what his delegation had said at the preceding sessions of the General Assembly regarding its contribution to the struggle against *apartheid*; it would suffice to say that its position was precisely that which the non-aligned countries had expressed in the operative part of the resolution on that subject which they had adopted at their fourth Summit Conference, at Algiers in September 1973.

31. Mr. WYNDHAM (Australia) said that Australia had always abhorred *apartheid*, a policy based on ludicrous theories of racial superiority which de-

manded for its implementation some of the most repressive legislation in the world. The tragic events at Carletonville were an example of the repressive and brutal measures taken by the police against black South Africans.

32. *Apartheid* involved not only the forced movement of people but the refusal to accord the right of self-determination to Namibia and collaboration with racist and colonial régimes to the north so as to create buffers against the threat that concepts of equality, humanity and justice might filter into South Africa from the north.

33. His Government had made it clear that it would denounce the policy of *apartheid* at every opportunity. Australia had not at any time sold arms to South Africa. The Australian Government would not permit racially selected sports teams to enter or pass through Australia. On 13 December 1972 it had announced contributions to the United Nations Educational and Training Programme for Southern Africa, the United Nations Trust Fund for South Africa and the United Nations Fund for Namibia. Lastly, Australia had participated in the Oslo Conference. In those and other ways the Australian Government was endeavouring to help demonstrate to the Government and people of South Africa that the policy of *apartheid* was rejected by mankind. To bring about change in that policy would be a long and slow task, but changes must come. His Government would continue to do whatever it appropriately could to that end.

34. Mr. SAID (Somalia) said that Somalia's position on the problem of *apartheid* was well known and needed no further clarification. It was disheartening that after 25 years of debate the tyranny of the South African régime went on unabated and was becoming more strongly entrenched. Everyone knew the reason for that situation; without the financial, economic and military support of certain States members of the Security Council, South Africa would not have been able to defy the United Nations as it persistently did. It could not be seriously hoped that, as those countries claimed, *apartheid* would erode from within and collapse.

35. It was high time that those countries realized that Africans were aware of the assistance that they were giving to South Africa, and they should reassess their positions before it was too late. It was not enough merely to contribute to the various special funds for assistance to the people of southern Africa which the United Nations had established. They must know that Africans were determined to regain their dignity and freedom and to seize economic and political power. That was why a racial war was inevitable; it might be long but it would inevitably end in victory. His delegation unconditionally supported the Mogadiscio Declaration, which stated that there could be no compromise made about the freedom and dignity of a people.

36. His delegation welcomed the decision taken by the General Assembly on 5 October 1973 (2141st plenary meeting) by which it had refused to recognize the credentials of the representatives of South Africa. By that decision the international community had taken a clear stand on the question of the representation of the South African people.

37. His delegation supported all the efforts made to find ways of eliminating *apartheid*. It particularly commended the Special Committee on *Apartheid*, and

considered that the recommendations contained in its report (A/9022, chapter II) could set the pace for the Decade for Action to Combat Racism and Racial Discrimination. The recent massacre at Carletonville was a tragic reminder of the urgent need for such action.

38. Mr. KEBEDE (Ethiopia) said that the Special Committee on *Apartheid* deserved the Committee's gratitude for the reports which it had presented. The Chairman of that Committee, Mr. Ogbu, had discharged his functions with a sense of responsibility in which the continent of Africa as a whole could take pride, bearing in mind that Africans feared that their continent might be engulfed in violence engendered by *apartheid*. The Rapporteur of the Committee, Mr. Barakat Ahmad, represented, at its optimum, the Indian tradition of struggle for the cause of the oppressed minority in South Africa. The Special Committee must be commended not only for submitting comprehensive reports but also because, overcoming the despair engendered by the inability of the United Nations, for more than a generation, to act against *apartheid*, it had submitted a programme of action (*ibid.*) to combat and eliminate that evil.

39. In soliciting the help of such powerful institutions as trade unions, churches and intellectual organizations, the Special Committee had stressed that the struggle against *apartheid* was not the responsibility of Governments alone but of all men of goodwill.

40. Another important aspect of the programme of action proposed by the Special Committee was the need to inform the world as a whole of the wickedness of *apartheid* and the plight of the people living under its yoke. While certain Governments under the sway of corporations which had interests in South Africa, might be indifferent to the decisions and recommendations of the United Nations, the peoples themselves could not be unresponsive to the cry of the oppressed people of South Africa. To inform those peoples that *apartheid* was a programme of racial extermination must be considered as a measure of the highest priority.

41. It was sad to note from the reports of the Special Committee that the *apartheid* régime existed today only because many of the rich and powerful Members of the United Nations refused to implement United Nations resolutions. It was sad to see that nations which had fought nazism were now nurturing a Nazi régime in South Africa, but it was even sadder to note that among the States collaborating with the Pretoria régime were the very ones that had proclaimed to the world the sanctity, dignity, inviolability and equality of mankind. His delegation appealed to those States to join the ranks of those who were struggling against the contemporary nazism known as *apartheid*. If those States threatened to deprive the Pretoria régime of their patronage unless it abandoned *apartheid*, the régime might be moved to reform itself; if it did not do so and those States withheld their patronage, it would collapse and the people of South Africa would be free again.

42. The question, then, was whether those States would at long last abide by the resolutions of the United Nations. There was some reason to hope that they might soon be influenced by the exemplary stand of the Nordic countries, since a few days earlier those countries had been joined by Australia, Austria, the Federal Republic of Germany, Ireland, Netherlands and New Zealand in sponsoring a draft resolution

(A/SPC/L.264)² affirming the legitimacy of the struggle against *apartheid* and requesting the release from prison of persons arrested as a consequence of their opposition to *apartheid*.

43. There were many who feared that, unless justice was done to the oppressed people of South Africa, that people would explode in violence, the consequence of which could not be limited to South Africa. He asked those who were co-operating with South Africa whether there was the least indication that the South African régime would reform itself peacefully and, if not, whether it could be denied that oppression inevitably invited violence. He recalled that His Imperial Majesty Haile Selassie had pointed out in his address to the Security Council at its 1627th meeting, on 28 January 1972, when it convened in Addis Ababa, that as repression had increased in South Africa it had also created more resistance, thus leaving in its wake an escalating process of violence which might soon engulf the whole area and that the Security Council therefore had the duty to forestall that tragedy by taking effective and timely action.

44. It could be asked whether the world was witnessing in South Africa the unfolding of what the representatives of India and Greece had termed a Greek tragedy. It was to be hoped that the tragedy would never become a catastrophe and that those countries which were in a

² Subsequently adopted by the General Assembly as resolution 3055 (XXVIII).

position to influence or coerce the Pretoria régime would act before it was too late.

45. For its part, Ethiopia had always fought to eradicate *apartheid* by all appropriate means available to it. It had complied with the United Nations resolutions and it would continue to do so until *apartheid* was eliminated.

46. The CHAIRMAN said that the general debate on the question of the policies of *apartheid* of the Government of South Africa was concluded. On Friday, 26 October the General Assembly would take up the first part of the Committee's report on that question. As work on the draft resolutions had not been completed, if there was no objection he would take it that the Committee wished to cancel its meeting scheduled for that Friday.

It was so decided.

47. Mr. BARAKAT AHMAD (India) explained that Mr. Ogbu, Chairman of the Special Committee on *Apartheid*, had been detained in the Security Council on account of its consideration of the Israeli-Arab conflict and would therefore be unable to introduce the draft resolutions that were to be submitted. After reading out the list of sponsors of the drafts, he announced that countries wishing to become sponsors could still do so.

The meeting rose at 5.10 p.m.

873rd meeting

Monday, 29 October 1973, at 11.15 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.873

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa (continued) (A/9160, A/9188, A/SPC/160, A/SPC/161, A/SPC/L.265, A/SPC/L.266):

- (a) Reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9169 and Corr.1, A/9180);
- (b) Reports of the Secretary-General (A/9165, A/9235)

CONSIDERATION OF DRAFT RESOLUTIONS

1. Mr. DE SOUZA (Jamaica), introducing draft resolution A/SPC/L.266, on the programme of work of the Special Committee on *Apartheid*, said that Honduras, the Netherlands and the United Arab Emirates had become co-sponsors of that draft.

2. All the appeals and measures adopted by the United Nations to induce the South African Government to abandon its racist policies had produced no result. There was increasing concern at the inadequate implementation of United Nations resolutions and the failure of the Organization to put an end to the policy of *apartheid*. His delegation had noted with concern the intransigence of the South African régime and it supported the recommendation that the international community should intensify the campaign against

apartheid and provide assistance to the oppressed peoples in their struggle for liberation.

3. It must however be recognized that the United Nations was no more than an instrument to be used by States to achieve their aims. The blame for the failure of the Organization's efforts should be placed on the States which had frustrated its machinery. The Special Committee had repeatedly emphasized the importance of the full implementation of United Nations measures and had pointed out that a number of States, in particular some of the main trading partners of South Africa, had ignored them. Indeed, some States had increased their trade with that country and their South African investments, strengthening the régime's determination to persist in its policies. The Special Committee was to be congratulated on the way in which it carried out its work, which was appreciated by the victims of *apartheid* and their families. The Special Political Committee could best show its appreciation of the Special Committee by adopting the recommendations made in its report (A/9022, paras. 178-301).

4. His delegation noted with satisfaction the consultations undertaken with various trade union conferences as one of the means of promoting action against *apartheid* by the trade union movement.

5. The Special Committee, in its report (*ibid.*, paras. 289-296), had outlined its programme of work, which was designed to inform the widest possible audience about *apartheid* and to co-ordinate wider international action. The public information campaign had to contend with the propaganda machine of the South African Government and with the public relations campaign maintained by the Governments and firms which had a stake in the maintenance of *apartheid*. The situation in South Africa was becoming more explosive; the events of the past year underlined the need for the United Nations to intensify its efforts. His delegation supported the Special Committee's proposed programme of work and welcomed the practical measures which had been devised.

6. His delegation urged the Committee to adopt unanimously the draft resolution, which was based on the conclusions and recommendations contained in the Special Committee's report and spelled out a programme of action for 1974. The Special Committee's mandate, referred to in operative paragraphs 1 and 2, acquired a new dimension in the light of the forthcoming Decade for Action to Combat Racism and Racial Discrimination.

7. The special session in Europe, referred to in operative paragraph 3, would be one of the highlights of the programme of work. The idea of a special session had originated during the consultations held with a number of anti-*apartheid* movements and other non-governmental organizations in 1973. To hold a special session during the first year of the Decade would promote international action against *apartheid*. The Special Committee would be able to consult many international and national non-governmental organizations involved in the struggle against *apartheid* which found it difficult to send representatives to United Nations Headquarters. It could also hold consultations with Governments and discuss the implementation of United Nations resolutions directly with the specialized agencies concerned. The special session would be limited to two weeks, comprising 16 meetings in 4 capitals. As the Special Committee had decided to do without many of the usual conference services, the financial implications would not outweigh the benefits of the session.

8. The missions referred to in operative paragraph 4 (a), were an innovation. In its report the Special Committee had described the visits of its delegations to Paris and Bonn; further consultations with Foreign Ministers and heads of delegations had been held during the current session. The Special Committee felt that such exchanges of views could furnish a new dimension in the international campaign against *apartheid* and it would like to be authorized to send delegations to, in particular, Japan, New Zealand and certain Latin American countries. The financial implications would not be large since the delegations would probably consist of two members of the Special Committee and one member of the Secretariat.

9. The Special Committee attached great importance to co-operation with OAU, referred to in subparagraph (b), especially in the light of the General Assembly's affirmation that the United Nations, in co-operation with OAU, should intensify its efforts to find a solution to the situation in southern Africa. The Special Committee would like to send representatives to the meetings of the OAU Assembly of Heads of State

and Government and to the OAU Co-ordinating Committee for the Liberation of Africa, and to hold consultations with the general secretariat of OAU whenever necessary. That was in keeping with past programmes of work and would not involve additional expenditure.

10. With reference to subparagraph (c), the Special Committee thought that it would be particularly valuable to send two of its members and two members of the Secretariat to the International Conference on *Apartheid* and Human Rights, to be held in Rome in March 1974, and to the Non-Governmental Organizations' Conference on Colonialism and *Apartheid* in Southern Africa, to be held in Geneva in August 1974 (see A/9022, para. 294).

11. The consultations referred to in operative paragraph 4, subparagraph (d), of the draft resolution were part of the continuing work of the Special Committee and could be held at Headquarters, during the special session in Europe and at the conferences just mentioned.

12. None of the proposals could be opposed on the ground of financial implications, especially since the South African Government was spending millions of dollars on propaganda to recruit friends and mislead public opinion. The draft resolution would provide the framework for an effective programme of action, and his delegation invited the Committee to adopt it unanimously.

13. Mr. OGBU (Nigeria) said that draft resolution A/SPC/L.265, on trade union actions against *apartheid*, now had 42 sponsors: Yugoslavia had been an original sponsor but its name had been omitted from the document in error; Argentina, Guatemala, Honduras, Liberia, the Syrian Arab Republic, the United Arab Emirates and Zaire had also joined the sponsors of the draft.

14. As Chairman of the Special Committee on *Apartheid*, he would like to thank the many delegations which had commended the Special Committee on its work and reports. During the past year it had tried to discharge its mandate as efficiently as possible; in its future work it would draw encouragement and inspiration from the support of the Special Political Committee.

15. All those committed to the elimination of *apartheid* were concerned with the problem of how to channel the energy and experience of the trade union movement into the main stream of the world-wide campaign. Since the adoption by the General Assembly of its resolution 2671 D (XXV) the Special Committee had organized studies on ways in which the workers of the world could express more meaningfully their response to the appeals for solidarity with the exploited workers of South Africa. One of the most significant activities of the Special Committee during the past year was its role in the convening of the International Conference of Trade Unions against *Apartheid* at Geneva in June. The report on the Conference (A/9169 and Corr.1) was a milestone in the struggle against *apartheid* and in the development of trade union solidarity. The Conference had filled him with hope that it was just a matter of time before the workers of the world and the trade union movement initiated concerted action against *apartheid*. The Conference had brought together 380 delegates from more than 200 trade union organizations representing over 180 million members throughout the world.

Despite their differing backgrounds the delegations had agreed unanimously on a programme of action against *apartheid*. He had been moved by the unanimity with which they had denounced the crime of *apartheid*, declared their solidarity with the black workers of South Africa and pledged their support for international efforts.

16. The Conference had been convened and run by the trade unions themselves. He commended the Workers' Group of the ILO Governing Body for its work in ensuring the success of the Conference. He also commended the three main international confederations of trade unions and the regional federations of trade unions in Africa for their constructive contribution to that success. The Special Committee was grateful to the ILO for facilitating its consultations with the trade unions and to the Secretary-General for his encouraging message (A/9169, para. 20) and the invaluable contribution made by his representative, both before and during the Conference.

17. As far as the black workers of South Africa were concerned, the only development worthy of mention had been the staging of heroic strikes which had culminated in the massacre of mine workers in Carletonville in September. In the two-month interval between the strikes at Durban in January and the end of March 1973, some 700,000 black workers, including 400,000 mine workers and over 50,000 municipal workers, had obtained promises of wage increases amounting to R70 million a year. However, there had been alarming reports that subsequently the employers had begun to lay off and dismiss workers by declaring them redundant. It was also significant that some of the South African trade unions which had traditionally supported and pressed for racial discrimination and the denial of all rights to black workers had now decided that the African trade unions must be given some form of recognition. The South African trade unions had not abandoned racism; they merely wanted to control the African unions which had developed despite all the restrictions.

18. Those and many other developments underlined the scope of the challenge the United Nations and the trade unions confronted in implementing the resolution adopted by the International Conference of Trade Unions against *Apartheid* (*ibid.*, annex I). However, the effectiveness of the Conference would, in his view, depend largely on further consultations to ensure that the programme of action would be implemented in each country on a continuing basis.

19. Introducing draft resolution A/SPC/L.265 he noted that it was the logical outcome of the General Assembly's request (resolution 2923 F (XXVII), para. 8) that the Special Committee should submit a special report to the Assembly, at its twenty-eighth session, on the results of the International Conference of Trade Unions against *Apartheid* and on other related developments concerning workers' action against *apartheid*.

20. While the first and second preambular paragraphs of the draft resolution were statements of fact, the third stressed the importance of the participation of the trade union movement in the international campaign against *apartheid*. That participation had been demonstrated, *inter alia*, by the refusal of the International Longshoremen's Association of the United States of

America to unload chrome ore imported from Southern Rhodesia in defiance of United Nations sanctions, by the refusal of Australian trade unions to service sports facilities for racially segregated teams from South Africa, and by the letter of solidarity with black workers of South Africa in the wake of the Carletonville massacre sent by the American Federation of Labor and the Congress of Industrial Organizations (AFL-CIO) under the chairmanship of Mr. George Meany. Such actions attested to the mounting international concern for victims of *apartheid* as a viable instrument for exerting pressure on the racist Government of South Africa.

21. Operative paragraph 1 merely brought the resolution adopted at the International Conference of Trade Unions against *Apartheid* to the attention of Governments, specialized agencies and intergovernmental and non-governmental organizations.

22. By operative paragraph 2 the General Assembly would request the Secretary-General to facilitate the effective participation of the trade union organizations in the observance of the Decade for Action to Combat Racism and Racial Discrimination.

23. Operative paragraph 3 sought to institutionalize the hitherto sporadic action taken by trade unions in response to particular situations, such as Sharpeville, the importation of Rhodesian chrome ore and Carletonville, into something more permanent and sustained, and to set up continuing machinery for co-operation between the Special Committee and the trade union organization.

24. By operative paragraph 4 the Assembly would call upon the Unit on *Apartheid*, OPI and the ILO to supply the necessary information pertaining to developments in South Africa to trade unions all over the world. Those bodies were also requested to publicize the contribution of the trade unions towards the eradication of *apartheid* in South Africa.

25. In conclusion, the sponsors of the draft resolution he had introduced believed that the interest and concern shown by the international labour movement in the problem of South Africa could be a potent factor in support of the victims of *apartheid* and commended it to all delegations.

26. Mr. BARAKAT AHMAD (India) said that it was his understanding that no special financial implications would be attached to draft resolution A/SPC/L.265. The request in operative paragraph 2 to the Secretary-General to promote participation by the trade unions in the Decade for Action to Combat Racism and Racial Discrimination was a general one which could be carried out within existing budgets and programmes.

27. With regard to the liaison between the Special Committee and the trade unions referred to in operative paragraph 3, any budgetary provision required would be made under draft resolution A/SPC/L.266, on the programme of work of the Special Committee. Since the Special Committee would probably hold a special session in Europe in 1974, the costs were likely to be rather modest.

28. The information activity referred to in operative paragraph 4 would be conducted within existing appropriations and within any special appropriations made under another draft resolution concerning the dissemination

ation of information on *apartheid* which would be submitted subsequently.

29. Mr. PINTÉR (Hungary) said that his delegation wished to express its support for draft resolution A/SPC/L.265, since it was convinced that the trade unions could play a very important role in the struggle against *apartheid*. His country therefore welcomed the growing support from the trade union movements and believed that their activities against *apartheid* should be strengthened in line with the draft resolution.

30. Miss LOPES (Portugal), speaking in exercise of the right of reply, said that in the course of the discussions on *apartheid*, several delegations had made serious and unjust accusations against her country. It had even been affirmed that Portugal was a racist country, whereas all were aware that everywhere in Portugal people of different races lived together, side by side, at school, at work, and in public and private life. That fact could be verified at first-hand, and no person of good faith could deny it. The principles of racial and religious equality were not only enshrined in the legal system of Portugal but were also observed in everyday life, which was not the case in certain countries where prejudice still existed with regard to race and religion and whose representatives had none the less attacked Portugal within the Committee during the discussions on *apartheid*, which Portugal had never practised and had no intention of practising in the future. It had been said that Portugal maintained an alliance with South Africa and that that country aided Portugal against the liberation movements. Her delegation had denied that allegation on a number of occasions and wished to state that Portugal could rely only on itself to defend its frequently attacked population. In that connexion, the Egyptian representative had made gratuitous and even contradictory assertions.

31. Her delegation felt that in a debate on a specific agenda item, delegations should limit their interven-

tions to the item under discussion and should not take the opportunity of making accusations against Portugal in a purely demagogic manner which added nothing constructive to the subject under discussion or the work of the Committee.

Organization of the Committee's work

32. Mr. COTTON (New Zealand) hoped it would be possible, immediately after the conclusion of the discussion on *apartheid*, to take up agenda item 103 and discuss and vote on draft resolution A/SPC/L.262 submitted by France, and the amendments thereto, submitted by his country (A/SPC/L.267) and Fiji (A/SPC/L.268).

33. Mr. SCALABRE (France) said that his delegation attached great importance to the discussions on *apartheid* and had no wish to hinder or delay them. However, it hoped that the French draft resolution and the amendments could be discussed at an early date, because it had had some apprehensions that unless action was taken to convene the United Nations Scientific Committee on the Effects of Atomic Radiation, that Committee might not be able to submit the addendum to its report before the end of the current session. It was his delegation's understanding that the Committee would discuss the draft resolution on 1 November 1973.

34. The CHAIRMAN said that if he heard no objection he would take it that the Committee wished to deal with agenda item 103 on 1 November, after concluding its consideration of the draft resolutions on item 42 submitted by that time and voting on them on 31 October.

It was so decided.

The meeting rose at 1.10 p.m.

874th meeting

Tuesday, 30 October 1973, at 10.45 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.874

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa
(continued) (A/9160, A/9188, A/SPC/L.160, A/SPC/L.161, A/SPC/L.265, A/SPC/L.266, A/SPC/L.269-271):

- (a) Reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9169 and Corr.1, A/9180);
- (b) Reports of the Secretary-General (A/9165, A/9235)

CONSIDERATION OF DRAFT RESOLUTIONS (continued)

1. The CHAIRMAN drew attention to two new documents before the Committee, the note by the Secretary-General (A/SPC/L.270) containing a statement on the financial implications of draft resolution A/SPC/L.266 and a new draft resolution

(A/SPC/L.269), on the dissemination of information on *apartheid*.

2. Mr. MØLLER (Denmark), introducing draft resolution A/SPC/L.269, announced that Argentina and Belgium had asked to be included among the sponsors.

3. He regretted that time, energy and money had to be spent on a question like *apartheid* at the current time. Three important elements had recurred in the statements made in the general debate: warnings to the South African Government that a continuation of the policy of *apartheid* could lead only to catastrophe, appeals to all countries outside South Africa to make an honest effort to eradicate *apartheid* and pending that, to alleviate the hardships it entailed, and assurances to the victims of *apartheid* that a majority of the States Members of the United Nations were behind them in their

endeavours to achieve an existence in which human dignity was respected. The draft resolutions to be adopted by the Committee and subsequently by the General Assembly naturally reflected those elements to a considerable extent. The first draft resolution submitted by the Committee, which had been adopted virtually unanimously by the Assembly (resolution 3055 (XXVIII)), had been a serious reminder to the Government of South Africa, particularly because of the composition of the group of sponsors, and carried an encouraging message to the 16 million victims of *apartheid*.

4. He sincerely hoped that the Committee would also adopt draft resolution A/SPC/L.269, on the dissemination of information on *apartheid*, in order to bring out the three elements he had just mentioned. It was in principle an appeal to all Governments and non-governmental organizations to disseminate information about *apartheid* in every way. Both its text and the identity of its sponsors should give the South African Government food for thought and convince the oppressed citizens of South Africa that the world was ready to make an effort for their sake. Since widespread information on racial discrimination influenced the basic attitudes of peoples everywhere, it was a most important task of the United Nations to enlighten public opinion on such problem and to co-ordinate national efforts in that connexion. With the launching of the Decade for Action to Combat Racism and Racial Discrimination, the information efforts of the United Nations should be greatly increased. The sponsors of the draft resolution were confident that it would meet with the same extensive support as previous drafts on the subject.

5. Mr. SINGH (India) drew attention to the editorial in that day's issue of *The New York Times* on the South African Prime Minister's threat to the press, which had aroused sharp criticism, even from Nationalist Party organs. The free press in South Africa, and especially the courageous, hard-hitting English language newspapers, had been a constant source of light and hope in South Africa and such threats would not intimidate brave editors who knew in resisting the oppression and tyranny in South Africa, they were fighting for the survival of freedom everywhere.

6. Draft resolution A/SPC/L.269 was the response of world conscience to such threats. The South African Government's policy was to suppress freedom of information at home and distort information abroad. If bloodshed and violence were to be avoided, world public opinion must be educated on the dangers of South Africa's policy.

7. Operative paragraph 5 of the draft resolution was not an attempt to convert the converted. Its purpose was to inform the developing countries' neighbours of South Africa, whose communications media was not as advanced as that in other parts of the world, that the human conscience of the world community was neither oblivious nor inactive with regard to that modern form of slavery. United Nations information centres could be established either at the request of a Member State or at the request of the General Assembly, with the consent of the Member State concerned. General Assembly resolution 1405 (XIV) referred to the provision of all possible facilities for such centres by the Member State concerned, which entailed a considerable financial contribution. The draft resolution under discussion recognized the financial difficulties of the southern African countries and therefore required the General Assembly to make an exception for such centres if there was a pressing need for them and the host country was unable to bear the costs.

8. His delegation attached great importance to the voluntary contributions referred to in operative paragraph 6, which would enable OPI to deal effectively with the South African propaganda machine.

9. The draft resolution should be adopted by acclamation, not only in the Special Political Committee but also in the General Assembly. If the South African Government really believed in the worthiness of its separate development policy, it should welcome a free exchange of views through an OPI office in Johannesburg.

10. The South African Minister of Information had declared that information officers were South Africa's front line soldiers. That country's information budget for 1972-1973 had been nearly \$10 million and, with the co-operation of certain periodicals, it was even paying large sums for articles to be published purporting to be independent assessments of the situation by the periodicals themselves. In view of the financial implications of the draft resolution, his delegation hoped it would be possible for OPI to trim its budget in order to absorb some of the additional expenditure involved. He would like to know for instance how much was spent on the daily press releases and what publicity they received. Every statement made in the General Assembly and its Committee did not necessarily have news value. In any event, he appealed to delegations that might feel concern at the financial implications of the draft resolution to consider the ultimate costs in human lives, misery and dislocation of organized civil life if violence was allowed to settle the problem of *apartheid*.

The meeting rose at 11.10 a.m.

875th meeting

Wednesday, 31 October 1973, at 3.30 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.875

AGENDA ITEM 42:

Policies of apartheid of the Government of South Africa (continued) (A/9160, A/9188, A/SPC/160, A/SPC/161, A/SPC/L.265, A/SPC/L.266, A/SPC/L.269-271):

- (a) Reports of the Special Committee on Apartheid (A/9022, A/9168, A/9169 and Corr.1, A/9180);
- (b) Reports of the Secretary-General (A/9165, A/9235)

CONSIDERATION OF DRAFT RESOLUTIONS (continued)

1. Mr. AKATANI (Assistant Secretary-General for Public Information) said that he fully shared the view expressed by many representatives that public information had a major role to play in the world-wide struggle against *apartheid*; in an interdependent world, no political or social system, however isolated and well protected, could indefinitely remain unaffected by universal disapproval. The importance which the Office of Public Information (OPI) attached to enlightening world public opinion about the evils of *apartheid* was reflected in its works programme, a summary of which was contained in the relevant report of the Secretary-General (see A/9165, paras. 12-26). In that field, OPI benefited from close co-operation with the Special Committee on *Apartheid* and the Unit on *Apartheid*.

2. Turning to the contents of the work programme, he assured the Committee that, although OPI concerned itself with many other questions, it considered the dissemination of information on *apartheid* to be one of its highest priorities. To that end, it enlisted virtually all the information media available. For example, in the area of the printed word, OPI produced not only the quarterly magazine *Objective: Justice*, but also the bulletin series "*United Nations & Southern Africa*", as well as several pamphlets and a considerable number of press releases. In the area of visual information, OPI had produced four films on *apartheid*, and others were in preparation. It also put out many radio broadcasts in several languages. The information centres played a significant role in the dissemination of information, and the various information media were co-ordinated and harmonized by a multi-media OPI task force on *apartheid*.

3. At the same time, much remained to be done, and he was particularly grateful to the Special Committee for its many interesting suggestions concerning the dissemination of information on *apartheid* (see A/9022, paras. 256-270), to which OPI would give serious consideration. Of course, OPI would comply with any new mandates which the General Assembly might entrust to it on the basis of the recommendations of the Special Political Committee. It must be borne in mind, however, that OPI's resources were extremely limited, and that it was impossible for it to undertake additional public information activities without a corresponding increase in resources.

4. At the previous meeting, the representative of India had suggested that economies could be made in press releases. In reply to a question raised by that representative concerning the costs of the press releases, he informed the Committee that the amount pertaining to press services in the United Nations budget for 1973 was approximately \$375,000. The Secretary-General had examined the question of press releases in detail at the twenty-sixth session and had concluded¹ that they were an essential basic service, for correspondents as well as for delegations, members of the Secretariat, information centres, and others, and therefore needed to be maintained. He himself had found that the situation remained unchanged, and that there continued to be strong resistance from correspondents to any suggestion that the press releases service might be curtailed: since correspondents were not able to attend all the meetings, OPI press releases were sometimes the only way in which correspondents could obtain a quick and impartial over-all view of the manifold activities of the United Nations. In addition, he pointed out that, of the minimum run of 1,200 copies per press release, no less than 650 copies were reserved for delegations.

5. Mr. BARAKAT AHMAD (India) welcomed the excellent work accomplished by the Unit on *Apartheid* and OPI; he also noted with satisfaction that the Secretary-General's report (A/9165) took account of two positive aspects of the struggle against *apartheid* but regretted that no mention was made of the fact that South Africa and its allies had frustrated nearly all the resolutions relating to that question.

6. As to the question of press releases, he pointed out that the results of a study undertaken two years earlier were perhaps no longer valid, and he wondered whether the distribution of press releases to delegations was quite in keeping with the mandate which the General Assembly had entrusted to OPI. It was true that, in times of crisis, press releases were extremely useful since they were published more quickly than summary records, but were they equally necessary at other times? He felt that there was need for innovation and that, since the South African Government spared no effort to deceive world public opinion, OPI might perhaps be requested to undertake the public relations work for the struggle against *apartheid*.

7. Turning to the draft resolutions before the Committee, he announced that the Democratic Yemen, Guyana, Tunisia and Uganda had joined the sponsors of draft resolution A/SPC/L.265 and that Cyprus, Democratic Yemen, Guyana and Uganda had joined the sponsors of draft resolution A/SPC/L.266.

8. Mr. MØLLER (Denmark), supported by Mr. BARAKAT AHMAD (India), requested that the vote on draft resolution A/SPC/L.269 should be deferred.

¹ See document A/C.5/1320/Rev.1 (dated 15 June 1971), paras. 73-98.

red, to enable delegations to examine more closely its financial implications (A/SPC/L.271) and to hold consultations.

9. Mr. TARCICI (Yemen) announced that his country wished to be included among the sponsors of draft resolutions A/SPC/L.265 and A/SPC/L.266.

10. The CHAIRMAN said that, if he heard no objection, he would assume that the Committee decided to defer the vote on draft resolution A/SPC/L.269.

It was so decided.

Draft resolution A/SPC/L.265

11. Mr. HERNDL (Secretary of the Committee) submitted, in accordance with rule 155 of the rules of procedure of the General Assembly, information on the financial implications of draft resolution A/SPC/L.265. The travel which members of the Special Committee would be called upon to undertake pursuant to operative paragraph 3 of the draft resolution could be combined with the travel that would be required in connexion with draft resolution A/SPC/L.266, a statement on the financial implications of which had been circulated in a note (A/SPC/L.270) by the Secretary-General. Similarly, the dissemination of information envisaged in operative paragraph 4 of the draft could be undertaken in the context of OPI activities already authorized. Draft resolution A/SPC/L.265 would therefore not give rise to any additional expenditure.

12. Mr. MACRIS (Greece), wishing to explain his vote before the voting, reaffirmed his country's policy, which was to support all efforts aimed at eliminating any kind of racial discrimination and guaranteeing the equality of all persons without distinction as to race, colour or creed. Nevertheless, his delegation had reservations of principle, particularly with regard to operative paragraph 1 of the draft, because it considered that trade unions should not engage in political activities. His delegation would therefore have to abstain, as it had done in the vote at the previous session on General Assembly resolution 2923 F (XXVII).

At the request of the representative of India, a recorded vote was taken.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Gabon, German Democratic Republic, Ghana, Guatemala, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Lebanon, Lesotho, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: France, Germany (Federal Republic of), Greece, Ireland, Italy, Malawi, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution was adopted by 97 votes to none, with 9 abstentions.

13. Mr. TALVITIE (Finland), speaking on behalf of the delegations of Denmark, Norway, Sweden and Finland, said that those four delegations had voted in favour of draft resolution A/SPC/L.265, because they attached great importance to trade union action against *apartheid*. However, they wished to point out that operative paragraphs 1 and 4 embodied recommendations which neither Denmark, Norway, Sweden nor Finland could undertake to respect.

14. Mrs. KEATING (Ireland) explained that her delegation had been obliged to abstain in the vote on draft resolution A/SPC/L.265, because it could not endorse all the provisions of the resolution adopted by the International Conference of Trade Unions against *Apartheid*. Apart from the fact that the general nature of those provisions made them difficult to apply, they ran counter to the policy of the Government of Ireland, which sought to exert moral and political pressure on the Government of South Africa and to remain in contact with the South African people. Her delegation could not endorse operative paragraph 1 of the draft resolution.

15. Mr. BOERTIEN (Netherlands) said that his delegation had voted in favour of draft resolution A/SPC/L.265, because it attached great value to the contribution of the trade union movement in the efforts to persuade the Government of South Africa to change its policy of *apartheid*. His delegation was glad to note that the decision of the international trade union movement was matched by trade union activities at the national level, such as those of the consultative body of the Netherlands Federation of Trade Unions. It felt that the resolution of the International Conference of Trade Unions against *Apartheid* should be commended to the attention of the Governments of Member States, since it embodied many useful elements. That did not mean, however, that his delegation could underwrite each and every one of the provisions of that resolution. The Netherlands Government differed with those who argued that it was possible to bring about a change in the policy of the South African Government by severing all economic or other contacts with that country, nor did it agree with the suggestion of the Special Committee on *Apartheid* (see A/9169, para. 32, item 5) that no efforts should be made to improve the wages of the indigenous workers.

16. With regard to the suggestion that emigration to South Africa should be prevented (see A/9022, para. 238), his delegation considered that that was contrary to the right of every human being to freedom of movement. His Government was, however, studying what could be done, without infringing that right, to discourage such emigration.

17. Mr. SHERMAN (Liberia) said that, had he taken part in the vote, he would have voted in favour of draft resolution A/SPC/L.265.

Draft resolution A/SPC/L.266

18. Mr. TÜZEL (Turkey), speaking in explanation of his vote before the voting, explained that his delegation would vote in favour of draft resolution A/SPC/L.266 because it was convinced that the Special Committee on *Apartheid* would continue to intensify its efforts to discharge its mandate in accordance with the provisions of international law and the provisions of the Charter of the United Nations.

19. Mr. THOMPSON-FLÔRES (Brazil) said that, having voted in favour of draft resolution A/SPC/L.265, his delegation would vote also in favour of draft resolution A/SPC/L.266. It wished to state formally, however, that it did not approve of the trend towards recognizing certain groups that were desirous of acquiring international status, since that was a prerogative which the United Nations Charter reserved to legally constituted Governments.

20. Mr. MACRIS (Greece) recalled that at the previous session (828th meeting) his delegation had voted in favour of the corresponding draft, which became General Assembly resolution 2923 C (XXVII). It would vote in favour of draft resolution A/SPC/L.266, but on the understanding that the activities of the Special Committee on *Apartheid* would not lead to any interference in the affairs of States Members of the United Nations. It felt obliged to enter some reservations with regard to operative paragraph 1 of the draft: it regretted the inclusion of the words "along the lines indicated in paragraph 289 of its report", because it did not think that the recommendations in that paragraph could be endorsed by all the members of the Special Political Committee.

21. The CHAIRMAN put draft resolution A/SPC/L.266 to the vote.

At the request of the representative of India, a recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Ruanda, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Portugal.

Abstaining: France, Malawi, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution was adopted by 107 votes to 1, with 4 abstentions.

22. Mr. OHTAKA (Japan) explained that his delegation had voted in favour of draft resolution A/SPC/L.265 because it considered trade union action against *apartheid* important and because it was pleased with the success of the International Conference of Trade Unions against *Apartheid*. It must state, however, that there were some recommendations in the resolution adopted by that Conference (A/9169, annex I), with which it could not concur.

23. His delegation had also voted in favour of draft resolution A/SPC/L.266, but it wished to point out that, as far as the financial implications (A/SPC/L.270) of that draft resolution were concerned, the views of the Fifth Committee should be taken fully into account.

24. Mr. DE LATAILLADE (France) said that his delegation's attitude towards the various draft resolutions concerning *apartheid* was somewhat mixed for, while it found some of the methods adopted against *apartheid* quite legitimate, others seemed to it to be inadmissible. For that reason it would have preferred all the draft resolutions to be put to the vote on the same day, so that it could have explained all its votes in one and the same statement.

25. His delegation had been obliged to abstain in the vote on draft resolution A/SPC/L.265, concerning trade union action against *apartheid*. It could not accept operative paragraph 1 because it did not approve of the resolution of the International Conference of Trade Unions against *Apartheid*. On the other hand, it had no objection to operative paragraph 2, for it agreed with the sponsors of the draft resolution that trade union organizations could play a useful part in the observance of the Decade for Action to Combat Racism and Racial Discrimination. On the whole, however, it could not endorse the main provisions of the draft resolution.

26. In the case of draft resolution A/SPC/L.266, on the programme of work of the Special Committee on *Apartheid*, it had had to abstain in the vote for the same reasons that had prompted it to do so in the vote on the corresponding text at the preceding session (854th meeting). The financial implications of missions to Governments, special sessions and participation in conferences were quite enough to justify his delegation's attitude of caution, especially as only the vaguest indications of the financial aspects of the programme of work were given in the relevant note (A/SPC/L.270). Moreover, his delegation could not accept the reference to paragraph 289 of the report of the Special Committee (A/9022) for in that paragraph the specialized agencies were invited to engage in political action which was contrary to their true purpose.

27. Mr. VALENZA (Italy) explained that, although his delegation considered that the trade unions could make a useful contribution to the efforts of the United Nations to eradicate *apartheid* and although it approved of the aims of draft resolution A/SPC/L.265, it had been obliged to abstain in the vote on that draft resolution because operative paragraph 1 implied a whole-hearted acceptance of the resolution of the International Conference of Trade Unions against *Apartheid*, a point which raised a number of legal difficulties for his delegation.

28. It had voted in favour of draft resolution A/SPC/L.266 because it approved in general of the programme of work of the Special Committee on *Apartheid*, although it reserved its position with regard to the financial implications of that programme.

29. Mr. BOERTIEN (Netherlands) said that his delegation had voted in favour of draft resolution A/SPC/L.266 because it considered the measures outlined in paragraph 289, subparagraph 5, of the report of the Special Committee to exclude any assistance in the form of arms. Such assistance would not be in conformity with the provisions of the United Nations Charter. Furthermore, his delegation wished to recall its explanation of its position at the 859th meeting, when it had stated that it understood "liberation movements in South Africa" to mean "movements against *apartheid*".

30. Mr. PLEUGER (Federal Republic of Germany) said that, while it considered that the trade unions could play a useful part in the struggle against *apartheid*, his delegation had been obliged to abstain in the vote on draft resolution A/SPC/L.265 because there were some provisions which it could not endorse, in particular that in operative paragraph 1, concerning the resolution of the International Conference of Trade Unions against *Apartheid*. It had, however, voted in favour of draft resolution A/SPC/L.266 in conformity with its general attitude towards *apartheid*.

31. Mr. BARAKAT AHMAD (India) said that, as a member of the Special Committee on *Apartheid*, his

delegation could not do other than vote in favour of draft resolution A/SPC/L.266. It regretted that four delegations had seen fit to abstain in the vote on what was a modest and inoffensive draft resolution, but it understood the difficulties mentioned by the only delegation which had thought fit to explain its abstention. However, in order to put the references to the financial implications of the draft resolution into its proper perspective, he invited the Committee to refer to the information on foreign investment in South Africa contained in the Special Committee's report on the implementation of United Nations resolutions on *apartheid* (A/9168, paras. 54 to 60).

32. The CHAIRMAN declared the consideration of draft resolutions A/SPC/L.265 and A/SPC/L.266 closed. The vote on draft resolution A/SPC/L.269 would take place later. Other draft resolutions concerning the policies of *apartheid* of the Government of South Africa would be submitted at forthcoming meetings.

Organization of the Committee's work

33. The CHAIRMAN, recalling the decision taken at the 873rd meeting, said that the Committee would return to its consideration of agenda item 103, concerning the effects of atomic radiation, and discuss draft resolution A/SPC/L.262, together with the amendments thereto (A/SPC/L.267, A/SPC/L.268 and A/SPC/L.272), on 1 November 1973.

The meeting rose at 4.30 p.m.

876th meeting

Thursday, 1 November 1973, at 11 a.m.

Chairman: Mr. Károly SZARKA (Hungary).

A/SPC/SR.876

AGENDA ITEM 103

Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation (continued)* (A/SPC/L.262, A/SPC/L.263, A/SPC/L.267, A/SPC/L.268, A/SPC/L.272)

1. Mr. SCALABRE (France) introducing draft resolution A/SPC/L.262, recalled that when the Committee had been discussing the organization of its work (858th meeting), his delegation had given the reasons for its request for the inclusion of the item under discussion in the agenda. It hoped that the United Nations Scientific Committee on the Effects of Atomic Radiation, with the help of the documents on the subject, would be able to bring its latest report (A/8725 and Corr.1) up to date, taking account of the results of nuclear tests in 1972 and perhaps even 1973. The General Assembly, the First Committee and the Special Political Committee would then have objective and scientific documentation which would demonstrate the error of the extravagant statements on the effects of nuclear tests put about by certain ill-informed persons.

* Resumed from the 860th meeting.

2. The Scientific Committee would be able to give its views and make technical suggestions on increasing its effectiveness which the Special Political Committee could use as the basis for its own conclusions. He hoped that there was still time to convene the Scientific Committee during the current session of the General Assembly.

3. His delegation was grateful to the delegations of New Zealand, Fiji and Peru for having made the texts of their amendments (A/SPC/L.267, A/SPC/L.268 and A/SPC/L.272) available to it before they were circulated as official documents. However, it could not accept the amendments and asked that they should be considered one by one and put separately to a roll-call vote. It would have no objection if the three amendments proposed by Peru (A/SPC/L.272) were put to the vote together, since they stemmed from a single idea. It would like to have an opportunity to explain its views on each amendment before it was put to the vote.

4. Mr. COTTON (New Zealand) welcomed the proposal to reconvene the Scientific Committee, since, as it had already indicated, New Zealand had expressed reservations at the twenty-seventh session (807th and 808th meetings) about the decision that no report

should be submitted by the Scientific Committee in 1973. His delegation believed that the effects of nuclear radiation from whatever source were a matter of legitimate international concern. It was important to assemble and evaluate any new information promptly for consideration by the General Assembly. The French delegation had referred, in its letter (A/9192) to the Secretary-General requesting the inclusion of the item in the agenda of the twenty-eighth session to documents of great importance reporting new findings; his Government would examine those documents with interest when the French representative gave more information about them.

5. His delegation recognized that the Scientific Committee depended upon material submitted by Governments. Since it was important that the Committee's reports should present a complete and balanced picture, it should not hesitate to seek further information whenever it was required to fill some gap. Reports which were merely compilations of statistics were of limited value and might be misleading.

6. At the previous session, the New Zealand representative had expressed disappointment (807th meeting) that the report of the Scientific Committee had not attempted to evaluate the benefits and hazards of atmospheric nuclear weapon testing as was generally done in discussions on other forms of contamination.

7. His delegation did not wish to dictate to the Scientific Committee on the direction its work should take, but he thought the Committee should establish a basis for evaluating the risks of various types of radiation against the benefits, if any, conferred on those who might be subjected to such radiation and the extent to which the sources of such radiation should or should not be controlled by populations subjected to it.

8. Radiation from the testing of nuclear weapons in the atmosphere was the most uncertain factor in that respect; he therefore hoped that this form of radiation would be comprehensively covered by its next report.

9. Introducing the New Zealand amendment (A/SPC/L.267) to draft resolution A/SPC/L.262, he welcomed the decision of the Philippines to become a co-sponsor of the amendment. The object of the latter was to clarify the intention of the draft resolution by referring to the advisability of keeping under constant study the evolution of the level of ionizing radiation by stressing the need to study the effects of atomic radiation on populations and living natural resources exposed to such radiation. That went to the heart of the question. He supported the amendments submitted by Fiji (A/SPC/L.268) and Peru (A/SPC/L.272) and deplored the continuance of nuclear weapon testing. As long as such testing continued, there would be concern about the effect of radiation from uncontrolled sources. He therefore urged all delegations to support the amendments.

10. Mr. NANDAN (Fiji), introducing the Fijian amendment (A/SPC/L.268) to the draft resolution before the Committee, announced that the Philippines had become a co-sponsor thereof and that the words "and elsewhere" should be replaced by "and in other environments".

11. His delegation was glad that the French delegation had referred to paragraph 4 of General Assembly resolution 2905 (XXVII) in draft resolution it had submitted (A/SPC/L.262). It approved of the draft resolution

in principle but thought it was incomplete in that it did not mention the reason for requesting a special meeting of the Scientific Committee. He was sure the French delegation would agree that the main reason was that nuclear tests had taken place since the submission of the latest report of the Scientific Committee (A/8725 and Corr.1). It was important that that report should be brought up to date. The international community must exercise constant vigilance and examine all data concerning nuclear tests or radiation. The purpose of the amendment he had submitted was to state why the Scientific Committee should be reconvened.

12. In its resolution 2934 (XXVII) the General Assembly had stressed the urgent need for suspension of nuclear and thermonuclear tests. It was regrettable that such tests had continued, and his delegation had therefore included the words "with regret" in the amendment. It would support the amendments submitted by New Zealand and Peru and would give its views on the question of nuclear tests in general in the appropriate forum.

13. Mr. STUBBS (Peru) announced that the Philippines had become a co-sponsor of the amendments (A/SPC/L.272) he was introducing and that he wished to make two changes: the second amendment should be deleted; in the third amendment the words "the need to enhance" should be replaced by "means of enhancing".

14. His delegation welcomed the French initiative in requesting that the Scientific Committee should be convened during the current session of the General Assembly. Recent events which had resulted in the production of radio-active fall-out should be reported to the Assembly. Operative paragraph 2 of the draft resolution was too restrictive: when ways of increasing the effectiveness of a body were under consideration, it was usual for all States to be given an opportunity to express their views. The alternative text proposed by his delegation took account of that point. His delegation endorsed the amendments submitted by New Zealand and Fiji.

15. Mr. BARTOLOME (Philippines) said that his country was grateful for the opportunity to sponsor all the amendments submitted. Because of its location in the western Pacific, his country was very concerned about the nuclear tests which had taken place there and about their possible harmful effects. The Scientific Committee should constantly assess the levels of nuclear radiation resulting from such tests and other sources. A broader mandate would lead to improvements in the work of that Committee provided that it was given the means of carrying out such a mandate. His delegation agreed therefore that the General Assembly should consider ways of enhancing the effectiveness of the Scientific Committee and it would have suggestions to that end to make at the proper time.

16. Mr. SCALABRE (France) said, in regard to the reference that the representative of New Zealand had made to the documents reporting new findings to the Scientific Committee, that his delegation had given an example of the new documentation in annex I to his letter (A/9192), namely, Report No. 5 of the Australian Atomic Weapons Tests Safety Committee. That report, which had only just been published and had not been available to the Scientific Committee until now, had concluded that the very small doses of radiation

observed had in no way been dangerous to the health of the Australian population: that was particularly interesting because the authors of that report had not merely given figures but had explained the biological and medical significance of those figures in an intelligible manner.

17. Referring to the New Zealand amendment (A/SPC/L.267), he said that the terms of reference of the Scientific Committee were perfectly clear: it was required to consider not only the level of radiation but its effects on the environment. His delegation would have no objection to the amendment were it not for the fact that the nuclear tests were represented in that amendment as "uncontrolled sources" of radiation. When carrying out nuclear tests, his country always took great care to exercise effective control over them; they were in fact more closely controlled than certain other sources of radiation, for example, radiation from medical equipment. His delegation could therefore not accept the amendment and would abstain in the vote on it. It withdrew its request for a roll-call vote.

18. Mr. WYNDHAM (Australia) said that his delegation welcomed the French initiative as an indication of that country's recognition that fall-out from nuclear tests in the atmosphere and the effects of the increased ionizing radiation they caused were matters for international concern. Ionizing radiation was inherently harmful to human life, and it was an established principle that there should be no exposure to it from artificial sources without compensating benefit.

19. The Committee would be aware that matters regarding atmospheric nuclear testing were in dispute between Australia and France and under consideration in the International Court of Justice. The Scientific Committee had made a valuable contribution in collating and evaluating data on fall-out, but its mandate and past practice precluded its involvement in the particular issues before the Court. On the understanding that its new report would follow the pattern of previous ones, his delegation supported the proposal that the Scientific Committee should bring up to date its latest report to the General Assembly (A/8725 and Corr.1).

20. His delegation would support all the amendments. Those proposed by Fiji and New Zealand merely reflected the terms of previous General Assembly resolutions adopted by overwhelming majorities. The Peruvian amendments raised the question of the effectiveness of the Scientific Committee. Eighteen years had elapsed since the establishment of the Scientific Committee, and it was easy to understand the feeling that it was time to re-examine its working. His delegation would however await the specific suggestions of those who had raised the question of effectiveness before taking a substantive position on the need for, or nature of, any changes.

21. Mr. SCALABRE (France) said that annex II to his letter (A/9192) contained a valid reply to the assertion that small doses of radiation were dangerous. Sir MacFarlane Burnet, the Australian Nobel prizewinner, had concluded that below a certain level—and the radiation resulting from the French tests had been well below that level—nuclear radiation had no effect on human beings.

22. Mr. COTTON (New Zealand) said that his country's concern was not so much that the countries

carrying out nuclear tests should control them effectively, but that mankind should be able to exercise control over its exposure to radiation. Control of an explosion was one thing, control of the wind and the weather was another. During the recent series of tests in the Pacific there had been two so-called "blow-backs", concerning which his delegation would submit reports to the Scientific Committee. "Blowbacks" were unexpected changes in wind direction bringing fall-out to populated areas much earlier than expected. The people living in those areas had no control over such developments.

23. Mr. WYNDHAM (Australia) said that with respect to the remarks of the French representative, it was neither the time nor the place to discuss particular issues connected with a specific series of tests affecting specific countries. The position of the Australian Government had been fully stated in the proper forum, which was the International Court of Justice, the doors of which were still open to the Government of France.

24. Mr. SCALABRE (France) endorsed the New Zealand representative's opinion that the technical points raised should be left to the appreciation of the Scientific Committee.

25. Mr. WANG Sun-shen (China) expressed understanding of the desire of some countries which truly loved peace to eliminate policies that led to aggression and war. He wished however to point out that, when the super-Powers were frantically developing nuclear weapons as a form of blackmail, a mere halt in nuclear test programmes without complete destruction of existing nuclear weapons would only help those Powers to consolidate their advantage. Under the prevailing conditions, China was compelled to conduct nuclear tests but was ready to stop them when, and only when, nuclear weapons were not only prohibited but all existing weapons destroyed. His delegation, therefore, would not take part in the vote on the amendment proposed by the delegation of Fiji (A/SPC/L.268) and would abstain on the New Zealand and Peruvian amendments (A/SPC/L.267 and A/SPC/L.272), as well as on the draft resolution as a whole.

26. Mr. NANDAN (Fiji) queried the French representative's assumption regarding low levels of radiation because no relevant information was yet available on the long-term effects of extremely low doses of radiation, as there had not yet been time for such effects to become apparent.

27. Mr. OHTAKA (Japan) said that his delegation would vote in favour of the draft resolution and of all the amendments. Although it believed that efforts should be made to enhance the effectiveness of the Scientific Committee, that did not imply dissatisfaction with that Committee's performance that far or prejudice his delegation's position on how its effectiveness could be enhanced.

28. Mr. HICKS (Canada) said that his delegation would vote for draft resolution A/SPC/L.262 and the amendments submitted by New Zealand and Fiji. On the other hand, it would vote against the Peruvian amendments, in the first instance because undue enlargement of the Scientific Committee might introduce political considerations into a Committee which was supposed to be purely scientific and secondly because it implied criticism of that Committee's effectiveness

which his delegation did not endorse. The Scientific Committee itself should be consulted if any changes were considered necessary.

29. Mr. KEBEDE (Ethiopia) suggested that, as the sponsors of the draft resolution and of the amendments were unanimous about the harmful effects of atomic radiation and only seemed to differ on minor points, they might consult together and try to produce a joint draft resolution.

30. Mr. SCALABRE (France) said that, although his delegation had been informed well in advance of the amendments to be submitted, and he understood the New Zealand delegation's concern about the need to study the effects as well as the levels of atomic radiation, it had been impossible to reconcile the different points of view.

31. Mr. MACRIS (Greece) recalled that at the twenty-seventh session (808th meeting) his delegation had expressed its appreciation of the work done by the Scientific Committee in preparing its latest report on the effects of atomic radiation (A/8725 and Corr. 1). The Greek Government had always supported any efforts to protect mankind from the effects of such radiation and would continue to do so. He therefore unreservedly supported the draft resolution under discussion and welcomed the suggestion that the Scientific Committee should continue its constructive work and update its report to take account of recent nuclear tests. His delegation had noted the administrative and financial implications (A/SPC/L.263) of the draft resolution but was sure that all peace-loving countries would wish to enable the Scientific Committee to continue its work which was of primary importance to the future of the world.

32. Mr. SHERMAN (Liberia) endorsed the suggestions contained in the New Zealand amendment (A/SPC/L.267) that the Scientific Committee should continue to review the levels of atomic radiation and to study the effects on populations and living natural resources exposed to it. He felt, however, that the assumption expressed in that amendment that such radiation resulted from uncontrolled nuclear tests should be referred to the Scientific Committee.

33. The CHAIRMAN invited the Committee to vote on the New Zealand amendment (A/SPC/L.267).

The amendment was adopted by 97 votes to none, with 10 abstentions.

34. The CHAIRMAN asked the French representative if he would be willing for a roll-call vote to be taken on the Fijian amendment (A/SPC/L.268) since facilities for a recorded vote were not available.

35. Mr. SCALABRE (France) agreed that a roll-call vote should be taken. He would have no objection if the fact that nuclear tests in the atmosphere and elsewhere had been conducted recently were mentioned in the draft resolution but thought that the expression "noting with regret" in the Fijian amendment, although moderate in tone, seemed inappropriate in a draft resolution calling for a technical study of levels and effects of radiation. That question should be tackled as objectively as possible, and every effort should be made not to prejudge the conclusions of the experts on the Scientific Committee. The non-scientific aspects of nuclear tests were currently being discussed in the First Com-

mittee under agenda item 33 on general and complete disarmament.

36. Mr. NANDAN (Fiji) explained that the expression "noting with regret" had been used because it was regrettable that the Scientific Committee had to be reconvened and asked to submit a special report, when the General Assembly had agreed, in its resolution 2905 (XXVII), that that Committee would not be required to submit a report at the current session. It was also a matter of regret that nuclear tests should have been continued. Since the matter concerned the Scientific Committee, it was for the Special Political Committee and not the First Committee to make the necessary recommendations.

37. Mr. SCALABRE (France) regretted that the explanation had not convinced him. He was still unable to accept the wording of the Fijian amendment.

38. The CHAIRMAN invited the Committee to vote on the amendment submitted by Fiji (A/SPC/L.268).

At the request of the representative of France, a vote was taken by roll-call.

Indonesia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Indonesia, Ireland, Israel, Jamaica, Japan, Kenya, Khmer Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Peru, Philippines, Rwanda, Senegal, Sierra Leone, Singapore, Spain, Swaziland, Sweden, Trinidad and Tobago, Uganda, United Republic of Tanzania, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia, Algeria, Argentina, Australia, Austria, Bahrain, Botswana, Brazil, Burma, Cameroon, Canada, Chile, Colombia, Cyprus, Denmark, Ecuador, El Salvador, Ethiopia, Fiji, Finland, Ghana, Guatemala, Guinea, Honduras, Iceland, India.

Against: Portugal, France.

Abstaining: Iran, Italy, Jordan, Lebanon, Luxembourg, Mongolia, Morocco, Pakistan, Panama, Poland, Qatar, Romania, Saudi Arabia, Somalia, Sri Lanka, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen, Afghanistan, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Cuba, Czechoslovakia, Democratic Yemen, Gabon, German Democratic Republic, Germany (Federal Republic of), Greece, Haiti, Hungary.

The amendment was adopted by 64 votes to 2, with 39 abstentions.

39. The CHAIRMAN invited the Committee to vote on the Peruvian amendments (A/SPC/L.272), as modified orally by the representative of Peru. He asked the representative of France if he still wanted a roll-call vote on those amendments.

40. Mr. SCALABRE (France) replied that, in order to speed up the Committee's work, he would withdraw his request for a roll-call vote.

41. Despite the more flexible wording of the changes proposed orally by the representative of Peru, the amendments still implied that the work of the Scientific

Committee was not completely satisfactory, an opinion which his delegation did not endorse, and did not establish the absolute need to take the technical advice of experts in order to enable the Committee to discuss the matter in full knowledge of the facts.

42. Mr. SHERMAN (Liberia) said that most delegations' difficulty with regard to those amendments appeared to centre on the suggested change of operative paragraph 2. The Canadian representative had feared that political considerations might be introduced into what should be a purely scientific and technical Committee. Those suspicions might be alleviated by the admission to the Scientific Committee of qualified experts from countries likely to be affected by the tests.

The amendments, as modified orally, were adopted by 85 votes to 4, with 16 abstentions.

43. The CHAIRMAN, having ascertained that the French representative had withdrawn his request for a roll-call vote, put to the vote draft resolution A/SPC/L.262 as a whole, as modified by the adoption of the amendments adopted.

The draft resolution, as a whole, as amended, was adopted by 105 votes to none, with 9 abstentions.

44. Mr. SCALABRE (France) said that he had voted for the resolution although the original French draft had been amended. With regard to the Fijian amendment (A/SPC/L.268) however, he wished to state that it had been with the utmost reluctance and in view of the total lack of progress with disarmament that France had undertaken nuclear testing. It was that state of affairs which should be deplored rather than the efforts of individual countries to ensure their defence and independence. The subject was one of major concern to his country and the French representative in the First Committee was currently speaking about it there.

45. He hoped that the Scientific Committee would meet as soon as possible, so that the question of the effects of atomic radiation could be further discussed.

46. Mr. LOGAN (United Kingdom) said that he had abstained in the vote on the Fijian amendment (A/SPC/L.268), because it was out of place in a resolution inviting the Scientific Committee to look into certain matters. He had also abstained in the vote on the New Zealand amendment (A/SPC/L.267), because it was likewise inappropriate to the purpose of updating the conclusions of the Scientific Committee as contained in its latest report (A/8725 and Corr.1). He had voted against the Peruvian amendments (A/SPC/L.272): since there was a United Kingdom representative on the Scientific Committee the United Kingdom had been able to give close attention to the way the Committee had tackled the tasks entrusted to it and felt that it had been successful in them. In any case, by the terms of the original text of draft resolution A/SPC/L.262 the Scientific Committee would be invited to submit suggestions for improving its effectiveness. His delegation welcomed the adoption of the draft resolution as a whole. The objective consideration by scientific experts of the available data might help to resolve differences of opinion on a very difficult subject. He hoped that the Scientific Committee would be able to submit its report to the General Assembly at the current session and deeply regretted the delay in convening it.

47. Mr. BASSETTE (Belgium) said that he was in favour of requesting the Scientific Committee to update its report; it was for that Committee to decide whether its work could be improved and to submit suggestions on the matter to the General Assembly. He had therefore supported the draft resolution, with reservations regarding the Fijian and Peruvian amendments, on which he had abstained when they had been voted upon separately. With regard to the Fijian amendment (A/SPC/L.268) the First Committee was currently examining that aspect of the problem: the resolution under discussion was purely procedural in order to convene the Scientific Committee. Furthermore, the amendment seemed to bring undue influence to bear on the Scientific Committee with regard to its possible conclusions. There seemed to be no justification for the Peruvian amendments (A/SPC/L.272) unless the views of the Scientific Committee itself were heard.

48. Mr. ALI (Pakistan) said that he had voted in favour of draft resolution A/SPC/L.262 and of the amendments proposed by New Zealand and Peru (A/SPC/L.267 and A/SPC/L.272). His support of the Peruvian amendments did not mean that his delegation was not satisfied with the work of the Scientific Committee since its inception in 1955. He had so voted on the principle that there was always room for improvement. He had abstained in the vote on the Fijian amendment (A/SPC/L.268), because he did not consider that it was appropriate to consider that aspect of the matter under agenda item 103. Its proper place was under agenda item 35 which was currently being discussed by the First Committee.

49. Mr. STUBBS (Peru) said that he was glad the Committee had accepted the Peruvian amendments. It had never been his intention however to cast any doubts on the effectiveness of the Scientific Committee and for that reason he had withdrawn the second amendment concerning the original wording of operative paragraph 1. He thought that the item should be kept open for further discussion by the Committee after it had received the Scientific Committee's report both with regard to its updated conclusions about the effects of atomic radiation and also with regard to its suggestions for improving its own effectiveness.

50. Mr. ALARCON (Cuba) said that he had voted in favour of the New Zealand and Peruvian amendments (A/SPC/L.267 and A/SPC/L.272) and also in favour of the draft resolution as a whole, as amended (A/SPC/L.262). He supported the proposal to strengthen the Scientific Committee's work and understood the concern of people who might be affected by atomic radiation. He had however abstained in the vote on the Fijian amendment (A/SPC/L.268) for the reasons which his delegation had already stated in the General Assembly on various occasions when nuclear testing was under discussion. His vote should not be interpreted as a change in the position of his delegation on that subject.

51. Mr. NANDAN (Fiji) said that he had already explained why the Fijian amendment was appropriate but he understood the reasons for the difficulties which had been expressed by the representatives of Belgium, Pakistan and the United Kingdom.

52. The CHAIRMAN said that the item would continue to remain on the Committee's agenda.

The meeting rose at 12.45 p.m.

877th meeting

Monday, 5 November 1973, at 3.10 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.877

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/SPC/163):

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

1. Sir John RENNIE (Commissioner-General, United Nations Relief and Works Agency for Palestine Refugees in the Near East) pointed out that his current report (A/9013) covered the period from 1 July 1972 to 30 June 1973 and had been written before the outbreak of war on 6 October 1973. He therefore wished to put before the Committee the information at his disposal on the effects of the war on the Palestinian refugees registered with the Agency and on the Agency's operations.

2. So far, the Agency had been notified that 8 refugees had been killed and 12 injured among the civilian casualties mostly in the Sbeineh camp on the outskirts of Damascus. One refugee camp, Khan Eshieh, between Damascus and Kuneitra had had to be evacuated by its 7,000 residents, who were now beginning to return. About 700 refugees had been displaced from Sasa village and had taken shelter with relatives and friends, mainly in camps in the Damascus area. No figures were available for displaced Syrian citizens, who, as in 1967, were being cared for by the Syrian authorities. The assistance of the Agency had not been sought but it would, of course, be ready to co-operate with the Syrian Government to the best of its ability. No Palestine refugees had remained in the Golan Heights after their occupation by Israel in 1967, and the Agency did not operate there or in occupied Sinai or Egypt.

3. Both the central warehouse and the Vocational Training Centre in the vicinity of Damascus had been damaged, and the cost of repair was estimated provisionally at \$25,000. Despite the outbreak of war, ration distribution had been carried out in Syria in October 1973 to the extent of about 95 per cent, and health services had been maintained, although schools had been closed. Communication between Beirut and Damascus by telephone was almost always possible, and the Agency's Field Director in Damascus had reported daily and had paid one visit to Headquarters. The restoration of the post of a separate Field Director for Syria, referred to in paragraph 19 of his report, had proved of great benefit in the crisis.

4. Elsewhere, services had been maintained throughout the war, with the exception of some interruption of education through the temporary closing of schools.

5. Delays in shipment of supplies for basic rations had already caused problems which had been aggravated by the diversion of shipping from Aqaba and Ashdod and

the off-loading of flour at other ports, and extra transport costs to the Agency of the order of \$100,000 would be incurred. Local borrowing of flour and its replacement in wheat to maintain West Bank ration distribution would add between \$40,000 and \$50,000 to costs and a rise in fuel prices by 40 per cent would increase annual expenditures by about \$100,000. A further delay in shipping caused by the war would prolong the reduced issue of sugar in all fields of operation, and in East Jordan, shortages of flour and oil would reduce issues in November and possibly also in December.

6. The report before the Committee sought to give an account of the scale and range of the Agency's operations, some indication of conditions in which they had been carried out, and also to give special attention to matters which had been the subject of resolutions in the General Assembly.

7. The Agency had three main programmes: relief, health and education. The main activity of the relief programme was the distribution of a basic ration of flour, cooking oil, rice and sugar, amounting to 1,500 calories in the summer and 1,600 in winter to about 820,000 persons. Supplementary feeding for small children and other vulnerable groups had been maintained by a special contribution in cash and kind, but rising prices for local food-stuffs were impoverishing the content of the hot meal included in that activity.

8. The health programme concentrated on preventive medicine through environmental health measures, such as sanitation in camps, and a network of clinics which placed special emphasis on maternal and child welfare. With two exceptions, hospital treatment was provided in governmental or private institutions. Despite overcrowding in many camps and poor living conditions for refugees outside camps, there had been no major epidemic for which the health programme could take some credit.

9. The education programme was now the largest of the Agency's programmes and had absorbed about 48 per cent of the total budget of \$63 million in 1973 and an even higher percentage of cash income, since basic rations were all donated in kind. The school population was increasing at the rate of 12,000 children a year and the number of teachers, virtually all of whom were Palestine refugees, exceeded 7,000. Places in vocational, technical and teacher training centres exceeded 4,000, of which just over a quarter were for teacher training. In connexion with the educational programme, the UNRWA/UNESCO Institute of Education, which was referred to in paragraphs 35 and 161 to 166 of the report, was an example of interagency co-operation. Its extension services to governmental Ministries of Education cost the agency nothing and it continued to provide its annual services to the Palestine refugees. Almost the entire cost of the Institute was met by special contributions, since its extension work had justified a UNDP project for which UNESCO was the executing agency and UNRWA was subcontractor and

which provided the funds to supplement its continuing contribution from UNESCO and the Swiss Government. Such extension services could not be provided otherwise, since they depended on the existence of a programme of in-service training within the school system which could be observed and used as illustration and model. The Agency welcomed the co-operation with the three organizations, UNESCO, UNDP and UNICEF and also the opportunity to make more widely known the scope and achievements of the UNRWA/UNESCO education programme for Palestine refugees. During the year covered by the report, UNRWA's operations had again been characterized by periods of stress, tension and even fighting.

10. The origin and nature of the Palestine refugee camps and UNRWA's relationship and limited responsibilities towards them had been explained in paragraphs 55 to 57 of the annual report for 1970 to 1971 (A/8413),¹ but it should be borne in mind that about 50 per cent of the refugees lived outside camps and that UNRWA had no police or comparable administrative functions with regard to the camps. There were many misconceptions about the camps: they were not surrounded by barbed wire, they were not under perpetual curfew, and refugees could normally enter or leave them at will.

11. United Nations resolutions had repeatedly called for the return of those refugees and other persons who had been displaced in 1967 from the West Bank, the Gaza Strip and the Golan Heights. The matter had formed the subject of a report by the Secretary-General (A/9156) and was also dealt with in paragraph 4 of the current annual report (A/9013). In the last sentence of that paragraph, the reference to refugees who had been allowed to return for residence meant that they had been able to exercise their right to return to Israel, not under paragraph 11 of General Assembly resolution 194 (III), of 11 December 1948, but under Assembly resolution 2252 (ES-V), of 4 July 1967, and other resolutions to the same effect, to the West Bank or the Gaza Strip. As far as he was aware, no refugees had returned to the Golan Heights.

12. He hoped that his report left the Committee in no doubt about the seriousness of the Agency's financial situation and about the disastrous consequences that might ensue if it was not remedied. The causes of the situation were well known: inflation, aggravated by the devaluation of the dollar against three of the local currencies in which expenditures were incurred, and an annual rise of about 12,000 in the school population. A report from the Administrative Committee on Co-ordination on the effects of continuing currency instability in United Nations system (A/9008/Add.16²) was currently before the Advisory Committee on Administrative and Budgetary Questions, but it dealt only with those organizations financed by mandatory assessment and made no mention of the problems of organizations financed on a voluntary basis. Of those latter organizations, UNRWA was in the most difficult position because of the scale and nature of its operations and because of the concentration of its activities in countries or territories whose currencies had not devalued

with the dollar or which were subject to a continuing high rate of inflation.

13. In Lebanon, Syria and Jordan, the Agency's costs had increased immediately after the devaluation of the United States dollar; in the occupied territories assimilated to the Israeli economy since 1967, the Israeli pound had followed the dollar, but inflation had recently been running at an annual rate of 14 per cent. The net adverse effect of devaluation of the dollar on the Agency in 1973 had been in excess of \$3 million. Paragraphs 224 to 226 of the report showed in detail how expenditures had increased as a result of those factors. In regard to the budget for 1974, the combined effect of inflation and dollar devaluation accounted for some \$7.3 million of the increase of \$8.7 million in increased expenditures. Paragraphs 183 and 219 of the report dealt with the repercussions of the devaluation of the dollar on the Agency's Provident Fund scheme for its local staff. The scheme provided over 14,000 employees with their main retiring benefit, and they had naturally been alarmed at the situation which had arisen. The study by the ILO Social Security Division referred to in paragraph 183 had been carried out, and its report and recommendations were awaited. An early decision on them would be desirable in the interests of staff morale and the Agency's obligations to them.

14. In circumstances in which a United Nations organization had incurred deficits and had to seek increased income, a prompt reaction was to look for economies in expenditure. However, the Agency was engaged in the provision of services of a quasi-governmental nature which could not be expanded or contracted in accordance with the flow of funds. The fact that it was entirely an operational Agency, running its own services directly through its own staff, providing food, medical care and education for a community dependent on it for those services distinguished it from all other United Nations organizations, in degree if not in kind. That was why the precariousness of its voluntary financing must cause so much anxiety.

15. Paragraph 19 of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231) noted that indirect or common costs of the Agency's programme in recent years had been compressed. The international staff on 30 June 1973 had numbered 120 out of a total staff of 14,849. Of those 34 had been provided by other United Nations organizations on a non-reimbursable basis, and thus only 86 were a charge on UNRWA's budget. In his view, there was little scope for further reduction in the number of international staff after the substantial reduction of one third since 1963. Indeed, the process of reduction had gone rather too far and he had been greatly concerned about the strain, including the strain imposed by the financial situation, on the small top management of the Agency as a result of the conditions in which it operated. The Assistant Secretary-General for General Services, who had formerly been the Director of the Administrative Management Service, had paid a brief visit to Beirut to advise on staffing and the allocation of functions at the top level. However, what was likely to be involved was marginal and of no financial significance in relation to the size of the Agency's budget and its deficit.

¹ *Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 13.*

² *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 8A.*

16. If the deficit for 1974 could not be eliminated by increases in contributions, there would be no real alternative to reductions in programmes. In view of the size of the deficit, the reductions would have to be substantial ones, and the consequences would be very serious. It might appear unthinkable that at that juncture in the Middle East, UNRWA should be allowed to disintegrate before the expiration of its current mandate at the end of June 1975 (see General Assembly resolution 2792 (XXVI), para. 8), but such might well be the result if reductions were forced on the Agency. Reductions such as the elimination of the preparatory cycle of education, or in other words, the last three years of the normal nine years of compulsory education in the area, would be necessary to save as much as three fourths of the estimated deficit for 1974. That reduction would affect about 56,000 children and involve the termination of over 2,000 teachers. Moreover, significant reductions in health services would also be required to eliminate the deficit entirely.

17. Since ration items were currently donated, any reduction in them would not release cash, and the main weight of reduction must therefore fall on the education programmes as the main user of cash income. If cash was to be substituted for commodities in contributions in kind, reductions in the basic ration programme could be considered as an alternative to all or some of the reductions that would otherwise have been made in education and health services. However, if reductions in basic rations were to replace, for instance, the elimination of the preparatory cycle of education, they would have to be on a very large scale. Such reductions could not take place without severe hardship among the refugees, turmoil in the host countries and adverse effects on the United Nations and the international community as a whole.

18. The alternative to reduction was an increase in contributions. The Working Group had recommended that the financing of UNRWA should remain on a voluntary basis (A/9231, para. 23). He understood why that recommendation had been made but felt that voluntary financing was a most unsatisfactory basis for running UNRWA's operations. He regretted that the Working Group had not found it possible to reconsider the possibility of transferring the cost of UNRWA's international staff to the United Nations regular budget. He did not altogether understand, in view of the precedents, why there should be such a strong objection of principle: the transfer would demonstrate the interest of the United Nations as a whole in the Agency's humanitarian work, it would enable the voluntary contributions to be devoted entirely to operational programmes, and it would make a significant contribution of over \$2 million towards the elimination of the deficit for 1974.

19. The Working Group and his colleagues in UNRWA had done all they could, but had been unable to close the gap between income and expenditure. Thus, in the aftermath of yet another war, in which hundreds of millions of dollars had been dissipated in a few weeks, a year of reduction in the United Nations programmes for the Palestine refugees must be contemplated for lack of \$10 million.

20. He now sought guidance from the General Assembly and, in the first instance from the Special Political Committee, on whether, for lack of funds, he was to

make reductions in programmes, very possibly against the wishes of various Governments and therefore without any assurance of their full co-operation, or whether he was to take some other course of action. In view of the possible consequences, it did not seem to him proper that such a decision should be taken by an appointed official. It was not an administrative but essentially a political decision. As far as he was concerned, he thought it would be unacceptable to continue to maintain programmes in full regardless of the financial situation until the Agency collapsed in chaos. Until a lasting settlement of the refugee problem could be achieved, he hoped that the Agency programmes could be maintained and that Governments would provide the additional funds required.

21. Mr. MAHMOOD (Pakistan) requested that a transcription should be made of the Commissioner-General's statement as authorized by the decision taken at the 2123rd plenary meeting of the General Assembly.

22. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee agreed to that request.

*It was so agreed.*³

23. Mr. ARVESEN (Norway), Rapporteur of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, introducing the report of the Working Group (A/9231), pointed out that chapter I of the report contained only a brief, factual description of what had taken place during the consideration of the item in the Special Political Committee and plenary meetings at the preceding session, and an outline of the Working Group's terms of reference.

24. Chapter II described the Working Group's activities during the past year and indicated the results of the fund-raising activities undertaken on behalf of UNRWA, which were not encouraging. As stated in paragraph 15, the Agency had a potential deficit of more than \$10 million for 1974 and the prospect of a cash crisis at the beginning of that year.

25. Paragraph 20 warned that unless additional funds were provided, services would have to be reduced in 1974. Since all basic ration commodities were donated in kind and the education programme represented nearly half of the total budget, the UNRWA/UNESCO school system was in jeopardy. Even if substantial early payments of contributions were made in January 1974, the respite would only be temporary.

26. It was to be hoped that Governments of Member States would finally recognize the crisis in the Agency's finances and that those Governments which had not contributed in the past or had contributed inadequately would reconsider their position and make generous contributions. Pending a just and lasting settlement of the problem of the Palestine refugees, the provision of relief assistance and health and education services to the refugees was a humanitarian task which should be considered the main responsibility of all Members of the United Nations. If the General Assembly still wished the Agency's services to be continued without any reductions, it was imperative that all Members should follow up their verbal and political support for a

³ The full text of the Commissioner-General's statement was subsequently circulated in document A/SPC/PV.877.

just cause with hard cash and show, at the forthcoming pledging conference, the necessary political will to redress the budgetary and financial crisis which UNRWA was still facing.

27. Mr. OLCAY (Turkey), Chairman of the Working Group on the Financing of UNRWA, reminded the Committee that the recent tragic events in the Middle East had further complicated the situation in that region and inevitably added to human suffering there. Pending a just and lasting peace, including the settlement of the problem of the Palestine refugees, UNRWA's services must be maintained at least at their current minimal level. Unless there was a unanimous response in the form of voluntary contributions to cover the large deficit in the Agency's budget for 1973 and the even larger prospective deficit for 1974, future historians could not fail to accuse the international community of irresponsible and intransigent indifference. It would be tragic if the Agency was forced to cut down on its basic services to 1.5 million people at such a crucial stage in history. The responsibility for the continuation of those services lay not with the Commissioner-General and his dedicated staff but with all States Members of the United Nations. As the Commissioner-General had said in his report (A/9013, para. 47), in the absence of a governing body for UNRWA with executive responsibilities, the Commissioner-General must seek and receive guidance and directions from the General Assembly.

28. Although the Working Group had continued its fund-raising activities in co-operation with the Secretary-General and the Commissioner-General

throughout the past year, the general responsiveness to its efforts, except for some notable results, had not so far been encouraging. Since no acceptable and feasible alternative to voluntary contributions had been found, it was natural for the international community to look first to those Governments which had either not contributed in the past or whose contributions had been inadequate. That of course did not mean that additional increased contributions from other Governments were not expected and appreciated. No segment of the international community could be exempt from the blame that future generations might place on it. It must unite to find a way to continue the humanitarian undertaking which affected the lives of 1.5 million human beings and the future of over 250,000 school children.

29. Mr. BARAKAT AHMAD (India) requested that transcriptions should be made also of the statements by the Rapporteur and Chairman of the Working Group and that they should be available as soon as possible and certainly before the end of the Committee's discussion of the item.

30. The CHAIRMAN recalled the authorization concerning transcriptions granted by the General Assembly and said that, if he heard no objection, he would take it that the Committee wished the texts of both of the statements in question to be issued *in extenso*.

*It was so decided.*⁴

The meeting rose at 4.10 p.m.

⁴ The full texts of the two statements were subsequently circulated in document A/SPC/PV.877.

878th meeting

Tuesday, 6 November 1973, at 10.50 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.878

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/SPC/163)

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

1. The CHAIRMAN urged members of the Committee to bear in mind that the question that was to be debated was a humanitarian one with important administrative and financial aspects and that the overriding political questions with which it was associated had been and were being examined in detail in other organs of the United Nations. He therefore appealed to all members of the Committee to endeavour to exercise moderation in their statements and to confine their

remarks as much as possible to the item before the Committee.

2. He wished to draw the Committee's attention to the text of a letter (A/SPC/163) dated 25 October 1973 in which the representatives of Afghanistan, Indonesia, Pakistan and Saudi Arabia asked that the Palestine Arab Delegation should be heard by the Committee during its discussion of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9013). In pursuance of the decision taken by the Committee, at the twentieth session (435th meeting), the Committee had always acceded to similar requests made at each subsequent session. He proposed therefore that the Committee should follow the same procedure again and comply with the similar request made at the current session, namely that the spokesmen mentioned in the letter in question should be authorized to address the Committee, without such authorization implying recognition of the delegation they represented. If there was no objection, he would take it that the Committee was in agreement with the proposed procedure.

It was so decided.

3. Mr. DORON (Israel) pointed out that, as at previous sessions, his delegation wished to reserve its position regarding the procedure adopted.

GENERAL DEBATE

4. Mr. HICKS (Canada) congratulated the Commissioner-General and the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East on their well-prepared and useful report.

5. He recalled that the General Assembly had established UNRWA in 1949 (resolution 302 (IV)) and pointed out that Canada ever since had regularly participated in the activities of the Agency. Its contributions to UNRWA over that period amounted to \$31.5 million, a figure which did not include expenses incurred for the sending of experts to help UNRWA personnel in the field. In terms of its total contributions, Canada stood third among the nations.

6. In spite of the efforts made, the financial situation of the Agency had become more difficult during the past year. The services it provided more particularly the education and training services, were in danger of being withheld or reduced because of a lack of funds. Those services could contribute towards a permanent solution of the refugee problem and it was therefore important to resist the temptation to cut the amounts expended on them.

7. In response to the appeal made on 21 June 1973 by the Chairman of the Working Group (A/9231, annex I), his Government had decided, subject to Parliamentary approval, to contribute an additional amount of \$450,000 to UNRWA, which would bring Canada's contribution for 1973 to \$2,050,000, of which \$1,150,000 was in cash and \$900,000 in food.

8. Canada would urge other Governments to raise their contributions so that UNRWA could maintain its services for the Palestine refugees and even, if possible, improve them.

9. Mr. OSMAN (Egypt) recalled that he had said at the twenty-seventh session (835th meeting) that the drama of Palestine would preoccupy the United Nations more and more, and that it would have to take action in compliance with the purposes and principles of the United Nations Charter and with the resolutions adopted by the Organization, so that the rights which had been denied and violated by the Israeli authorities be restored to the people of Palestine. He had also said that the Committee should be more far-sighted and should take immediate action to prevent an explosive situation from developing in the Middle East.

10. The validity of those remarks had been borne out by the facts. The military arrogance of Israel since 1967 had led to a renewal of hostilities in the form of attacks made on 6 October 1973 by the Israeli armed forces against Egypt and Syria, which had still further extended the area of Israeli aggression in the Middle East. The main cause of the Middle East conflict and of its extension was the injustice inflicted on the Palestinian people whose rights were denied by a racist régime, and also the lack of any effective and forceful action on the part of the United Nations. His delegation noted with satisfaction that the African States had broken off diplomatic relations with Israel, because Israel's conduct contravened the principles of the Charter. He felt

certain that such a display of moral strength would triumph over the material superiority of Israel, blinded as it was by the external support it received.

11. The Committee had worked to keep the Palestine refugees alive and had sometimes tried to protect them against the repressive acts of the Israeli authorities. The members of the Committee were aware of the shameful living conditions which Zionism imposed on the refugees, after usurping their territory, their homes and their property. The funds which UNRWA had at its disposal were meagre and depended on international charity. The reports of the High Commissioner and of the Working Group on the Financing of UNRWA showed that the means of subsistence of the refugees were precarious and unstable. Their situation was further aggravated by the repressive acts of the Israelis: they were not allowed to return, were badly treated, subjected to imprisonment by the authorities and to collective punishment, and Israeli colonies consisting of foreign immigrants were being set up in Arab territories.

12. His delegation wished to pay a tribute to the Commissioner-General for the spirit of devotion with which he carried out his difficult task. It also wished to thank the Governments and organizations that had contributed to the financing of UNRWA, and the specialized agencies that had helped the refugees. It wished too to express its appreciation to the Working Group for the intensive efforts it had made to obtain funds and to alleviate the sufferings of the refugees.

13. However, the fact had to be faced that it was abnormal, intolerable and dangerous that the situation remained unchanged. It was intolerable that a people should be forced to subsist on international charity or live under colonial domination, the more so as the International Covenant on Economic, Social and Cultural Rights (General Assembly resolution 2200 A (XXI), annex) laid down in article 1, paragraph 2, that "in no case may a people be deprived of its own means of subsistence". The Palestinian people must be assured of the legal existence to which it was entitled, for it was intolerable that in the last third of the twentieth century there should still be a people deprived of all its rights. What lay at the root of that evil was the fact that Israel had acted towards the Palestine refugees as if they had no rights and did not exist. It was not enough to recognize that the people of Palestine had inalienable rights, they should be guaranteed the full enjoyment of those rights. The refugee was not a mere registration cipher in UNRWA's lists, he was a human being.

14. In that connexion, he wished to remind the Committee of the provisions of articles 1, 6 and 17 of the Universal Declaration of Human Rights (General Assembly resolution 217 A (III)), provisions which were completely disregarded by the racist régime of Tel Aviv, in whose eyes the Palestine refugee was legally non-existent. Since the efforts made by the United Nations to protect the rights of Palestine refugees had come up against the racist, expansionist and annexationist policy of Tel Aviv, it should now take more vigorous action against a Member State which defied the United Nations, violated its principles and refused to respect its resolutions.

15. The Palestinians had the sacred right to be repatriated. Paragraph 11 of General Assembly resolution

194 (III) provided that the refugees should either be permitted to return to their homes or be paid compensation. But the implementation of that resolution had proved impossible because of the intransigence of Israel, whose annexationist policy was intended to change radically the physical nature and the demographic composition of several sectors of the territory it occupied.

16. As the Assembly had recognized, the people of Palestine also had the right of self-determination, in accordance with the principle of the equality of the rights of peoples. But the Israeli authorities, being true racists, refused to respect any rights or principles. The recognition of that right was not only a legal and moral necessity, but a political one as well, for it was an indispensable precondition for the establishment of a just and enduring peace in the Middle East.

17. Mr. DORON (Israel), speaking in exercise of the right of reply, regretted that the representative of Egypt had not confined himself to the item which the Committee was discussing. He rejected outright the allegations of that representative, who had merely repeated the themes of Egyptian propaganda. However, a new lie had been added to the old list of slanders, namely that it was Israel that had taken the initiative in the aggression of 6 October 1973. Yet, after the letter that the Israeli Minister for Foreign Affairs, basing himself on the report of the United Nations observers, had sent to the Secretary-General on 7 October 1973¹, denouncing the aggression of which Israel had been the victim, the Presidents of Egypt and Syria had themselves admitted that they had launched a co-ordinated attack. Israel, strong in its reliance on the support of those who loved peace, was determined to exercise its right of legitimate defence.

18. Mr. OSMAN (Egypt) said that he had spoken of the Israeli aggression of 6 October 1973 because the Palestine question lay at the origin of the conflict and that the history of the past 25 years had shown that it was always Israel which initiated hostilities. If one were to ask what the motive was for its action on the current occasion, it was enough to remember that with the approach of the elections in Israel the party in power had wanted to score a military success for propaganda purposes. Unfortunately for Israel, the Arab countries had resisted. Moreover Israel had feared that the trend of world public opinion to isolate Israel—as shown in the resolutions adopted at the Fourth Summit Conference of Non-Aligned Countries, held in Algiers in September 1973, and in the decision of several African countries to break off diplomatic relations with Israel—might extend to Europe, the United States of America and to the Jews throughout the world who were tired of its attitude.

19. Mr. DORON (Israel) said that he wished to respect the request of the Chairman who had asked members of the Committee to confine themselves to the item on the agenda. He would merely repeat that the only

new element the Egyptian representative was able to bring up was the aggression which his country had committed against Israel.

20. Mr. MEHIRI (Tunisia) denounced the arrogance of Israel and pointed out that the Egyptian representative had been entitled to raise the matter of the recent resumption of hostilities in the Middle East, for the very wording of the item before the Committee was a reminder of the origin of the struggle.

21. Mr. KAMARA (Mauritania) said that, contrary to his intention, he had asked to speak because he feared that Israel might make an excessive use of the right of reply. It was to be expected that several countries would mention Israel in the course of the general debate, for such mention was unavoidable. Was Israel going to exercise the right of reply on each and every occasion?

22. Mr. DORON (Israel) replied that what he has said about Egypt applied also to Tunisia and Mauritania. The use he would make of the right of reply would depend on the statements made by the various representatives. It would depend on them whether their statements represented a constructive participation in the general debate or were merely a rehash of the same old slanders.

23. Mr. EVANS (United States of America) said that after hearing the Commissioner-General introduce his report, his delegation, which was more than ever concerned about respect for human rights, wondered how the Palestine refugees benefited from the attacks and counter-attacks to which they gave rise; it was a question of hungry stomachs and untrained minds.

24. Mr. NUSSEIBEH (Jordan) said he had not intended to speak but noted that Israel had been unable to reply to the accusations made by Egypt except by mentioning the recent conflict. He was well aware that the problem of the Palestine refugees deserved the full attention of the Committee, but it was not by guaranteeing them a minimum calorie ration as the UNRWA had been doing for the last quarter of a century, but by restoring them their rights that the problem would be solved. Far from straying from the subject, the representative of Egypt had gone to the root of the problem as the Commissioner-General had defined it in his excellent report.

25. Mr. SAHAD (Libyan Arab Republic) said he had not intended to speak but he wished to ask whether for the United States delegation the Palestine problem merely consisted of feeding hungry stomachs. For the Libyan and many other delegations the problem was one of international morality and not merely an international and moral problem. The people of Palestine, like any other people, wanted to enjoy the rights to which they were entitled under the United Nations Charter. It was because the aspirations of the people of Palestine were denied them that the Committee had to examine the problem of the Palestine refugees.

The meeting rose at 11.45 a.m.

¹ Official Records of the Security Council, Twenty-eighth Year, Supplement for October, November and December 1973, document S/9204.

879th meeting

Wednesday, 7 November 1973, at 10.50 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.879

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/SPC/163):

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

GENERAL DEBATE (*continued*)

1. Mr. SHARAF (Jordan) said that it was both unfair and inaccurate to consider the question of the rights and future of the Palestine refugees who had been dispossessed and dispersed by the ever-increasing violence and fanaticism of Israel solely from the angle of the relief and humanitarian services to be provided to all those who had been made homeless. Nevertheless, the international community was obligated to continue ensuring their survival, and there was no end in sight to the longest relief operation in history. When the United Nations Relief and Works Agency for Palestine Refugees in the Near East had been set up (resolution 302 (IV) of the General Assembly), it had been assumed that a temporary *ad hoc* relief operation would be carried out pending the implementation of the pertinent United Nations resolutions, in particular Assembly resolution 194 (III) which provided for the repatriation of the Palestine refugees, but it had been hardly conceivable that a whole people would be condemned to a life of permanent dispersal and reduced to living on international charity. Twenty-five years later, the Commissioner-General of UNRWA had been forced to acknowledge in his report (A/9013) that no progress had been made towards the solution of the basic problem of the Palestine refugees and he had to endeavour to meet the minimum needs for one year of 1.5 million human beings with about \$50 million.

2. Furthermore, with the continued Israeli military occupation of the West Bank of the Jordan, the Gaza Strip and part of the Golan Heights, the vast majority of the refugees and the people who had been displaced since 1967 were still unable to return home. It should be noted in that connexion that 400,000 displaced persons from the West Bank and the Gaza Strip were currently living in east Jordan and that, since 1967, the Jordanian Government had been providing about 250,000 displaced persons with UNRWA-type aid (*ibid.*, paras. 51 and 56). That aid was distributed to the recipients with the co-operation of UNRWA.

3. Consequently, because of Israel's refusal to recognize or concede any political or human right to the refugees and displaced persons, United Nations efforts to find a solution to the problem had been systematically frustrated, since such a solution depended on the

establishment of a just and lasting peace in the Middle East.

4. Referring to the question of the finances of UNRWA upon which the relief, health and education services depended, he stressed that the chronic deficit was due to the tendency in international circles to look upon the Agency's operations, and in fact the whole problem of the Palestine refugees, as a chronic and therefore essentially static phenomenon. No genuine effort was being made to solve that problem, or to ensure that in the meantime the basic legitimate needs of the refugees were met. Consequently, although the revenues of UNRWA had increased, inflation, the devaluation of the dollar and the increase in the number of refugees had once again raised the estimated deficit for 1973 to \$3.3 million, which would reduce working capital to about \$2.6 million (*ibid.*, para. 220). However, about \$7 million would be needed to cover the cost of goods in storage or en route to the area. And the situation would have been still worse but for the decision not to pay the subsidies owed to the host Governments (*ibid.*, paras. 8 and 210) for services provided to the refugees. He could only deplore that decision since, as the Working Group on the Financing of UNRWA had recognized, the responsibility for relief, health and education services devolved upon the international community as a whole and must not be transferred to host countries such as Jordan, which were least able to take on additional burdens. The warnings given by the Commissioner-General in paragraphs 11, 13, 46 and 221 of his report were extremely alarming, since the whole programme of the Agency—and in particular the education programme, which was vital for the future of new generations of refugees—could be brought to a standstill. Nothing could be more disastrous than to deprive the young generations of the only avenue left open to them to rebuild their lives, pending the restoration of their rights. The Jordanian delegation could only endorse the pleas and warnings of the Commissioner-General and hope that the international community would gauge all the implications of the situation and assume its responsibilities.

5. His delegation was grateful to the Working Group for its unceasing efforts, as a result of which UNRWA's finances had received a substantial boost, and urged the Committee to extend the Working Group's mandate. The Working Group had come to the conclusion that, in the final analysis, it must be recognized and understood that the future of UNRWA was eventually a question of the political will of the Governments of Member States (*ibid.*, para. 6).

6. His delegation, like many others, was completely convinced that the financial impasse in which UNRWA found itself was the result of a political will which had chosen deliberately to minimize and underestimate the true magnitude of the problem. However, it had been seen that it was possible to make thousands of millions available for causes which were less humane or less

just, simply because they were dearer to the hearts of policy-makers; faced with the tragedy of the Palestine people, which was the consequence of an ill-advised political decision reached a quarter of a century earlier, the international community had a duty to provide what was needed to sustain the Agency. Jordan felt entitled to say so, since it had practised what it preached by receiving the majority of the refugees, who were also citizens of Jordan, together with the majority of the displaced persons, and had thus shouldered a considerable share of the burden.

7. In respect of relief services, the figures quoted in the Commissioner-General's report clearly showed the magnitude of the problem and gave the lie, once and for all, to the Israeli allegations that the existence of a large number of refugees was a myth kept alive by self-seeking Arab politicians. Out of a total of 1,540,694 refugees, only slightly more than half were receiving United Nations assistance (*ibid.*, para. 50) because of the ceiling imposed on the number of ration recipients. It was legitimate to ask why that arbitrary ceiling had been imposed, particularly since those who had been excluded by it were children between the ages of 1 and 15. The number of children aged one year and over who were entitled to rations, but did not receive them on a regular basis, continued to grow. Once again, the decision to deny those children assistance had been a political one inasmuch as it had been forced upon the Agency by carefully circumscribed funding. It should be remembered, in that connexion, that the calorific content of the basic food ration was about 1,500 calories per day in summer and 1,600 in winter, in spite of the fact that the vast majority of the refugees lived in hilly regions and in unprotected dwellings.

8. His delegation noted with satisfaction that, as far as health services were concerned, good results had been achieved as a result of the close and generous co-operation between the Agency's health services and those of the host Governments. However, he deplored the promulgation by Israel—as reported in paragraph 92 of the Commissioner-General's report—in respect of fees for health services, which was clearly intended to force refugees into participating in the Israeli health insurance scheme, thus making that scheme an instrument of the Israeli occupation authorities. It should be recalled that, for two decades, the Jordanian Government had offered those services free to all refugees in Jordan and that, in east Jordan, refugees continued to receive all the free health care they needed, even though the Agency had discontinued its financial participation in those extra services. The Israeli ordinance was a clear violation of the fourth Geneva Convention¹ and of the mandate conferred on the Agency by the General Assembly (*ibid.*, foot-note 7). His delegation was confident that the General Assembly would endorse unreservedly the Agency's refusal to accept such tampering with its special juridical status and its functions. In addition, in the Gaza Strip, the occupation authorities had destroyed a substantial part of the Agency's sanitary facilities and had taken over other facilities from the municipality, which was currently run by an Israeli military official. The question was one of basic principle: should the United Nations allow one of its important organs in the area to be

squeezed out by a military occupation which was endeavouring to achieve political objectives at the expense of humanitarian services?

9. Co-ordination in education matters between UNRWA and the host Governments had also been quite satisfactory. It was regrettable, however, that the horizontal expansion of the numbers attending school had not been matched by a vertical expansion of the teaching offered up to university level. As at previous sessions, his delegation advocated the elaboration of a more ambitious programme of higher education for the refugees, to be financed by a special fund. It hoped that the problem of school textbooks would be given urgent attention and would not cause any delay which might detract from the effectiveness of the school year.

10. He stressed that the Arabs of Palestine had not created their own problem, but that it had been imposed upon them. Israel's brutality and violence had grown steadily over the years, but the Palestine refugees must be allowed to exercise their inalienable right to return to their homes and homeland; in the meantime, the United Nations must continue its programmes, which were vital for their survival and well-being.

11. Mr. WESTON (United Kingdom) said it was inconceivable, as had been re-emphasized in a declaration on the Middle East just issued by the nine member countries of EEC, that a just and lasting settlement could be achieved in the Middle East unless the legitimate rights of the Palestinians were taken into account. Nevertheless, pending an equitable settlement of the refugee problem, the work of UNRWA in assuring security, health and education for the refugees remained one of the central factors of such a settlement. His delegation hoped that the recent hostilities would lead all concerned to address themselves more urgently to all aspects of the Middle East problem and particularly to the human and social aspects. The best way for any State to express its desire to resolve the conflict, not merely in words but by deeds, was to support the work of UNRWA and, in particular, to contribute generously. The United Kingdom was a member of the Working Group, and his delegation fully endorsed the opinion expressed by that Group that the maintenance of UNRWA was the direct responsibility of all Member States. The situation in which more than 90 per cent of the Agency's budget was contributed by only six Member States should not be allowed to continue.

12. The reports by the Commissioner-General and the Working Group showed clearly that UNRWA was in a desperate situation. Since the beginning of 1973, when the Working Group had still had reason to hope that the Agency might balance its budget for the year, the situation had gone from bad to worse owing to the devaluation of the dollar, inflation and increased prices of flour. The deficit for 1974 had been estimated at \$10 million and, if it could not be eliminated, UNRWA would soon have no alternative but to cut back its services.

13. Any such cuts would necessarily have to be in the Agency's educational programme, which absorbed nearly 48 per cent of the budget and provided education for about 250,000 children. A saving of \$7.5 million, which would not be enough to eliminate the estimated deficit, would necessitate abolishing the final three years of general education for all students. The tragedy in human terms of such a step could not be over-emphasized; the decision would have serious political

¹ Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (United Nations, *Treaty Series*, vol. 75, No. 973, p. 287).

consequences and ominous implications for peace and security, particularly at a time when the prospects for a settlement seemed to be improving.

14. Contributions must therefore be increased. His country intended to make a further contribution, the exact amount of which would be announced at the pledging conference. He appealed to all members to support the Agency and its work; the importance thereof had never been more evident.

15. Mr. CASTALDO (Italy) said that the refugee problem, which was becoming more difficult as the war was intensified, was one of the root causes of the crisis in the Middle East. His Government had pointed out on many occasions that, as long as the refugees could not exercise their rights, their situation would be an obstacle on the road to peace. It had therefore appealed to the parties to make efforts to reconcile their interests and to find a political solution to the crisis that would take account of the question of the Palestinians. Recent tragic events had added greater urgency to the appeal. The political settlement must be brought about by full implementation of Security Council resolution 242 (1967) and General Assembly resolution 194 (III). It was true that the political problem was not under consideration by the Committee, but it must be borne constantly in mind when discussing the assistance being provided to the refugees by the United Nations: UNRWA's programmes, essential as they were for the survival and well-being of the refugees, were only one aspect of the problem being faced. While contributing to the assistance given to the refugees, the international community had the right to appeal earnestly to the parties to do their utmost to bring about peace.

16. His delegation wished to thank the Commissioner-General for his very clear and complete report on the operations of UNRWA. As at the twenty-seventh session, his delegation had focused its attention on three main points: the co-operation of the host countries with UNRWA, the education programmes, and the financing of the Agency.

17. With regard to the first point, he referred to paragraphs 14 to 27, 187 to 189, and 197 to 204 of the Commissioner-General's report (A/9013), and said that the Agency had had to overcome a number of difficulties due to the violent events which had affected the refugee camps. But, although co-operation between the host countries and the Agency seemed to have improved somewhat, there were still difficulties, and the policies of the host countries continued to affect the Agency's operation. His delegation had noted that, according to the pertinent report of the Secretary-General (A/9155, para. 7), in Gaza 706 families were still inadequately housed and, according to the report by the Commissioner-General (A/9013, para. 27), 266 families were still in urgent need.

18. His delegation was deeply concerned about the threat that the Agency's financial difficulties posed to the work it had done, not without success, in education.

19. The efforts of the Working Group had produced a steady improvement in the Agency's budget at the end of 1972 and the beginning of 1973. But in the current financial year the devaluation of the dollar and inflation of food prices had again produced a large deficit in that budget. The situation seemed likely to deteriorate in 1974 and the Commissioner-General had warned (877th

meeting) of the risk that the Agency might disintegrate before the end of its mandate. Italy, which was doing everything possible to assist the Agency both directly and through EEC, appealed to the United Nations to redouble its efforts to meet the Agency's needs. As indicated in its report (A/9231, para. 14) the Working Group had drawn the attention of various regional groups to the situation and Italy thought that all such groups should participate in the financial support of UNRWA. The willingness to seek peace shown by the major Powers during the recent Middle East crisis, their willingness to contribute to the peace-keeping mission of the United Nations in the region and the trend towards the application of the principle of geographical representation in the sharing of that burden should encourage the Working Group to approach Governments which had not contributed to the Agency in the past.

20. Mr. EVANS (United States of America) said that his Government was second to none in its desire to find just and lasting answers to the Middle East problems. It realized that UNRWA's efforts were only a palliative, designed to satisfy the basic needs of the Palestinians.

21. For six weeks the United Nations had heard platitudes about the world's wrongs and words of encouragement to the downtrodden; it had witnessed collective breast-beating and mutual recriminations in connexion with one of its major tasks—the protection of human rights. Speaking as a television reporter who had been profoundly moved by the soul-stirring plight of the Palestinians and with the pragmatism of an ordinary citizen, he observed that the dispossessed and the homeless could not eat words and that 250,000 school-children could not study the noble thoughts expressed in the United Nations.

22. The tragic plight of the Palestinians was the result of United Nations action and the Organization had undertaken to care for them until long-range answers were found. That was not charity; that was a debt owed by the family of nations to the Palestinians. How could one speak about preservation of human rights and fail to give a helping hand to those homeless and wretched refugees? It was sad to have to record that certain great Powers, for all their compassionate words, gave nothing and that affluent countries made only token contributions. There was an American expression which said: "Put your money where your mouth is". In spite of being the target of many accusations, the United States of America had in fact contributed to UNRWA some \$500 million since 1950, or over 64 per cent of the total contributed by Governments. Those contributions had been and would continue to be made freely, in the name of humanity and in the hope that other Governments could be persuaded to join in one of the United Nations nobler efforts.

23. Mr. BAROODY (Saudi Arabia) paid a tribute to the Commissioner-General for the dedication he had displayed in carrying out his task. The report he had submitted was detailed; it showed how the funds had been allocated and described the problems confronting UNRWA.

24. Although the problems with which the Committee was concerned were primarily humanitarian, they could also be regarded as highly political inasmuch as all human rights—whether civil, political, economic, social or cultural—were interdependent. He would point out to the representative of the United States of

America, who had raised the question of human rights, that he himself had helped to draft the Universal Declaration of Human Rights and the two International Covenants pertaining to the rights he had enumerated and to formulate the concept of self-determination. For the benefit of the United States representative he would shed some light on the Palestine problem, thereby injecting something other than platitudes into the debate. However, first of all, he would select certain points for comment. The United States representative, to his credit, was moved by the plight of the Palestinians. He had observed, too, that some States had made only token contributions to UNRWA, whereas they were in a position to make substantial contributions. He had also said that the United States was being blamed for all that went wrong in the world. In addition, he had called for a pragmatic approach. However, giving in to the stronger party was a pragmatic approach, and pragmatism was out of place when an injustice had been committed.

25. The question must be asked whether the UNRWA budget—\$62.7 million, of which \$23.2 million was contributed by the United States—sufficed to solve the humanitarian problems that arose. That budget had remained at a fairly constant level over the years, when allowance had been made for inflation and the dollar devaluation. The funds allocated in the budget to the refugees represented approximately 6 United States cents per person per day.

26. Understanding of the problems involved should begin with a study of their background and origin. The man who must bear primary responsibility for the plight of the refugees was Lord Balfour, because he had wanted the Zionists to bring the United States into the First World War. After the Second World War, the British had attempted to solve the Palestine problem. Unable to do so, they had handed the task over to the United Nations, which had been under the sway of the United States and President Truman. Arab representatives had observed before the event that the partition of Palestine would create problems.

27. It was no good saying that what was done was done, because the problem would remain for as long as there were Palestinians. The right of all peoples to self-determination was the corner-stone of human rights and figured in Article 1 of each of the International Covenants he had referred to (see General Assembly resolution 2200 A (XXI), annex). It had been enunciated by President Wilson and also appeared in the Covenant of the League of Nations. Because President Wilson had favoured the principle of self-determination, he had been sorry to see the victors of the First World War establish their mandates, a disguised form of colonialism, over the countries of the Fertile Crescent. There was an Arab proverb to the effect that any structure was bad if it was built on a bad foundation. That was why the United States paid \$23.2 million to UNRWA every year.

28. The representative of the United States of America spoke of human rights, but he forgot the right of self-determination. In 1919 the Arab Palestinians had constituted 93 per cent of the population of Palestine, and in 1945 the Jews who had migrated to Palestine from countries in which they had been persecuted had been less than one third of the population. President Truman had called for the partition of Palestine without

any concern for the right of self-determination, which was a right of the community. To those who had objected that the partition of Palestine would create difficulties, Truman had replied that there were many Jewish voters and asked the objectors how many Arab voters they thought there were. Thus, the partition of Palestine had been justifiable neither on pragmatic nor on humanitarian grounds. It had been merely a selfish and opportunistic policy devised by a man who knew nothing about the Middle East. Truman had desired the partition of Palestine for selfish reasons, just as the British Foreign Secretary, Lord Balfour, had agreed for selfish reasons to Zionist immigration into Palestine in order to create along the route to India a country friendly to the interests of the United Kingdom. The British Empire had disappeared, like the Arab Empire long before it, and the United States might go the same way if it did not respect the principles of Jeffersonian democracy, if, like the leaders of the Arab Empire, it let the idea of power go to its head.

29. The problem could be solved only by restoring to the Palestinians their right of self-determination. But that could not be done by implementing Security Council resolution 242 (1967), since, owing to the wishes of Mr. Goldberg, the representatives of the United States of America at the time, and Lord Caradon, the representative of the United Kingdom, the different interpretations of that resolution were as numerous as the problems it was liable to produce. In fact, Palestine should never have been partitioned. By partitioning it, the United States and the Soviet Union had violated the Palestinian peoples' right of self-determination. The United States had intervened in Viet-Nam with 450,000 men, but it could not solve the Palestinian problem because it was under the thumb of the Zionists, who had infiltrated the Senate and the agencies of government. Whereas in Viet-Nam the United States had intervened directly, in Palestine it was fighting the war through an intermediary, a method it had borrowed from the Soviet Union. In the Middle East the Jews acted as policemen for the United States and were therefore given access to the most advanced weapons. Thus, although the United States no doubt did not mean to do so, it was making the Jews the victims of its policy.

30. The representative of the United States spoke of 23 million dollars—devalued dollars—paid by the United States to UNRWA and thought that such a payment was proof of generosity. The Arabs did not want any money from the United States, they wanted the United States not to meddle in the affairs of the Arab countries. The representative of the United States asserted that in 23 years the United States had paid about \$500 million for the Palestinian refugees. But the President of the United States of America had promised \$2,000 million at one stroke to the Zionist usurpers, a foreign body in Palestine which had caused the festering sore in the Middle East. In a single day the United States had given four times as much to Israel as it had given to the Palestinians in 23 years. Perhaps the United States was afraid of being displaced by the USSR in the Middle East. But the Arabs would fight against the USSR as they were fighting against the United States, for they did not want anyone to interfere in their affairs. Unfortunately, the Middle East was the chess-board on which the United States and the USSR were playing their game, with the existence and destiny of the Arabs as pawns.

31. He wondered whether States could continue to be asked to contribute to UNRWA in order to maintain the Palestinian refugees at the rate of 6 or 8 cents a day per person. Man did not live by bread alone, and what mattered to the Arabs was not their level of living. The pursuit of happiness, not the search for wealth, was the purpose of existence. In the United States, governors bought their offices, and candidates for Congress employed campaign finance directors. The Arabs did not want that system of government, just as they did not want the American way of life.

32. Until recently the Arabs had regarded the United States as a friendly country. Before it had become drunk with power, it had been a model of international good behaviour. He wondered whether the American people would end up by saying to those who governed them that the situation was intolerable. The members of the Government spoke of human rights, but they distorted the facts. He hoped that his voice would reach those Americans who had a conscience. Power politics could lead nations only to war. With regard to information media in the United States, how could they remain faithful to the principle of freedom of information when they were in the hands of Zionists? The question of the Palestine refugees was essentially a political one. To regard it from the humanitarian point of view was praiseworthy, but was becoming platitudinous, a stereotyped performance that was repeated every year. The United States should cease sending arms to Israel. Of the 16 or 17 million Jews in the world, only those were Zionists who had succumbed to brainwashing or had been persecuted. Palestine was a holy land for three monotheistic religions. The Zionists, whether millionaires or not, were nationals of both Israel and the United States and were goading the latter in order to perpetuate injustice. What had the Arabs done to the United States that it should continue to follow the mistaken Truman policy? If it persisted in its power politics, it would before long fall into decline, like ancient and recent empires.

33. Mr. DORON (Israel), speaking in exercise of the right of reply, said that the representative of Jordan had turned the world upside down when he had associated fanaticism with Israel and good-neighbourly and friendly feelings with the Arab States. The Israel delegation had already refuted all those lies, but it wished to throw light on two specific points. First, the Israeli authorities were not seeking to obstruct UNRWA's action on the West Bank of the Jordan but rather to supplement it. Secondly, no sinister motive must be read into the decision taken by the Israeli authorities to make those who could afford it pay what was in any case a very modest fee for the treatment they received. For example, there was a fee of 55 cents for dental treatment and 60 cents for vaccination. Those who were unable to pay, persons suffering from contagious diseases, and children received free treatment. That measure had been adopted merely to put a stop to certain abuses. Anyway, as in the case of sanitary facilities, which the representative of Jordan had also mentioned, the question was a purely technical one and had nothing to do with the substance of the problem.

34. Mr. SAYEGH (Kuwait), speaking in exercise of the right of reply, said he hoped that the sensitiveness displayed by the representative of the United States of America in connexion with the refugee problem would lead to a better understanding of the problem as a

whole. It was a truism to say that Palestine refugees deserved to live. Had not Christ said that man cannot live by bread alone? It was not enough that the United Nations and the United States, which was the richest Member of the Organization and held a considerable share of the responsibility for the existing situation, should ensure the survival of the Palestine refugees. That should be the beginning of the efforts of the United States, not the end.

35. The United Nations had proclaimed the right of Palestine refugees to return to their homes and decide their own future. By helping them to return, the United Nations would at the same time solve the problems of UNRWA which would become superfluous. By merely limiting the rights of the refugees to survival, an injustice was being done them which was as great as the one that it was claimed was being remedied.

36. While the Kuwait delegation appreciated the United States' generosity to the refugees, it could not be oblivious to what it had been doing besides. The United States representative had mentioned that his Government had given more than \$500 million to UNRWA over a period of 23 years. However, it had taken the President of the United States less than one hour to promise to Israel military aid amounting to \$2,000 million to help it keep the territories it had occupied and, against the wishes of the United Nations, prevent the Palestinians from returning home. In conclusion, he called on the United States to use its influence and its money in the cause of justice and to ensure thereby that Palestine refugees could enjoy their rights.

37. Mr. EVANS (United States of America), speaking in exercise of the right of reply, said that the representatives who had insulted his country had presumably failed to understand the Chairman's request to members of the Committee to confine their remarks to the humanitarian problem before the Committee. The duty of feeding the hungry took priority over the political problem, the importance of which the United States delegation was in any case not trying to underestimate.

38. He condemned the attitude of the representative of Saudi Arabia, who, while the fate of thousands of children depended on the solution of UNRWA's problems, made no constructive suggestions, adopted a wholly negative attitude, made insulting accusations against the United States, in spite of the fact that during the 30 years he had resided in it he had not disdained its hospitality and generosity, and he had accused Mr. Truman, forgetting that he had been one of the founders of the United Nations and the promoter of the Marshall Plan. If the United States, like all other countries, had made mistakes, it had done so in all honesty and its democratic method of Government had lost nothing thereby.

39. The CHAIRMAN reminded members of the Committee that he had asked them to confine their remarks to the item under discussion.

40. Mr. SHARAF (Jordan), speaking in exercise of the right of reply, said that the Israeli representative had evaded the questions asked of him on the measures taken by his country to deal with the sanitary facilities and the administration of the Gaza Strip, thereby endeavouring to minimize the importance of the matter despite the fact that the Commissioner-General had expressed his own reservations on the subject.

41. He had wanted to show how Israel not only obstructed UNRWA in its activities, but by adopting measures that were seemingly technical, endeavoured to modify the status of refugees in the occupied territories, and by so doing to absorb them.

42. He could not allow the Israeli representative to reject so lightly the accusations made against his country. It was the violence and the fanaticism of the Israelis which had made refugees out of the Palestinians and which had prevented them from exercising the right to return guaranteed to them by the United Nations and by their birth. That was where the substance of the problem lay and it was there that a radical change would have to be made.

43. Mr. BAROODY (Saudi Arabia) regretted that the United States representative had shown annoyance and had made discourteous remarks about him. It was not always pleasant to hear the truth. Far from resenting what he had said, he could only feel sorry for him. The accusations he had made were not aimed at the United States of America as a country but at one of its Presidents, Mr. Truman, who in deciding on the partition of Palestine, had been the original cause of the refugee problem.

44. He wished to state also that he was not living on the bounty of the United States, whose Government he had refused to serve during the Second World War because his own country was not at war, just as he had more recently refused to accept Zionist money offered to him by the directors of the American television network. It was not the bounty of the United States that should be stressed, but rather the bounty of Asia and Africa since that was where the United States, while protesting against the rise in the price of petroleum, continued to draw its wealth.

45. If it was a fault to be born in one country, to be raised in another and to live in a third, how many American citizens would that not apply to?

46. All that he asked the United States, that had formerly been so eager to intervene in Viet-Nam, was to come to grips with the cause of the problem instead of pursuing a great Power policy which had caused the sufferings of the Arab people. He had represented several Arab countries in the course of his life and was conscious that by doing so he had served the pan-Arab cause. Like the United States which owed its greatness to the ethnic diversity of its population the Arab world was a culture which transcended boundaries.

47. The representative of the United States had mentioned the Marshall Plan as an example of the generosity of his country, but that Plan had been only a means of combating communism.

48. As an Arab poet had said, the lion was not smiling because it bared its fangs. The fine sentiments professed by the representative of the United States on the subject of refugees should deceive no one.

49. Mr. SAYEGH (Kuwait) thanked the Chairman for having reminded the members of the Committee that they should confine themselves to the item on the agenda and not, as the representative of the United States seemed to have understood, confine themselves to the humanitarian aspects of the item. His delegation was anxious to hear what the United States had to say on the substance of the problem.

50. The CHAIRMAN recalling his proposal to close the list of speakers the following day at 5 p.m., said that in the absence of any objection he would take it that that proposal was acceptable to all members of the Committee.

It was so decided.

The meeting rose at 1.30 p.m.

880th meeting

Thursday, 8 November 1973, at 3.20 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.880

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/SPC/163, A/SPC/L.273):

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

GENERAL DEBATE (*continued*)

1. The CHAIRMAN drew attention to draft resolution A/SPC/L.273, pertaining to the humanitarian aspects of the Palestine refugee problem.

2. Mr. TARCICI (Yemen) stressed the human and material cost of the Zionist policy of blotting out even the name of Palestine from the map and dispersing and humiliating the whole Palestinian people, half of whom it had obliged to live as refugees dependent on international charity. Yet only a fraction of the income from the usurped Palestinian lands and property would cover the total budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Most of the other half of the Palestinian people lived in their own country under conditions which took no account of human rights or human dignity. That situation had led the General Assembly, by its resolution 2443 (XXIII), to establish the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and had culminated in the adoption, at the twenty-ninth session of the Commis-

sion on Human Rights, with only two dissenting votes—those of the United States of America and the Dominican Republic—of a resolution¹ condemning Israeli practices in those territories as war crimes and an affront to humanity.

3. Colonial wars had shown how difficult it was for even a highly militarized group to contravene the human rights of a people determined to continue its legitimate fight to protect them. Fortunately, despite Israeli control over the information media in many parts of the world, world public opinion was fully informed on the anachronistic racist and neo-colonialist character of fanatical Zionism and Israel's blatant flouting of the decisions of the United Nations and other international bodies.

4. Israel's recent acts of aggression and territorial expansionism were impossible to hide. Its neo-colonialist attitude in the whole of the Middle East and even in neighbouring parts of Africa were part of the Zionists' avowed policy, illustrated by the Pretoria-Tel Aviv axis and Israel's association with those other white minority régimes—those in southern Africa. That association had proved that Zionism was only another form of *apartheid*, which in turn was derived from Nazism, and had led the independent African countries to break off all relations with Israel.

5. World public opinion, fully conscious of the facts, was determined that the Palestinian people should recover their rights and property. Even before the current war of liberation, the international community had realized that the Palestinian problem was at the root of the Middle East conflict.

6. The Zionists considered that technical progress gave them the right to dominate a people which had been deprived of such progress by the colonial era, but technical progress was not a permanent monopoly.

7. The conscience of mankind could no longer admit that a people should be deprived of its ancestral homeland because its ancestors had heeded the words of Christ or of Mohammed. It was to be hoped that the awakening of the international conscience to the disastrous consequences of the Palestinian tragedy would ensure that the many United Nations resolutions affirming the right of the Palestinian people to self-determination and their right to return to their homeland would at last be implemented. That would free the Middle East from the arrogant, racist Zionists and their policy of expansionism. Only when Zionism and *apartheid* had been eliminated could the Middle East and Africa live in peace and devote all their energies to development. There would be no lasting peace in the Middle East until the last Palestinian, whether or not he was a refugee, had recovered his usurped rights and a modern, democratic Palestine had taken its rightful place among the sovereign independent States in all the international organizations.

8. His delegation hoped that UNRWA would be enabled to pursue its humanitarian work efficiently until an equitable solution had put an end to the tragedy of the Palestinian people.

9. Mr. LEWENHAUPT (Sweden) announced that the following countries had expressed their wish to be

included among the sponsors of draft resolution A/SPC/L.273: Belgium, Canada, the Federal Republic of Germany, Malaysia, Trinidad and Tobago and Yugoslavia.

10. Before introducing the draft resolution, he wished to express his Government's warm appreciation to the Commissioner-General of UNRWA and his staff for their dedicated humanitarian work under difficult conditions to bring relief, help and education to the victims of the Middle East conflict. His delegation considered it essential that that humanitarian undertaking should continue without reductions in its programme and endorsed previous speakers' appeals to all members of the international community to make every effort to ensure that the necessary financial resources were forthcoming.

11. The draft resolution before the Committee was of a purely humanitarian character and its text was almost identical to that adopted on the same subject at the previous session (General Assembly resolution 2963 B (XXVII)). The number of sponsors should be interpreted as a further indication that the miserable plight of the persons displaced as a result of the 1967 hostilities must also be covered by UNRWA's mandate. He earnestly hoped that the draft resolution, like that of the twenty-seventh session, would be adopted unanimously.

12. There was one editorial correction to be made to the text: the General Assembly resolution referred to in the first preambular paragraph and in operative paragraph 1 should be 2963 B (XXVII) and not 2693 B (XXVII).

13. Mr. HADDAD (Lebanon) said that once again the General Assembly was discussing a question which had bedevilled the Middle East region for 25 years, and which had arisen as the result of a flagrant injustice committed against an entire people, despite the self-evident principles solemnly proclaimed in the Charter of the United Nations and the Universal Declaration of Human Rights. It was also facing another situation where the frustrations of exile were intensified by privation and suffering which nurtured increasing despair.

14. The documents before the Committee reflected a problem whose ramifications could, more than ever, add a still more serious dimension to the tragic events in the Middle East.

15. His delegation wished to express its deep appreciation of the work of the Commissioner-General and the staff of the Agency for their efforts to meet the basic needs of hundreds of thousands of innocent persons in a particularly difficult year.

16. The report of the Commissioner-General (A/9013) was less than encouraging; there was a real risk that the Agency would collapse, unless vigorous action was taken by the Member States to remedy the situation. His delegation was gratified by the positive international response to the urgent appeals launched during the past year with a view to rectifying the Agency's financial situation. It was particularly grateful to EEC for its generous and timely contribution. It also wished to thank the other countries which had increased their contributions or pledged additional funds, and hoped that more countries would follow their example, particularly since the Commissioner-General had announced that existing funds might be insufficient to

¹ Official Records of the Economic and Social Council, Fifty-fourth Session, Supplement No. 6, chap. XX, sect. A, resolution 4 (XXIX).

meet requirements by January 1974, perhaps even before then (*ibid.*, para. 13).

17. His delegation agreed that reductions in the Agency's services, particularly in education, would cause further bitterness and despair and create insurmountable difficulties for both the refugees and the host countries. It considered that the relief, help and educational services should be the common responsibility of all Members of the United Nations. His delegation did not believe that exclusive reliance on voluntary contributions would be satisfactory to ensure the long-term financing of the Agency, and therefore considered that UNRWA's administrative budget should be incorporated entirely into the regular budget of the United Nations until a just and enduring solution, in accordance with United Nations resolutions, could be found.

18. His delegation noted that the report of the United Nations Conciliation Commission for Palestine (A/9187) stated that the Commission had been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III); however, it would have liked to have more explicit information on the reasons for the lack of progress and the circumstances governing the possibilities open to the Commission.

19. The fate of hundreds of thousands of refugees and other displaced persons from west Jordan, Gaza and the Golan Heights region in Syria was a source of deep concern to his delegation, particularly since the figures put forward by Israel for the numbers of persons who had returned to their homes since 1967 were not borne out by those given in other sources of information. It was a fact that despite injunctions, invitations, recommendations and resolutions adopted by the different United Nations bodies and despite reiterated appeals by the international community to Israel, few refugees had been allowed to return to their homes. They numbered far less than the 50,000 persons claimed by the Tel Aviv authorities. In the recent conflict, citizens of Egypt and Syria had become displaced persons, and his delegation earnestly hoped that they would not suffer the same fate as their predecessors who had been the victims of the 1967 conflict, and that effective measures would be taken as soon as possible to normalize their situation.

20. In the meantime, as the Commissioner-General had pointed out, frustrations and uncertainties, the continued military occupation of certain areas, violent action and reaction, and the absence of any reasonable foundation for an ordered future, continued to plague the Palestine refugees.

21. The humanitarian aspects of the refugee question were only one aspect of the basic problem of the rights of the people of Palestine. General Assembly, by its resolution 2963 E (XXVII), had reaffirmed the inalienable right of the people of Palestine to self-determination and had recognized that full respect and the realization of those inalienable rights were indispensable for the establishment of a just and lasting peace in the Middle East.

22. In the view of his delegation, the question of the people of Palestine did not form an offshoot or peripheral issue of the Arab-Israeli conflict, but was at its very heart. Recognition of the State of Israel in no way implied the right to expel the true inhabitants of

Palestine from their land or to dispose of it without the consent of the population. Israel had compelled an entire people to go into exile, had taken possession of their property, flouted their most elementary rights and continued to use every form of violence and brutality against them. It was regrettable that Security Council resolution 242 (1967) had merely called for a just settlement of the refugee problem, because the real problem was a political and a national one, that of the self-determination of the people of Palestine. His delegation believed that there could be no final settlement of the Arab-Israeli conflict, or true security and stability for all countries in the region, unless the national and legitimate aspirations of the people of Palestine were fully satisfied.

23. Mr. SERVANT (France) felt that, more than at any time since 1948, the problem of the refugees in the Near East was a very timely and important subject of debate. The situation of 1.5 million persons in the Near East had seemed to have acquired a permanent character. That was why the humanitarian aspects of the question were so closely linked to the political ones.

24. The reports before the Committee could not fail to give rise to concern for the present and apprehension for the future. The general circumstances of the refugees had hardly improved; in fact they appeared to be deteriorating. In the territories occupied by Israel and, in particular, in the Gaza Strip, further suffering had been inflicted on the refugees, which explained why so few of them had returned after the 1967 conflict. In the host countries, the Agency's financial difficulties were weighing upon the execution of its programmes and compromising their future.

25. However, the appeal made in 1972² had not been in vain and the anticipated deficit had been reduced to \$1.25 million. Unfortunately, in the early months of 1973, the devaluation of the United States dollar and accelerated inflation in the host countries and occupied territories had brought about a sharp increase in expenditures which had not been accompanied by a corresponding increase in income. A somewhat belated fundraising campaign undertaken by the Working Group on the Financing of UNRWA had proved only moderately successful because the Group had been obliged to turn to countries which had already made generous contributions or those which traditionally gave aid in the form of financial assistance. His delegation wished to draw attention to the assistance given by EEC, of which his country was a member. In his report, the Commissioner-General had stressed that most of the increase in the Agency's income in 1972 had come from EEC (see A/9013, para. 9), which had taken over all the sugar requirements of the Agency and covered the cost of the supplementary feeding programme. For the year under review, EEC had almost tripled its contribution and his delegation welcomed that indication of solidarity and the growing interest in the future of the Palestinian refugees among the members of EEC.

26. The renewal of the mandate of the Working Group was one of the question on which the Committee was invited to give its views. France was a member of the Group and would be prepared to continue to give its assistance if the Group's mandate was renewed. His country had ranked fourth in the list of contributors

² See *Official Records of the General Assembly, Twenty-seventh Session, Annexes*, agenda item 40, document A/8849, annex I.

since 1 May 1950, and in addition to its annual contribution of \$1 million gave substantial contributions in kind.

27. The anticipated deficit for 1974 of \$10 million gave rise to considerable alarm about the Agency's future operations. All were aware that UNRWA had three main functions: relief, health, and training and education services. Education was the most expensive of the programmes, since it absorbed nearly half of the total budget, and was the most vulnerable, since it required cash income. However, it was the programme which offered the refugees the chance of a better future, and reductions applying mainly to the education services would be a severe blow to the hopes and aspira-

tions of thousands of young people. It was incumbent upon the international community to guarantee the Agency the means for it to continue its mission as long as was necessary. It was therefore unacceptable to seek a solution to the problems of the Agency by reducing the assistance given to the refugees; what was needed was a further display of solidarity from all members of the international community.

28. Such an effort, of course, could not form a permanent substitute for an over-all political settlement in the Near East which should give special consideration to the future of the refugees.

The meeting rose at 4.15 p.m.

881st meeting

Friday, 9 November 1973, at 11.15 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.881

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/SPC/163, A/SPC/164, A/SPC/L.273, A/SPC/L.274):

- (a) **Report of the Commissioner-General** (A/9013);
- (b) **Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East** (A/9231);
- (c) **Report of the United Nations Conciliation Commission for Palestine** (A/9187);
- (d) **Reports of the Secretary-General** (A/9155, A/9156)

GENERAL DEBATE (*continued*)

1. The CHAIRMAN announced that draft resolution A/SPC/L.274 sponsored by the United States of America and dealing with the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East had been distributed that day. He reminded the Committee that the general debate on the agenda item under discussion was to end on 13 November 1973.

2. Mr. SINGH (India) said that a solution to the problem of the Palestine refugees did not seem any nearer than it had done 25 years ago, and that those who had perpetrated the tragedy were no longer even trying to give the impression that they were seeking a settlement to the problem. The whole problem had been put out of focus by the resumption of hostilities on 6 October 1973; the statements made by the Israeli authorities had further distorted the picture.

3. But the Committee must devote all its attention to the fate of the refugees. In view of the deficiency of resources, a decision must be taken to reduce the refugees' already insufficient food ration, to cancel three out of nine years' education for the children in the camps, or to abandon the health programme. The Commissioner-General had told the Committee (877th meeting) that it was not for him to take such a decision, and he had warned against the possible collapse of the

Agency in chaos if programmes were maintained in full regardless of the financial situation.

4. India was not only a regular contributor to UNRWA; it also provided scholarships and educational facilities to the Palestine refugees directly. It would continue to do so and hoped that the countries which were in better circumstances and which had been directly involved in the creation of the problem would increase their assistance and accept their responsibility realistically.

5. The deficit for 1973 reported by the Working Group on the Financing of the Agency, and the short-fall estimated for 1974, caused his delegation profound disquiet. Since the Agency's programmes were not short-term projects, it was impossible to economize by refusing to start new projects or by terminating existing ones. To avoid disaster it was necessary to assist the Commissioner-General and the Working Group, whose dedication was praiseworthy.

6. While it felt that the refugee problem should not be lost in the larger perspective of the Arab-Israeli conflict, his delegation emphasized, as it had done consistently, the importance of the political ramifications of the problem, which had begun with the creation of the State of Israel by the United Nations. The solution lay in the return of the refugees to the country from which they had been expelled; the responsibility for that return fell entirely on the State that had forced them to flee.

7. Mr. FACK (Netherlands) said that as his country had contributed to UNRWA for a great many years, his delegation was particularly worried by the situation described by the Commissioner-General. He was therefore doubly gratified to be able to announce the intention of the Netherlands to double its contribution for 1974, and its wish that the amount of the increase should be used to meet the expenses of the educational centres under the combined auspices of UNRWA and UNESCO.

8. As the Chairman of the Working Group had observed, UNRWA must not be allowed to fail because of

the indifference of States Members of the United Nations. He paid a tribute to the Commissioner-General and his colleagues, and hoped that the fund-raising activities under way would be productive and would allow the Agency to continue its work.

9. Because of the recent events in the Middle East, his delegation did not wish, for the time being, to pursue the suggestion made by the Netherlands Minister for Foreign Affairs before the General Assembly on 26 September 1973 (2128th plenary meeting) that the Agency's activities might be reorganized. Although the Committee was not the appropriate place to speak of the Middle East conflict, the question of UNRWA could not be dissociated from the Middle East situation. He hoped that the recent conflict would be the last, and that it would be possible to reach a peaceful settlement in accordance with Security Council resolution 242 (1967), which would make the Agency superfluous.

10. The Netherlands had concerned itself with the problem from the very outset. More recently, immediately after the six-day war, the Netherlands Minister for Foreign Affairs, in his statement before the General Assembly (*ibid.*) had called for a final settlement in which both the interests of the States concerned and the fundamental rights of the refugees would be respected. In accordance with the declaration issued recently by the nine member States of EEC, including the Netherlands, his Government hoped that the political aspirations of the Palestinians would be given due place in any peaceful settlement in the Middle East.

11. An era of peace was dawning and the solution of the Palestine problem was part and parcel of it. Until that settlement was achieved, his country would not be found wanting in its support, unilaterally and multilaterally, for the activities of the Agency.

12. Mr. ZÁDOR (Hungary) said that the situation of the majority of the Palestine Arabs had not changed since their expulsion in 1948. The problem was essentially a political one, and no humanitarian or financial measures could solve it. It was true that the short-term problem was to keep the Palestine refugees alive but, unlike some members of the Committee, his delegation did not think that was the only problem. It had to be admitted that the Agency's task was extremely difficult and that the Government of Israel did not make it easier by sparking new conflicts.

13. Some countries thought that multilateral assistance was the best approach, and wished to impose it on others. His country felt that all avenues were of equal value; it was for each Member State to decide what form of assistance suited it best. He could not but agree with the representative of Kuwait that the delegations which were the strongest advocates of contributing hard cash to the Agency were the same delegations that systematically evaded taking hard decisions on the inalienable rights of the people of Palestine.

14. It had to be remembered that the Committee was the Special Political Committee and not the Fifth Committee or the International Red Cross. The United Nations was essentially a political organization which had to find political solutions to political problems. Temporary financial arrangements might perhaps be necessary and provided some respite to the troubled conscience of those who had opposed every effort to bring about a settlement since the General Assembly had

decided 25 years previously in its resolution 194 (III) that the refugees wishing to return to their homes should be permitted to do so and that compensation should be paid for the property of those choosing not to return. By stressing so-called "now problems" for the past 25 years, some States had been putting off indefinitely the solution of the fundamental problem, thereby allowing the Israelis to push the cease-fire lines further forward. The effect was to increase the number of refugees and at the same time the "now problems", in order to satisfy Israel's expansionism.

15. His delegation hoped that, after the adoption of Security Council resolution 338 (1973) calling for the implementation of Council resolution 242 (1967), all the parties concerned would heed the voice of the United Nations. It was time to find a solution that would satisfy the legitimate aspirations of the people of Palestine and guarantee the territorial integrity and political independence of all States of the region. It was in that hope that his delegation would vote for the draft resolution.

At the invitation of the Chairman, Mr. Issa Nakhleh (Palestine Arab Delegation) took a place at the Committee table.

16. Mr. NAKHLEH¹ (Palestine Arab Delegation) said that the worst tragedy for a people was to leave its homeland and to be forced to live in exile, like the Palestinians. A part of the Arab nation, they had been in Palestine for 13 centuries when the invaders had usurped their lands and their property and their seat in the United Nations. And none the less the representative of those usurpers, a Khazar Jew who had been born in the Soviet Union and emigrated to Palestine, had the impertinence to make reservations about the participation of Palestinians in the Committee's debates. The representative of the war criminals, he did not wish to be reminded of the genocide committed by the Khazar Jews against the Palestinians. It was regrettable that the United Nations of 1947 and 1948 had participated in that genocide. The present membership would never have accepted the partition of Palestine or have admitted the counterfeit State of Israel. And there would not have been the constant bloodshed in the Middle East or the danger of world war.

17. The creation of UNRWA had not been an act of charity but an admission of guilt and of moral obligation. As long as the Palestinians were unable to exercise their right to self-determination in their own country and remained dispossessed of their property, it was the duty of the United Nations to maintain the services of UNRWA, particularly since out of 3 million Palestinians 1,540,694 were registered with the Agency and only 820,000 received food rations. The Palestinians should be given back their lands and properties or, pending their return, the income from those properties; then they would not need the services of the Agency, since that income was six times greater than UNRWA's projected budget.

18. The Palestine Arab Delegation wished to express its gratitude to Sir John Rennie, the Commissioner-General, and its appreciation of his dedication and that of the Agency's staff in carrying out their threefold and difficult task: dealing with the Governments of the host

¹ Mr. Nakhleh took the floor in accordance with the decision taken by the Committee at its 878th meeting to authorize members of the Palestine Arab Delegation to address the Committee without such authorization implying recognition of that organization.

countries and with the Zionist criminal gang in Tel Aviv, caring for 1.5 million Palestine refugees and raising funds to cover the Agency's deficit. It was to his credit that Sir John had raised the annual contribution of the European Economic Community from \$2.5 million in 1972 to about \$7.5 million in 1973. The Palestine Arab Delegation also wished to express its gratitude to the Working Group, and in particular to Mr. Olcay, its Chairman.

19. The refugees and the problems were numerous and the Agency's resources were meagre. The Commissioner-General had summed up the situation in paragraph 46 of his report (A/9013): the estimated deficit was over \$3 million in 1973 and \$10 million in 1974. If it was not covered, services would have to be reduced in 1974 and the Commissioner-General had pointed out the dangers of such a step. The Working Group had recommended (A/9231, para. 24) that Governments which had not contributed in the past or had contributed inadequately should reconsider their position. The Palestine Arab Delegation held the opinion that UNRWA's budget should be met collectively by all the States Members of the United Nations and that it should be increased to a sufficient level to enable it to provide more services for the Palestinians. There were three methods of solving the financial difficulties of the Agency: by making UNRWA's budget an item of the regular United Nations budget, by forcing the Zionist invaders to pay the income and rents of the properties exploited by them (over \$600 million a year), or by making it obligatory for each Member State to contribute to UNRWA *pro rata* to its share of the United Nations budget.

20. It was appalling to see the United States of America reduce its contribution to UNRWA from \$24 million in 1972 to \$23 million in 1973, at a time when the Congress was giving the Jewish Agency \$50 million to help it to transport Jews to Palestine from the Soviet Union and build settlements for them in Arab territories occupied since 1967. The United States Congress gave annually \$500 million to the Zionist invaders for the purchase of aircraft and tanks; by means of tax exemptions, it provided them every year with a further \$1,000 million. In October 1973 the United States Government had requested authorization to allocate \$2,000 million to dispatch weapons to the Zionist invaders to enable them to kill more Arabs. Had it not been for the political, financial and military support which the United States of America had given the Zionist invaders for the past 25 years, the Palestine refugees would have returned home long since. Since 99 per cent of the responsibility for the Palestine refugee problem rested on the United States, it had the duty to contribute 99 per cent of the UNRWA budget.

21. With regard to the refugees in the Gaza Strip, he reminded the Committee that the problem had been dealt with by the Commissioner-General in paragraphs 27 and 74 to 78 of his report (A/9013) and by the Secretary-General in a special report (A/9155). The Zionist war criminals were determined to displace and destroy the Palestine refugees in the Gaza Strip, against whom, since 1967, they had perpetrated every imaginable crime. He quoted paragraphs 7, 9, 11, 13 and 14 of the Secretary-General's special report and stated that in 1972 the Israelis had displaced over 16,000 Palestine refugees by destroying their dwellings at a juncture when the United Nations had been calling on the Jewish authorities "to desist forthwith from all measures that

affect the physical structure and the demographic composition of the Gaza Strip" (General Assembly resolution 2963 C (XXVII), para. 3). He recalled that at the twenty-seventh session (831st meeting) he had drawn attention to a letter concerning the nine concentration camps established by the Jewish war criminals in the Sinai desert in which 75,000 Palestinians from the Gaza Strip had been detained by way of collective punishment. Situated near Jewish army barracks, the camps were surrounded by electrified barbed wire and the 50,000 persons still being detained in them were allowed no contact with the outside world. The Zionist war criminals were the only people, other than the Nazis, who had confined whole families in concentration camps.

22. With regard to the problem of displaced persons, he reminded the Committee that 750,000 Palestinians had been expelled as a result of the 1967 war. In 1973 more than 3,000 Palestinians had been displaced from Jerusalem and more than 5,000 from various parts of the West Bank. The Jewish war criminals continued to refuse to allow the return of displaced persons, disregarding United Nations resolutions, including General Assembly resolution 2963 D (XXVII), in conformity with which the Secretary-General had submitted another report (A/9156). Though it was a report on the implementation of that resolution, more than half of its lines only reproduced the lies of the Israeli representative. According to that report, by June 1973, about 6,200 refugees had returned to the West Bank and about 1,220 to the Gaza Strip. If the report represented all that the efforts of the United Nations could achieve, it was useless for it to go on adopting resolutions. Moreover, the Jewish war criminals had a reason for preventing displaced persons from returning home: they wanted to get rid of all the Palestinians from the West Bank and annex it permanently.

23. Many people wished to see in the Palestinian problem merely a refugee problem, a problem of hungry stomachs, as the United States representative had said. But for the Palestinians, it was a problem of their homeland, of their right to self-determination, a problem involving their freedom and dignity as a people. In 1918 Palestine had had 700,000 Moslem and Christian Arab inhabitants and 50,000 Jews who had immigrated there during the nineteenth century. Article 22 of the Covenant of the League of Nations had recognized that the Palestinian people was an independent nation guided and assisted by a Mandatory Power. The Balfour Declaration of 1917 on the establishment in Palestine of a Jewish national home had affirmed that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine. But instead of leading the Palestinians to self-determination, the British Government had kept Palestine open to Jewish immigration, despite five revolts by the Palestinians between 1920 and 1947, in the course of which over 50,000 persons had been killed and more than 100,000 had been detained in prisons or concentration camps. In 1947, when the United Kingdom had brought the question before the United Nations; there had been in Palestine 1,350,000 Moslem and Christian Arabs and 650,000 Jews (including 450,000 immigrants) who had owned less than 6 per cent of the land. It was under pressure of the great Powers that the United Nations had recommended the partition of Palestine into two States: a Jewish State and an Arab State. The British armed forces had disarmed the Palestinian ma-

jority and armed the alien Jewish minority and, when the neighbouring Arab States had entered the war in 1948, the great Powers had used their influence to frustrate the Arab war effort. The Jews had occupied over two thirds of Palestine and had expelled over 1 million Moslem and Christian Palestinians. That was how the tragedy of the Palestine refugees had come about. The usurpation of Palestine was one of the ugliest forms of colonialism, since even the South African and Southern Rhodesia minorities had refrained from expelling the indigenous population. In view of the fact that the United Nations had abolished colonialism, the Palestinians were entitled to the support of all its Member States to put an end to the inhuman racist colonialism established in Palestine by the Zionists.

24. The representatives of the Zionist war criminals repeatedly claimed that Zionism was a liberation movement, and that by occupying Palestine in 1948 the Zionists had liberated the country from Arab domination. According to an article published in 1967 in *The New York Times*, they had made the same claims with regard to the West Bank of the Jordan, the Golan Heights and Sinai. The Zionists had convinced themselves that God had promised them all the Arab lands from the Nile to the Euphrates, including Syria and the Arabian peninsula, as was shown by an article in *The Jewish Missionary Magazine* of January 1923 (No. 25, vol. 3). In order to show the racist nature of Zionism and to reveal the Jewish claims to racial superiority, he quoted texts taken from a number of Jewish publications, including *Torah-Judaism and the State of Israel* by Uriel Zimmer (London, 1961, p. 12) "Israel's Law of Return" by David Cohen (an article published in *Middle East International* in July 1973), *The Meaning of Jewish History* by Jacob Bernard Agus (London, pp. 218 and 219) and *The Babylonian Talmud* (London, 1938, p. 300). The Jewish State wished to be one hundred per cent Jewish in order not to be defiled by the presence of Christians and Moslems. In *Voice of Dissent*, William Zukerman reported that, according to David Eidelsberg (*The Morning Journal*, 7 April 1950), the fact that certain Jews had settled in Palestine with their Christian wives was a horrifying scandal because such "goyim" could be a spiritual poison and the Jewish land could not be built on the assumption that a Christian who lived in Israel was just as good as a Jew. The Palestine Arab Delegation considered that it was a disgrace for the United Nations to have among its Members a Zionist racist State. Hitler, who had been of Jewish origin, had also adopted the Zionist philosophy of dividing human beings into categories and grades on the ladder of humanity.

25. The principles of international law regarding military occupation and conquest were clear. Moreover, the Covenant of the League of Nations had outlawed war and conquest. Military occupation of a Territory did not confer sovereign rights on the occupant. The invasion of Palestine by alien Jewish immigrants and their use of force to expel the inhabitants constituted the crime of genocide. The occupation of 80 per cent of Palestine by a Jewish minority was illegal. Their so-called "Declaration of Independence" in 1948 had been illegal and it had no effect. It was the Palestinians who had the right of sovereignty in Palestine, just as the Governments-in-exile of the European States occupied by the Nazis had retained their sovereignty. The Security Council had condemned the usurpation of

power by the settler minority in Southern Rhodesia; if the same principles were applied to Palestine, then there had never been a Jewish State either *de facto* or *de jure*. The principles of international law and of the Charter required Members of the United Nations to refrain from recognizing any new State or any new Government created by war, violence, massacre or the crime of genocide. Jurists maintained that acts contrary to international law could not constitute a source of legal rights for those who had committed them. Whether they based themselves on the principles of international law or on those of the Charter, the General Assembly and the Security Council were bound to affirm that so-called Israel was not a State and that its admission to the United Nations had been illegal and was invalid. The people of Palestine retained sovereignty over their ancestral homeland and the seat that the Fascist and illegal Zionist régime occupied in the United Nations was theirs by right. The Palestinian people therefore had every right to free their country from Zionist military occupation and it was the moral duty of the United Nations to assist them in that task.

Mr. Nakhleh withdrew.

26. Mr. MEHIRI (Tunisia) congratulated the Commissioner-General and the Working Group on the Financing of the Agency on their dedication and the quality of their work. The reports of the Secretary-General (A/9155 and A/9156) provided evidence of the obstruction to which the Israeli occupation authorities were subjecting the activities of the Agency.

27. Whether in the matter of the implementation of General Assembly resolution 2963 D (XXVII), concerning the return of the refugees, or in respect of resolution 2963 C (XXVII), designed to safeguard the physical structure and the demographic composition of the Gaza Strip, the occupation authorities, faithful to their policy of expansion, not only had failed to comply with the orders of the international community but had intensified the destruction of shelters and had displaced more and more refugees.

28. During the current discussion, the Committee had heard a great deal about the extent and the merits of the generosity, perhaps somewhat too showy and condescending, that had been displayed.

29. Although the truth was veiled under the many euphemisms used by Israel in its replies, in which there was no such thing as "deportation" but only "transport of displaced persons" and no "destruction of shelters" but "civil engineering operations", the two reports by the Secretary-General provided evidence, if such was needed, of the crimes committed by Israel. The peoples and Governments who had been deceived by propaganda were now enlightened on the nature of the Israeli régime. Since an appeal had been made to the conscience of the international community for the creation of the Zionist State, in complete disregard both of the intentions of that State and of the results of such a measure, it was the international community which, by giving the champions of an archaic ideology the right to settle in an Arab land, had made itself responsible for the situation of the Palestine refugees.

30. The Palestinian people demanded the restoration of their rights. They could not be content with a life of inaction. The food rations distributed to them could be cut down, but nothing could derogate from their right to self-determination. For that reason the Palestinians

went on hoping to survive as a people and soon as a State.

31. Mr. MACRIS (Greece) said that he was sorry to see that the efforts made over the past 25 years, in particular General Assembly resolutions 194 (III) and 513 (VI) and Security Council resolution 237 (1967), had remained a dead letter. Those who have been refugees or displaced persons since 1948 and 1967 had been neither repatriated, nor reintegrated or compensated. No tangible progress had been made in that direction and the situation was still a matter of serious concern, as the Commissioner-General indicated in the introduction to his annual report (A/9013). His delegation fully supported the conclusions of the Commissioner-General set forth in paragraph 2 of the report, namely, that the passage of time had not made action less urgent and that the General Assembly's resolutions on respect for the rights of the refugees and the rights of the people of Palestine as an element in any just and lasting peace showed how the problem of the refugees had been further complicated and the political dimension enhanced since the hostilities of 1967. The prolongation of a state of active or stagnant belligerence in the Middle East was not to the advantage either of the Arab countries or of Israel but was prejudicial to international peace and security, and the first victims were the Palestine refugees and the hundreds of thousands of displaced persons.

32. All the countries concerned and all States Members of the United Nations should discharge the obligations that they had assumed under the Charter, the Universal Declaration of Human Rights and the relevant resolutions of the General Assembly and the Security Council. His delegation feared that the United Nations would disappoint the hopes that the peoples of the world had placed in it if it continued to confine itself to pious statements which had no effect instead of showing, by practical action, its collective determination to help towards the solution of the problem of the Palestine refugees.

33. His delegation considered that the first task of the international community was to provide the Agency with the material means to enable it to carry out its mandate. It was a disturbing fact that UNRWA was obliged, through lack of funds, to consider a reduction, or even the suspension, of its services, in particular its education and training services. It was true that the education programme accounted for 47.3 per cent of the budget, but it was the greatest educational enterprise undertaken under the auspices of the international community. It must not be thought that a reduction of expenditure in that sector could be made without immediate risk. His delegation agreed with the Canadian delegation (878th meeting) that the continuation of the education and training activities of the Agency for a reasonable period was likely to help considerably towards the solution of the refugee problem.

34. His delegation endorsed the conclusion of the Working Group on the Financing of the Agency that, as long as a just and lasting settlement of the problem of the Palestine refugees had not been achieved, UNRWA's services in the form of relief assistance, health care and education must be maintained at least at their current minimal level by voluntary contributions from Governments (A/9231, paras. 21 and 23). That was not a matter of international charity but a require-

ment of justice and a practical act of joint responsibility. Greece had contributed a total of more than \$600,000, in cash and in kind, since 1 May 1950 (A/9013, annex I, table 19) and would continue to show its concern for the fate of the Palestine refugees and the importance which it attached to the efficient functioning of the Agency. It would accordingly support any initiative and any means of action that the Committee might deem appropriate to help the Agency to discharge its mission. It would like to say how much it appreciated the efforts of the Commissioner-General and his collaborators, who had helped to prevent the collapse of that humanitarian enterprise of the United Nations. It hoped that the Working Group would continue its work, in co-operation with the Secretary-General and the Commissioner-General, to ensure the satisfactory financing of the Agency, the cost of which should be apportioned among all countries, without exception.

35. Mr. DORON (Israel) noted that once again the consideration of the Commissioner-General's report was producing the same acrimonious and sterile debates, the same abuse of Israel, and would probably culminate in the adoption of resolutions which would leave the problem exactly where it stood. Apparently the latest war had done nothing to teach Israel's Arab neighbours that war, aggression and hatred were not a solution to the problems of the Middle East, including the problem of the refugees. That being so, UNRWA would have to continue its activities, although they were far removed from what they had been supposed to be at the start. He recalled the circumstances in which the Agency had been created and pointed out that the relief had been meant to be temporary and that the main task had been to reintegrate the refugees into the economic life of the Near East. Owing to Arab political resistance and obstruction, all integration and rehabilitation projects had been abandoned many years earlier and UNRWA had become a permanent relief agency, the word "works" in its title having ceased to have any meaning. There was general agreement that it was the duty of the international community to help the refugees, on humanitarian grounds. The question was whether that help over a long period should concentrate on their rehabilitation or keep them on relief. The time had come to take a fresh look at the problem and to prepare the way for a constructive settlement, in the framework of peace and regional and international co-operation.

36. Since 1967 Israel had shown what could be done when the approach was constructive. For example, in the Gaza Strip, under the Egyptian military régime, the Egyptian attitude had drawn some sharp criticism even from Arab countries, whereas Israel's approach had been to promote well-being and development. The local population, as well as the refugees, had been eager to obtain gainful employment and to return to normal life. At that point the Egyptian Government had unleashed a campaign of terrorism to cow the people, and particularly the refugees, into submission and to force them to refuse employment and to continue to huddle in the camps. Between June 1967 and August 1971, 239 innocent local residents and Arab refugees had been killed by Arab terrorists and more than 1,300 had been wounded. As was its duty under international law and Security Council resolution 237 (1967), Israel had taken action to ensure "the safety, welfare and security of the inhabitants". The local residents and the refugees were

grateful to Israel for saving their lives and enabling them to become useful members of society once again.

37. With regard to the shelters that had been demolished so that access roads could be built through the overcrowded refugee camps, he had already explained on previous occasions that every possible care had been taken to avoid undue hardship to the inhabitants concerned. Most of them had accepted the new alternative accommodations offered them and compensation had been paid to those who had made improvements to the shelters provided them. Cash grants had been given for the cost of moving into new housing and assistance provided in connexion with employment. When it had appeared that some of the arrangements had not proved satisfactory to the refugees, the competent Israeli authorities and representatives of UNRWA had carried out a joint survey which had recently been completed and as a result of which appropriate action was now being taken. In any event, the situation of the great majority of the refugees concerned had greatly improved.

38. The report of the Commissioner-General (A/9013, paras. 74-77) mentioned the very substantial plan for the construction of family dwellings that had been carried out in the Gaza Strip. The refugees had the possibility of purchasing housing, even on the instalment plan if they so desired. The purchase price of a unit was about \$700, of which \$250 was a down-payment, while the balance was to be paid off at about \$12 a month. Roads had been built and resurfaced, a second jetty for the Gaza port had been completed, and work would soon begin on a breakwater so that ships of up to 10,000 tons could anchor in the harbour.

39. Consequently terrorist acts in the Gaza Strip had become a thing of the past. There was full employment, freedom of movement, no curfew, and there had been a significant rise in the standard of living. In addition, vocational training centres had been built or expanded by Israel. With the rise in the number of industrial workshops in Gaza and the progressive development of the new industrial centre in the northern part of the Gaza Strip, more and more opportunities were presenting themselves for local employment for the trainees of the vocational sectors. While on leave, he had been able to visit a citrus packing plant, built and financed by Gaza residents, which provided employment for hundreds of workers. He had also talked with an electrician who had studied in Cairo and at the Haifa Technion.

40. What he had said of the positive trends in the Gaza Strip also applied to the West Bank. Conditions in the camp had considerably improved (*ibid.*, paras. 30, 72, 73 and 121) and there was no unemployment. Well over 50,000 Arabs, including a high percentage of refugees, had full employment in Israel. There were signs of development and progress everywhere, in particular the extensive building activities to be seen everywhere. It was true that the cost of living had increased, but the standard of living of the population had undoubtedly improved. The detractors of Israel who claimed that the economic conditions of the refugees were of no importance showed how little they cared for the fate of the refugees. That was the attitude of the Arab Government. The political aspects of the question, in particular the right to self-determination, would find their solution within the framework of the peace settlement.

41. In addition to Israel's contribution to the UNRWA budget (*ibid.*, annex I, table 19) and to its contributions made directly to the refugees (*ibid.*, table 21), the refugees benefited from a substantial part of Israel's annual budget for the administered areas, which during the current year amounted to \$84 million and the bulk of which was borne by the Israeli taxpayer. The education budget for the administered areas had been considerably increased, as had the number of students, including the children of refugees. In addition to the 6,999 candidates who had sat for the Egyptian secondary school-leaving certificate examination (Tawjih), 137 candidates had sat in 1973 for the special examination for entry into Al-Azhar University, which had for the first time been held under UNESCO supervision (A/9013, para. 142). In that connexion it should also be noted that on 22 August 1973, after the period covered by the report, 186 students from Gaza had gone to Syria to pursue their university studies there. However, not every student from the administered areas was able to continue his studies in an Arab university. Consequently local intellectuals in West Jordan had formed a preparatory committee and had established an association under the Jordanian Law of Charitable Institutions, with the formal approval of the Israeli authorities, for the purpose of setting up an Arab university in Ramallah.

42. Israel had also shown its goodwill in other fields. In spite of the continued enmity towards Israel shown by the Arab Governments and the support they gave to terrorist organizations, Israel had permitted the return of over 50,000 refugees of the 1948-1949 hostilities and had also resettled 50,000 Arabs in Israel. Furthermore, hundreds of thousands of Arabs had been able to visit the administered areas and Israel, and to see the true situation for themselves. The number of such visitors had been over 200,000 in the summer months of 1972 and that figure should be exceeded in 1973 since such visits had now been authorized throughout the year. In addition, Israel had granted permits for the return of 5,429 West Bank and Gaza inhabitants between 1 September 1972 and 31 August 1973, bringing the total since 1967 to 49,605. He wished to point out in that connexion, as was borne out by foot-note (a) to table 1 in annex I to the report headed "Total registered population according to category of registration 1950-1973", the number of persons referred to as "displaced" by the 1967 war had been vastly exaggerated, as had also the numbers of the original 1948 refugees.

43. It was well known that the Arabs were anxious for political reasons to keep the refugee problem alive and to prevent more and more refugees from being absorbed into the population of the region, or in any case to conceal such integration, so that it was not surprising that they did not permit UNRWA to rectify its lists by carrying out the necessary field checks, as reported in paragraphs 52 to 54 of the report. It was stated in paragraph 52 that in Gaza and in the West Bank, checks on the existence and presence of refugees continued and that in addition to the routine removal from the rolls of absentees and previously unreported dead, the rations of a number of refugees whose economic status had substantially improved were reallocated to needy families. He wished to point out in that connexion that, in view of the fact that there existed no unemployment in either the West Bank or Gaza, the importance of the rations in the life of the refugees had progressively

diminished. The process of absorption of refugees had been accelerated in the areas administered by Israel and the refugees, with the exception of welfare cases, did not have to rely on rations for their subsistence.

44. With regard to the impossibility of carrying out the field checks he wished to draw the attention of the Committee to the situation prevailing in many of the camps in Lebanon, where UNRWA installations had been occupied for many years by the terrorist organizations referred to euphemistically in the report as "Palestinian organizations". The problem was not restricted to the occupation of some buildings by terrorists. The fact of the matter was that a large number of the refugee camps had been practically taken over by the terrorist organizations. Furthermore thousands of foreigners, some Lebanese and some Palestinian refugees registered in other host countries, who had come to seek work in Beirut, also lived in "the agglomerations loosely referred to as the 'refugee camps'" which consisted in fact of "official camps, interspersed land and the peripheries", as reported in paragraph 16. That showed how intermingled the "refugees" had become with the ordinary population of the host countries.

45. Already in 1959-1960 the relevant UNRWA report² had pointed out that hundreds of thousands of refugees had established themselves in the Arab countries, most of them remaining in the area that had been Palestine under the British mandate. It should not be forgotten that after the 1948-1949 war, more than half a million Jews had left Arab countries to take refuge in Israel, leaving behind their property which had been confiscated and for which no offer of compensation had ever been made. What had taken place at that time, therefore, had been a spontaneous population exchange, of the kind that had often happened in history. However, the United Nations had never been seized of the problem of Jews displaced from Arab countries. Most of them had been resettled in Israel and had been absorbed into the life and economy of the country. That had required a considerable national and financial effort to which the Jews of the free world had made a substantial contribution. No comparable efforts had been made by the Arabs to absorb their own displaced kinsmen.

46. What had attracted hundreds of thousands of Jews to the State of Israel was that no Jew could dwell in Israel as a stranger, for it was there that the Jewish people had enjoyed its national independence, which it had lost and regained and lost again in the perpetual struggle against the great colonial empires of ancient times. The present era was one of liberation movements, and Zionism was perhaps the oldest of them all. That movement had been launched in the late nineteenth century as the national liberation movement

of a persecuted people and it expressed the longing of that people to regain its freedom and nationhood. Thus, the re-establishment of Jewish independence in Israel, after centuries of struggle, was a vindication of the fundamental concepts of equality of nations and of self-determination. To question the Jewish people's right to national existence and freedom was to deny the central precepts of the United Nations. Furthermore, throughout history only the Jewish people, and none other, had seen the land of Israel as a distinct political entity, whereas all the other inhabitants who had settled there, after the Jews had been uprooted by foreign invaders, and that included the Arabs, had regarded themselves as integral parts of larger entities, political, national and religious.

47. Within the area of Palestine itself, the aspirations of the Arab people to sovereignty had been met twice by the international community. In the period of the League of Nations, Transjordan had been cut off from the West Bank and established as a separate Palestinian Arab entity. The United Nations had, in its turn, called for the establishment of a second Arab State in Palestine, alongside the Jewish State. Had it not been for the invasion by the neighbouring Arab States, there would today be two Arab States in Palestine. In any case, the Arab population of Palestine exercised its right to political independence within a sovereign Palestinian Arab entity, namely Jordan. In 1963 King Hussein had declared that "Jordan is Palestine and Palestine is Jordan".

48. It was therefore clear that the rights of Jews and Arabs in Palestine to national existence were not irreconcilable. The Arabs exercised those rights in the Arab States, and the Jews in the State of Israel. The Arabs could not claim that only their rights were valid, that equal rights should be denied to the Jewish people in its historic homeland, and that instead of finding accommodation between the two peoples, the rights of the Arabs should supplant the rights of the Jews. The solution of the question of the Palestine refugees should find its proper place within the effort that had to be made by all concerned to achieve peace in the Middle East, as laid down in resolution 242 (1967) of the Security Council. Israel's aim was a just and durable peace with, as an integral part of it, a just settlement of the refugee problem.

49. The CHAIRMAN suggested that, in view of the late hour, representatives who were to speak on the item in the general debate, or to speak in exercise of their right of reply, should do so at the following meeting. He asked delegations that wished to submit draft resolutions to do so as soon as possible and no later than at the following meeting.

The meeting rose at 1.45 p.m.

² Official Records of the General Assembly, Fifteenth Session, Supplement No. 14.

882nd meeting

Monday, 12 November 1973, at 10.55 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.882

In the absence of the Chairman, Mr. Singh (Nepal), Vice-Chairman, took the Chair.

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (continued) (A/SPC/163, A/SPC/164, A/SPC/L.273, A/SPC/L.274):

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

GENERAL DEBATE (continued)

1. The CHAIRMAN drew attention to the letter (A/SPC/164) dated 9 November 1973 addressed to the Chairman in which the representatives of 70 Member States requested that the Palestine Liberation Organization should be granted a hearing when the Committee took up agenda item 43. In that connexion, he recalled the decision taken by the Committee at its 878th meeting concerning another organization and proposed that it should follow the practice adopted in the matter since the twentieth session and grant the request.

2. He said that, if he heard no objection, he would take it that the proposed procedure was acceptable to members of the Committee.

It was so decided.

3. Mr. DORON (Israel) recalled that his delegation had consistently expressed reservations regarding the procedure in question and referred members of the Committee to the statement he had made on the subject at the twenty-seventh session (835th meeting).

4. The CHAIRMAN drew attention to the amendment (A/SPC/L.275) which Colombia was proposing to draft resolution A/SPC/L.274.

5. Mr. SYSE (Norway) expressed his Government's appreciation of the competent manner in which the Commissioner-General and his staff were dealing with the financial difficulties of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which were so clearly described in the report of the Commissioner-General (A/9013). He also wished to thank the Working Group on the Financing of the Agency.

6. Despite all the efforts that had been made, the Commissioner-General envisaged a deficit of approximately \$10 million for 1974. There was no way to reduce the cost of the Agency's activities. Unless Member States covered the deficit, the Agency would have to cut some services, particularly in the educational sector. As the Commissioner-General pointed out in paragraph 47 of his report, such reductions would

wreck the hopes for future self-support of many thousands of young refugees, would create grave problems for the host Governments and would heighten tension and encourage further violence in the region. The Commissioner-General had placed the facts before the Committee and rightly asked for its guidance.

7. His Government felt that the only answer which Member States could give the Commissioner-General was to announce contributions sufficient to ensure that the Agency's current services could continue. However, those countries which had traditionally contributed generously to UNRWA could not continue to assume the entire responsibility for financing its activities. His Government associated itself with the recommendation of the Working Group (A/9231, para. 24) that Member States which had so far made only token contributions or no contribution at all should be asked to review their policy. Recognizing the disparity between countries in terms of resources, his Government proposed that that appeal should be specially directed to countries with an annual *per capita* income in excess of \$1,500.

8. As far as Norway was concerned, his Government had just decided to make an additional contribution of 500,000 kroner, bringing its total contribution for 1973 to approximately \$1 million. Finally, his Government intended—subject to Parliamentary approval—to increase its contribution once again in 1974.

9. Mr. KOTLYARENKO (Ukrainian Soviet Socialist Republic) said that the recent resumption of hostilities in the Middle East had made the Palestine refugee problem even more acute. It had demonstrated that Israel would stop at no crime in order to realize its expansionist dreams. It was insensitive to the refugee problem which it had itself created 25 years earlier by driving hundreds of thousands of Arabs from their homes, thus at the same time depriving them of all their rights and making them dependent on international charity. Such conditions could not continue to exist any longer.

10. However, as if the refugees' wretched plight was not enough, Israel launched murderous raids against their camps, which, as the Commissioner-General had noted in his report, claimed innocent victims. Israeli propaganda sought to justify the raids, but nothing could prevent the Arab States whose sovereignty was thus being violated from exercising their right of self-defence or prevent the progressive countries from giving them support.

11. The solution to the refugee problem lay, *inter alia*, in the implementation of General Assembly resolution 194 (III) and Security Council resolution 242 (1967). However, Israel, whose right to existence was challenged by no one, was stubbornly unwilling to implement the resolutions and, backed by the imperialist forces, refused to recognize the rights of the Palestine refugees.

12. Any solution that failed to take account of the rights of the Palestinian people was doomed to failure. The problem was a political one which could not be solved by humanitarian measures alone. The Ukrainian people, like that of the other socialist countries, had consistently supported the Arab States in their just struggle for national liberation. In view of the recent development of the situation, all States must join efforts in coming to the aid of the Palestinian people.

At the invitation of the Chairman, Mr. Saadad Hassan (Palestine Liberation Organization) took a place at the Committee table.

13. Mr. HASSAN¹ (Palestine Liberation Organization) offered his congratulations to the officers of the Committee and thanked the Commissioner-General and his staff for the work they were doing. He also wished to thank the many Member States which had requested (A/SPC/164) the Chairman to permit him to address the Committee.

14. He was pleased at the large measure of recognition which the international community was according to the Palestinian people, whose existence Israel desperately sought to deny. If peace and prosperity were to be ensured in the Middle East, the international community must hear the voice of the Palestinian people, which had been struggling against colonialism and Zionism since the beginning of the century and had fought five wars since 1947.

15. However, Israel was becoming increasingly isolated as the international community, its traditional friends and even the Jews of the Diaspora—some of whom rejected the tutelage that Israel sought to maintain over them—and part of the Israeli population came to understand what Zionism really was.

16. Those members of the Committee who had wondered who spoke for the people of Palestine had thus demonstrated their prejudiced attitude, for the Palestine Liberation Organization was the sole and legitimate representative of the Palestinian people. It had come into being as an embodiment of the latter's will, and 428 delegates representing political, trade union and religious movements had attended the First Palestine National Congress, held in Jerusalem on 28 May 1964. In that connexion, it was wrong to contend that certain Arab countries which were sheltering Palestine refugees in their territory could speak for the Palestinian people.

17. The Palestine Liberation Organization had made clear since 1967 its opposition to Security Council resolution 242 (1967). It had emphasized at that time that so long as the Palestinians' right to self-determination was not clearly spelled out, the fundamental issue would not be resolved, nor would the causes of the successive crises that had occurred. Events since 1967 had unfortunately borne out the Palestine Liberation Organization's point of view. The recent adoption by the Security Council of its resolution 338 (1973) had shown once again that the international community did not understand the true nature of Israeli aggression.

18. The Security Council had no sooner adopted its resolutions 338 (1973) and 339 (1973) than Israel had

violated the cease-fire. There was nothing surprising in the fact that Israel did not comply with United Nations resolutions; such contempt for the decisions of the international community sprang from the very nature of Zionism. That was what the Palestine Liberation Organization had always sought to make the United Nations understand. Yet, although the latter had at times strongly condemned Israel, it had never applied the necessary sanctions against that country.

19. Although the United Nations had denied the rights of the Palestinian people in 1947 and had been guilty of complicity in defending the interests of certain great Powers, the Palestinian people had not lost faith in it. While it was aware of the limits to what the United Nations could do in the face of the support and protection provided to Israel by the United States of America, the Palestine Liberation Organization felt that the United Nations could play an important role by attacking the cause of the problem instead of simply dealing with its effects, a course, as events since 1967 had shown, that could only end in failure.

20. There was no reason to think that the recent efforts of United States diplomacy would be any different from those made in the past, the sole object of which had been to ensure the survival of an aggressive and racist State which the United States was unleashing at leisure. Such a settlement did not satisfy the aspirations of the Palestinian people and could not, therefore, lead to the establishment of peace.

21. Recent events had shown the determination, cohesion and resources of the Arab people, which would use all the political and economic means at its disposal to put an end to the injustice it was suffering. In the eyes of the Palestine Liberation Organization, the sole solution to the problem lay in the creation of a democratic State, covering the whole territory of Palestine, in which various religions and races could coexist.

Mr. Hassan withdrew.

22. Mr. TARCICI (Yemen), supported by Mr. SAHAD (Libyan Arab Republic), requested that the statement by the representative of the Palestinian people should be reproduced *in extenso*.

23. The CHAIRMAN recalled that the General Assembly had given the Special Political Committee the possibility of obtaining a transcription of its discussions, or a part of its discussions, upon specific request. In the absence of any objection, he would take it that the Committee decided to ask for the transcription *in extenso* of the statement by the representative of the Palestine Liberation Organization.

*It was so decided.*²

24. Mr. EL-FATTAL (Syrian Arab Republic) said that it would be a mistake to consider the question of the Palestine refugees in isolation from its causes, namely, the obsolete Western colonial system and the contemporary colonialism practised by Israel. The reason why the problem of the refugees still persisted, after 26 years of efforts by the United Nations, was that the international community did not succeed in ensuring compliance with its decisions, particularly those concerning the repatriation of the refugees, because of the stubborn nature of the colonialist State and its expansionist de-

¹ Mr. Hassan took the floor in accordance with the decision just taken by the Committee to authorize members of the Palestine Arab Organization to address the Committee without such authorization implying recognition of that organization.

² The full text of the statement was subsequently circulated in document A/SPC/PV.882.

signs. Thus the problem of the refugees could not be regarded simply as a financial and humanitarian effort. Moreover, it should be borne in mind that, under the terms of paragraph 20 of General Assembly resolution 302 (IV) setting up UNRWA, the terms of reference of the Agency were closely linked to those of the United Nations Conciliation Commission for Palestine, which had been created by resolution 194 (III) for the express purpose of facilitating the repatriation of the refugees. The task of the Special Political Committee, therefore, was to consider both the report of UNRWA (A/9013) and that of the Conciliation Commission (A/9187). It was true that the United States, in collusion with Israel, was obstructing the work of the Conciliation Commission, but the General Assembly was entitled to ask the Commission to submit to it a basic report establishing the facts and the responsibilities.

25. At the preceding meeting the representative of Israel had tried to mislead the Committee when he had said that the object of the programme recommended by UNRWA had been to reintegrate the refugees in the receiving countries. It was stated, however, in paragraph 2 of General Assembly resolution 513 (VI):

“*Endorses*, without prejudice to the provisions of paragraph 11 of resolution 194 (III) of 11 December 1948 or to the provisions of paragraph 4 of resolution 393 (V) of 2 December 1950 relative to integration either by repatriation or resettlement the programme recommended by the . . . Agency . . .”.

Yet Israel still failed to comply with resolution 194 (III), although it had been admitted to the United Nations on condition that it respected that resolution. It was high time that the General Assembly expelled recalcitrant States such as Israel, South Africa and Portugal, which did not discharge their obligations under the Charter and did not respect United Nations decisions. Moreover, Israel had given the first example of its bad faith when it had denounced the Protocol of Lausanne on the very day of its admission to membership in the United Nations.

26. In recent years Israel's propaganda had failed to deceive world public opinion: despite the Israeli representative's assertions to the contrary, the people of Palestine existed and the cause of the legitimate rights of the Palestinian people had never been so widely recognized and respected. In fact, the great majority of countries had realized that Israel was a colonialist and racist State, whose policies and practices were reminiscent of the Nazi era and threatened the foundations of the international system.

27. The tenth ordinary session of the Assembly of Heads of State and Government of OAU, held in May 1973, had for the first time recognized, in paragraph 5 of its resolution 70 (X), that “the respect of the inalienable rights of the people of Palestine is an essential element in any just and equitable solution, besides being an indispensable factor for the establishment of permanent peace in the region”. It was to be hoped that Israel had understood what the African States meant by severing their diplomatic relations with it. Furthermore, in paragraph 30 of the political declaration of the Fourth Conference of Non-Aligned Countries, the Heads of State or Government of 75 countries of the third world, representing half the population of the world, had stated that “the restoration of the national rights of the Palestinian people is a basic prerequisite for the estab-

lishment of an equitable and lasting peace in the area” and that “the struggle of the Palestinian people to recover their usurped homeland is an integral part of the struggle of all peoples against colonialism and racial discrimination and for self-determination” (see A/9330). Lastly, the Governments of the nine countries of EEC had considered that any peace agreement must be based on recognition of the fact that in the establishment of a just and lasting peace the legitimate rights of the Palestinians must be taken into account. Thus Israel could no longer ignore the right of the Palestinian people to self-determination in the territories that it had usurped in 1948.

28. It was clear from the report of the Secretary-General (A/9155) that Israel was still proceeding with its demolitions, punitive and non-punitive, of refugee shelters at Gaza, that, contrary to what it claimed, it had not paid any compensation for the damage done and that it was still transferring refugees as if they were herds of animals. His delegation urged all delegations to read that report carefully, for it categorically refuted what the representative of Israel had said in his vindication of the military occupation. With particular reference to paragraph 11, his delegation accused Israel of imposing a kind of forced labour on the Palestine refugees and it thought that a full inquiry into that despicable conduct should be carried out by UNRWA, the ILO and ICRC.

29. Israel would no doubt cite its duty, under Security Council resolution 237 (1967), to ensure “the safety, welfare and security of the inhabitants” of the areas placed under its control. That resolution had been adopted on 14 June 1967 to protect the inhabitants from the Israeli army; it had never been intended to authorize the occupant to demolish houses and shelters or to evict the inhabitants in order to build approach roads to the recently established colonies. Israel was trying to answer for its war crimes by citing a Security Council resolution, whereas elsewhere the Israeli leaders considered that the resolutions of the Security Council bore witness to the moral, political and juridical failure of the United Nations.

30. According to paragraph 4 of the Secretary-General's report (A/9156) Israel had claimed that some 50,000 displaced persons had returned to their homes since 1967 and that figure had been repeated, he hoped inadvertently, in other United Nations reports. Israel should be asked to confirm the truth of its statements by providing ICRC or the Commissioner-General of UNRWA with a list of the names of the people who had been allowed to return to their homes; the total would certainly be well below the figures that had been given. Israel was trying to deceive the United Nations by giving false figures. The question was how many people agreed to deportation out of fear or because of other tactics and pressures used for the purpose of expelling the inhabitants of the occupied areas. Moreover, the figures cited by Israel were flatly contradicted in paragraph 5 of the Secretary-General's report (*ibid.*).

31. However that might be, none of the resolutions in which the Security Council and the General Assembly had asked for the return of the displaced persons had placed any conditions on that return. The reason why Israel had not complied with those resolutions was not that the situation prevailing in the region prevented any

large-scale return of those people, but that it enabled the Zionists to colonize Arab land. As many as 19 Israeli colonies had been established in the Golan Heights and on 1 November 1973 the Finance Minister of Israel had declared that a large Israeli town must be built there.

32. So long as the refugees were not allowed to return to their homes, in accordance with the resolutions of the General Assembly, the question of Palestine would continue to be a chronic threat to peace and security in the region. His delegation was convinced that the Palestinian people would regain their usurped rights by using all the means at their disposal.

33. The Israeli representative's statement at the preceding meeting must be judged in the light of Israel's expansionist policies and practices. Furthermore, the Commissioner-General had in his statement (877th meeting) described the occupied territories as "assimilated to the Israeli economy since 1967". Israel must therefore be condemned because, under international law, an occupying Power had the obligation to preserve the institutions of the occupied territories. The statement made by the representative of Israel was a masterpiece of the art of distorting the facts. Actually, no refugee had returned to Israel, and, in Israel itself, the Arabs did not always have the right to return to their villages. The 50,000 "refugees" which Israel claimed it had authorized to return home were persons who had been displaced from the territories since 1967, whereas General Assembly resolution 194 (III), which had been reaffirmed for a quarter of a century, was concerned with the right of the refugees to return to the territories which had been occupied in 1948.

34. It was true that, owing to the Israeli occupation, hundreds of Arab families had television, but the Israeli representative had failed to indicate in what country the television sets were manufactured and what programmes were offered to the Arabs. Israel, which censored UNESCO-approved manuals, could not claim that the television programmes of the occupying Power were aimed at developing Arab culture. The representative of Israel had been careful not to mention, in his justification of the Israeli occupation, that the Arab workers in the occupied territories did not have the right to spend a single night at the places where they worked in Israel, and he had not spoken of the trade union rights that had been trampled upon nor of the high taxes that were illegally imposed in the occupied territories with the aim of expropriating the Arabs.

35. The question which must be answered was when Israel would apply paragraph 11 of resolution 194 (III). It was clear that Israel was not prepared to authorize the refugees to return to their homes. Syria, for its part, would always support the complete restoration of the rights of the Palestinian people.

36. Mr. BENHIMA (Morocco) said that his delegation understood the fears expressed by the Commissioner-General concerning the current activities of UNRWA, which were affected by numerous financing problems. It hoped that the appeal (A/9231, annex I) made to the Governments of Member States would elicit the desired response, for the people of Palestine, who had been struggling with the relentlessness of despair for a quarter of a century so that justice might be done to them, had the right to expect a vast outburst of solidarity from the international commun-

ity. His delegation had been gratified to note that the majority of delegations had recommended the continuance of the Agency pending an equitable and lasting settlement that would have to satisfy the legitimate demands of the Arab people of Palestine. Those who persisted in seeing only the humanitarian aspect of the question and who tried to consign a people's tragedy to oblivion and to stifle their revolt must be reminded that there were other imperative considerations such as restoration of the rights of the Arab people of Palestine and recognition of their status as a nation, their right to self-determination and their right to return to the land of their fathers. All those who subscribed to a code of international ethics had the duty to demand respect for the resolutions of the United Nations and the implementation of those resolutions.

37. The international community, which Zionist propaganda had tried to deceive, now realized the nature of Zionism, a philosophy which was based on racism, intolerance and expansion and which was, moreover, condemned by many Jews who could speak with authority. The State of Israel, which considered itself to be the embodiment of international Zionism and which had long justified its presence on Arab land as a form of reparation for the repression suffered by the Jewish Diaspora for many centuries and almost exclusively in Europe, constituted a flagrant injustice in relation to the Palestinian people. It must be asked whether it was moral to redress one injustice by creating another, to establish a Zionist homeland by destroying a Palestinian homeland, to break up the homogeneity of a people by opening the frontiers of a usurped Palestine to heterogeneous elements with no racial or cultural affinity and drawn from diverse environments and civilizations.

38. The State of Israel was continuing to stir up emotional support for its survival while rejecting the survival of the Palestinian people which it had scattered to the winds and whose extermination it was pursuing in the concentration camps of Gaza and western Jordan and by its bombing of the resettlement centres in Syria and Lebanon. The statement at the previous meeting by the representative of the Palestine Arab Delegation had thrown abundant light on the origins of Zionism and its aspirations, and on the expansionism of Israel and the occupation of the Arab territories, which was inevitably accompanied by resistance which Israel continued to call terrorism. The peace and security Israel was demanding would not be granted to it unless it admitted the legitimacy of the Palestinians' demands and realized the need for coexistence with the Arab people of Palestine.

39. Mr. BARJUCH (Colombia) said that the world owed a debt of gratitude to the Commissioner-General of UNRWA for the efforts which he had made on behalf of the Palestinian refugees. Referring to the report of the Commissioner-General (A/9013), he drew attention to a situation which was not new, namely, that unless there was an increase in the contributions to the Agency, the latter would have to curtail not only its educational and health projects but also the food rations it was distributing to the Palestinian refugees.

40. The Committee had listened to debates on the question of who was responsible for the situation of the Palestinian refugees. No matter how heated such debates might be, they could do nothing to resolve the

problem of the Palestinian population, which was forced to live on international charity in a state of permanent nomadism.

41. The Working Group on the Financing of UNRWA dealt with the entire scope of the problem in its report (A/9231) and deserved a vote of thanks for doing so. The time had come for decisions that would alleviate the budgetary and financial difficulties of the Agency as well as the tragedy of the Palestinians. His delegation, which wished to add its support to the appeals made by the Commissioner-General in his report, the considerations put forward by the Working Group and the remarks made on 27 September 1973 in the Fifth Committee (1563rd meeting) by the Chairman of the Board of Auditors, supported draft resolution A/SPC/L.274, submitted by the United States of America. It proposed the addition of a new paragraph (A/SPC/L.275). The purpose of that amendment was to meet the Agency's deficit, which represented about 5 per cent of its budget. If it was adopted, a step would have been taken to improve the conditions of the Palestinian population.

42. His delegation was convinced that the problem of the Palestinian refugees would be solved, that the United Nations must seek a solution to that problem and that the Secretary-General must submit proposals to the General Assembly for its consideration.

43. Mr. ALSHAKAR (Bahrain) expressed appreciation for the efforts made by the Commissioner-General to improve the conditions of the Palestinian refugees, and he paid a tribute to the valuable work done by the Working Group on the Financing of UNRWA.

44. His delegation shared the Commissioner-General's concern over the financial situation of UNRWA; it was highly concerned about the fact that many of the programmes, and particularly the education programme, were threatened because of the Agency's deficit.

45. The debate on the item before the Committee should not be confined only to the financial aspects of the Agency. The humanitarian and political aspects could not be ignored. The question of the Palestinian refugees was not merely a case of international charity; it also concerned injustice inflicted upon the people of Palestine. The refugees had been uprooted from their homes by Israeli Zionists. The problem was related to the struggle of people deprived of their homeland and determined to free themselves from colonial and racist domination. The struggle of the Palestinian people would have to be recognized if there was to be any solution to the problem of the Middle East.

46. Bahrain fully supported the legitimate struggle of the people of Palestine to recover their rights and return to their homeland. The solution of the problem must be a political one, especially as the United Nations had admitted that injustice had been done to the Palestinian people. The Agency's activities could not be a substitute for a political settlement, which would have to be based on General Assembly resolution 194 (III).

47. It appeared from the report of the Commissioner-General that no progress had been made towards a settlement of the Palestine refugees' problem. Despite the repeated appeals of the United Nations, the vast majority of the refugees and other persons displaced during the 1967 war had not yet been allowed by the Zionist authorities to return to the oc-

cupied territories. Israel was following policies of aggression and expansion and took no account of international law and the principles of the United Nations Charter. A large number of Israeli colonies had already been established in the occupied territories despite the resolutions of the United Nations.

48. It would be contrary to the Charter to allow the situation in Palestine to continue in such a way that the Palestine refugees became wholly dependent on international charity. The United Nations must insist that the Palestinians should regain their political rights and the right to provide for their own needs. Those rights were laid down in the Charter and in the Universal Declaration of Human Rights.

49. Peace in the Middle East must be based on justice. It could not endure if the people of Palestine could not exercise their right to self-determination. His delegation urged that action should be taken to restore to the people of Palestine its inalienable rights without delay. In conclusion he wished to pay a tribute to those African States that had broken off diplomatic relations with Israel.

50. The CHAIRMAN reminded the members of the Committee to show restraint when speaking in exercise of the right of reply.

51. Mr. SAYEGH (Kuwait), speaking in exercise of the right of reply, wished to refer to the numerous inaccuracies in the statement made by the Israeli representative at the previous meeting, who had said that the Governments of Arab countries regarded the economic situation of the refugees as being of no importance, thereby showing how little they cared for the refugees. The delegations of the Arab States had never said anything of the kind. They had maintained that the problem was both humanitarian and political and that to confine themselves to the humanitarian aspects and deal only with the economic solutions to the humanitarian problem would mean confining themselves to what should be only the first stage of the concern of the United Nations in the matter. The refugee problem transcended simple economic questions and the solution should go far beyond such considerations.

52. The Israeli representative had also claimed that it was the Arabs who had created the refugee problem, and that they had always refused to do anything to solve it. What had to be considered here was the origin of the problem and therefore the extent to which the solution of the problem depended on its origin and nature. The refugee problem had its origin in the designs of the Zionists who had come to settle in a country that was already populated. Their aim had been to establish in Palestine a *Judenstaat*, a Jewish State. The only logical means of setting up such a Jewish State was to eliminate the population living on the lands they coveted. Hitler had used the gas chambers as a means of achieving his plan of racial purity, but the plan of the Zionists had been to expel the people of Palestine. The aim in both cases had been to achieve racial exclusiveness by eliminating undesirables. Once the Zionists had decided to establish a Jewish State in Palestine, the Palestinian Arabs were condemned to expulsion. Such had been the origin of the Palestine refugee problem. The representatives of Israel usually claimed that the problem had arisen as a result of the war of May 1948. They forgot that there had been a war between Zionists and

Arabs in May 1948 because in April of that year there had been mass expulsions of Palestinian Arabs from Palestine. The war had been the result, not the cause, of the refugee problem.

53. The representative of Israel had also spoken of spontaneous exchanges of populations without a pre-established plan, by which he meant immigration into Israel of Jews from other countries, particularly Arab countries, and the departure from Palestine of Arab populations. But there was no question here of spontaneous movements without a pre-established plan. The arrival in Palestine of Jews from other countries was in accordance with Zionist doctrines. To transform into a *Judenstaat* a Palestine that was already filled with Arabs and where only a few Jews lived. Arabs had to be expelled and Jews imported. What the Israeli representative called a spontaneous exchange of population was therefore a logical and deliberate operation forming part of the Zionist programme. That operation was in any case continuing since the Zionists were encouraging Jews from all over the world to settle in Palestine. The so-called exchanges of population amounted to nothing more than rejecting Arabs, whom the Zionists did not want, and welcoming Jews, with whom they wanted to populate Palestine.

54. The representative of Israel constantly affirmed that Zionism was a liberation movement. When colonialism had been in fashion, Zionism had claimed to be a colonization movement. To convince his coreligionists that Zionism could be a viable colonial movement, Theodor Herzl had turned to a specialist on colonialism, Cecil Rhodes, as could be seen in a letter in the third volume of the complete edition of his diaries. Now that liberation movements were in vogue, Zionism claimed to be such a movement. Ghandi, who had been an expert on liberation movements, had described the Jews in Palestine as an injection of a foreign body into the Middle East circulatory system. It was impossible to claim to represent a liberation movement and to expel the original inhabitants of the country. Zionism had as much right to claim to be a liberation movement as those practising *apartheid* could claim to represent a movement of racial integration and equality.

55. Finally the representative of Israel had asserted that the road to peace lay through significant negotiations between the parties. He would accept that point of view, but he rather thought that the Israeli representative's words did not accord with his intentions and that he was deceiving the Committee. If the Israeli representative did indeed want to negotiate on the date when and the manner in which Palestine refugees would be able to exercise their rights, one would be bound to agree with him. However, the Israeli representative was maintaining that the refugees would not be repatriated. The refugees' right of return to their homeland, which was recognized by the United Nations, was denied by the Israeli Government. Moreover, it would be necessary to establish who the parties to these negotiations would be. Though the Palestinians were one of the parties concerned, it was a known fact that Israel had no intention of negotiating with their representatives.

56. Mr. BARROMI (Israel), speaking in exercise of the right of reply, said that he would not answer in detail

the slanderous charges levelled against Israel, the common features of which were political motivation, aggressiveness, arrogance and indifference to the humanitarian problem before the Committee and to the longing for peace of the peoples of the Middle East.

57. Syria had done nothing or next to nothing to help the refugees. It had not facilitated their rehabilitation and re-integration into normal life. It had rejected compromise and it had had recourse to violence and terrorism under the cloak of the theory of a "popular liberation war". It had raised its new generation in a fanatical hatred of Israel and everything Jewish. It was not surprising therefore that in the recent hostility it had put to death 28 Israeli prisoners. Israel had full proof of those murders. The representative of Syria was voicing his calumnies with the support of the complacent majority, but his country would be judged differently in the verdict of the human conscience and of history.

58. Mr. EL-FATTAL (Syrian Arab Republic), speaking in exercise of the right of reply, pointed out that it was not for Syria to comply with the resolutions adopted by the United Nations on the return of refugees to their homeland. Those resolutions were addressed to Israel and it was Israel that had to apply them. The Palestine refugees were in Syria because Israel prevented their return to their homeland.

59. The Israeli representative alleged that 28 Israeli prisoners of war had been killed. The statement of the Israeli Foreign Minister in *The New York Times* of Sunday, 11 November 1973, belied the Israeli representative's figure. According to the Minister—assuming that the report was true—the bodies of 12 Israeli soldiers had been found in Israel. He would like to know which of the two figures was the right one. The Israeli representative should make his lies tally with those of the Israeli Government. Why did he not ask ICRC to investigate the matter? The Syrian delegation in any case categorically denied the allegations and the Israeli representative would one day regret the slanders he had uttered against Syria.

60. He associated himself with the spirit and the letter of the statements made by the representative of Kuwait when speaking in exercise of the right of reply. Syria had Jewish nationals and it respected their faith. While it respected Judaism, it did not respect Zionism, which was a purely political movement and had as its aim the conquest of Syrian lands for the Zionists. Syria did not teach hatred of Jews, who on the contrary were praised in the sacred writings of Islam.

61. Mr. BARROMI (Israel), speaking in exercise of the right of reply, said that in view of the late hour he would not reply to the allegations made by the Syrian representative. However, he considered that the Syrian representative should have been called to order for having uttered personal threats.

62. Mr. EL-FATTAL (Syrian Arab Republic), speaking in exercise of the right of reply, pointed out that the members of the Committee represented States. There was no question of any personal threats. What he had meant to say was that Israel would regret the threats it had proffered against Syria.

The meeting rose at 1.20 p.m.

883rd meeting

Monday, 12 November 1973, at 3.20 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.883

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/SPC/163, A/SPC/164, A/SPC/L.273-275):

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

GENERAL DEBATE (*continued*)

1. Mr. JOB (Yugoslavia) said that, as his and other delegations had repeatedly stressed, the problem before the Committee was not merely one of refugees who had to be resettled, compensated or allowed to return to their homes in token numbers. Instead, it was the great issue of the entire Arab people of Palestine, whose national consciousness was an indisputable fact and who wanted to participate in all decisions relating to their legitimate, national rights. In its discussion of the entire Middle East crisis during the past summer, the Security Council had recognized two closely interrelated factors as the one major cause of tension and war in the area, namely, the continued occupation by Israel of Arab territories and the denial to the Arab people of Palestine of their legitimate national rights to repatriation and self-determination. Whatever the formal outcome, that had been the real, political conclusion of the Security Council's debate. Further, even before the eruption of 6 October 1973, the work of the United Nations Relief and Works Agency for Palestine Refugees in the Middle East and all the refugees in the Middle East had been directly affected by constant military attacks by Israel against neighbouring Arab States. The report of the Commissioner-General (A/9013) showed that the bombing of UNRWA camps had resulted in many dead and that Israel's practices in the occupied territory of Gaza had added new hardships to the already inhuman conditions in which the Palestinians lived. The many letters from the representatives of Egypt and Syria to the President of the Security Council showed that Israel's latest military action on the west bank of the Suez Canal and in the Golan Heights had created new refugees. All that was taking place in occupied Arab territory.

2. It was against that backdrop that his delegation had studied the report of the Commissioner-General and that of the Working Group on the Financing of UNRWA (A/9231). It had come to the regrettable conclusion that UNRWA remained beset by the same old problems, particularly a chronic shortage of funds. The growing deficit resulting from dollar devaluation and general inflation had been partially controlled only by increasing the burden on the Arab host countries. It was an international disgrace that UNRWA was unable to

increase the number of persons receiving rations and the contents of those rations. Education of the future generations of leaders and fighters was essential if the Palestinian people was not to lose its identity and ability to present and promote its just claim. Accordingly, no curtailment of UNRWA's educational programmes could be permitted.

3. The steady increase in Yugoslavia's annual contributions to UNRWA, which were additional to its bilateral assistance, reflected his country's concern at the Agency's financial difficulties and its feeling that it should assist as much as possible. It agreed that all Member States should contribute to UNRWA. Recent events, including the recognition, after 6 October, that the Arab nations would not tolerate the occupation of their territories, should reassure States which feared that contributions to UNRWA would lead to the permanent transformation of the Palestinian nation into a group of refugees and displaced persons. His delegation was prepared to consider favourably any new proposals to alleviate UNRWA's financial problems.

4. The events subsequent to 6 October proved that the Arab peoples would, if necessary, fight to recover their occupied land and that support for their cause from African, non-aligned and all other peace-loving countries was constantly growing. They also showed that the great Powers could overlook the Middle East crisis only at their own and the world's peril and that, without the involvement of the Security Council as a mediator, the crisis would proceed unchecked. The main lesson to be learned was that until the Arab people of Palestine could implement their legitimate national rights to repatriation and self-determination and until their representatives were permitted to participate in any negotiations for a settlement, it would be impossible to guarantee the peace and security of the Middle East States, including Israel. Meanwhile, all States should do their utmost to enable UNRWA to discharge its noble and temporary task.

5. Mr. VAZHNIK (Byelorussian Soviet Socialist Republic) pointed out that the problem of the Palestinian refugees had been discussed in the United Nations for many years, resulting each time in no more than temporary measures for its solution, involving the granting of economic aid to the suffering Palestinian people. The real root of the problem and of the political instability in the Middle East was the seizure by Israel of Arab lands, the persistent refusal of Tel Aviv to recognize the legitimate rights of the Arab peoples and the support of Israeli aggression by those capitalist forces which sought to hinder the free and independent development of the progressive Arab States. A key factor in the solution of the Middle East problems would be a political settlement on the basis of the implementation of all parts of Security Council resolutions 242 (1967), 338 (1973) and 339 (1973).

6. At the World Congress of Peace Forces held in Moscow in October 1973, the General-Secretary of the

Central Committee of the Communist Party of the Soviet Union had expressed the continued support of the Union of Soviet Socialist Republics for just and lasting peace in the Middle East, for the exercise by all States in the area of the right to live as they chose, for the return of the Arab lands occupied by Israel and for justice for the Palestinian people. His delegation, therefore, believed that the problems of the Palestinian refugees could best be settled by observance of the principles of General Assembly resolution 194 (III) and Security Council resolution 242 (1967). Israel should desist from its aggression against the Arab peoples and withdraw its forces from and return occupied Arab lands. The Byelorussian people, like all the peoples of the Soviet Union, would continue to provide the necessary assistance to all Arab peoples in their just struggle. His delegation could not accept any proposal to defray the administrative and other expenses of UNRWA from the United Nations regular budget and considered that the Agency could continue to be financed strictly on the basis of voluntary contributions.

7. Mr. SAHAD (Libyan Arab Republic) said that the view expressed by some delegations that the Committee should deal only with the humanitarian aspects of the item before it could not be accepted by his delegation; it believed, on the contrary, that the work of UNRWA could not be set in its proper perspective until all aspects of the tragedy had been adequately discussed.

8. The question before the Committee was not one of ordinary refugees forced to leave their country by a natural disaster, but a problem which involved the entire people of Palestine. Two thirds of them had been forced to search for refuge, and the remaining third was forced to live under abnormal conditions of occupation. The problem had clearly arisen from a political plot in which the Palestinians were to be the victims. Moreover, the current situation had arisen as the result of actions and developments initiated by the United Nations, although the Organization had not anticipated such unfortunate consequences. The adoption in 1947 of General Assembly resolution 181 (II) had undoubtedly contributed to the tragedy of the Palestinian refugees, and all were aware that that resolution had been enforced by the great Powers in the United Nations. By that resolution, the belligerent Powers of the Second World War had relieved their conscience by securing a future for the victims of nazism. Justice had been sacrificed in order to mitigate the guilt of some and serve the interests of others. The name of Palestine had to be erased in favour of a mythical concept, namely, the perfidious notion of the exclusive in-gathering of immigrants of one faith into one place.

9. For 26 years, the people of Palestine had been looking to the United Nations and the international community for justice. They had been given only meagre material assistance and empty promises, although the international community had in one form or another confirmed and guaranteed the inalienable rights of the Palestinians.

10. From the very beginning, Palestine had been the target of Zionism under the protective wing of the imperialist Powers. In keeping with the Balfour Declaration, the United Kingdom had blessed the invasion of Palestine and connived with the Zionists in uprooting the people from their homes and dispersing them in

order to open the gates of Palestine to foreign immigrants from South Africa, the United States of America, Europe and the whole world. The United States had provided them with weapons to stockpile against the return of the Palestinian people, and by doing so had made it possible for the Zionists not only to maintain their oppression against the people of Palestine but also to commit further aggression.

11. The report of the Commissioner-General (A/9013) reflected the tragedy of the Palestinian people who, despite years of suffering, poverty and deprivation, continued to insist more and more forcefully on their inalienable right to their countries and to their homes. The Commissioner-General had pointed out the disturbing financial situation of the Agency and the measures it would have to adopt if funds were not provided. Such measures would seriously and adversely affect the situation of the recipients. The United Nations, which bore a large measure of responsibility for the problem, had a duty to provide the Agency with the necessary funds to enable it to carry out its task.

12. The people of Palestine persisted, in spite of their difficulties and the harshness of their lives, in their determination to see the day when their legitimate rights would be fulfilled. The sentiment which attached them to Palestine was so deeply rooted that neither time, terror, poverty nor American bombs could destroy it. They had embarked upon a heroic struggle to recover their usurped freedom, homeland and dignity, and they would triumph because no power on earth could resist for ever the irrepressible desire for freedom.

13. In conclusion, his delegation wished to reaffirm the obligation of the international community, under the Charter of the United Nations, to restore the land of Palestine to its people, and to restore the people of Palestine to their land.

14. Mr. WANG Jun-Sheng (China) agreed with the Arab representatives that the discussion on the so-called question of Palestine refugees should not be confined to the humanitarian aspects but should attack the roots of the matter. The facts were clear. The Israeli Zionists, with the support and connivance of the super-Powers, had long been pursuing a policy of aggression and expansion. They had repeatedly launched large-scale wars of aggression against Arab countries, occupied large tracts of Arab territories and driven the Palestinian and other Arab peoples from their homelands where they had lived for generations, causing over a million people to remain destitute and homeless over a long period. The question was therefore not one of humanitarian relief but of aggression and of the restoration of the natural rights of the Palestinian people. So long as those rights were not restored and the territories recovered, there could be no genuine solution of the Middle East question. The two super-Powers' contention for hegemony in that region was the essence of the Middle East question and the reason why it had remained unsolved.

15. After the Egyptians, Syrians and Palestinians had risen up to resist the Israeli aggressors, shattering the myth of the "invincibility" of Israel and liberating part of the occupied territories, the two super-Powers had hurriedly concocted a draft resolution on a cease-fire which did not condemn that aggression, explicitly call for the unconditional withdrawal of Israel from all the

occupied Arab territories or mention the restoration of the national rights of the Palestinian people. That resolution was obviously designed to re-impose the situation of "no war, no peace" which they had deliberately created and bring the Middle East situation again under their control. China was firmly opposed to any such deal at the expense of the national rights of the Palestinian people and the territories and sovereignty of the Arab countries. However, history was made by the masses. Even though the super-Powers might succeed in their schemes for a time, they were doomed to failure in the long term. The indomitable heroism and unprecedented militant solidarity displayed by the Arab people in the October war had eloquently shown the greatness of the Arab people, who would never allow their fate to be decided by others. They would draw the necessary experience from the October war, see more clearly the power politics practised by the super-Powers and make redoubled efforts to fight to recover their lost territories and national rights.

16. The Arab people's just struggles against aggression and hegemony had won increasing support in the world. For example, 27 African countries had already severed diplomatic relations with Israel. The Chinese Government and people deeply sympathized with the sufferings of the Palestinian people and would unswervingly support their struggle and that of other Arab peoples subjected to aggression and humiliation. Although the forthcoming struggles would be protracted and arduous, China was convinced that so long as they relied on their own efforts and persevered in unity, with the assistance of justice-loving countries, they would surmount all obstacles and finally attain their lofty ideals.

17. Mr. SAITO (Japan) said that the current Arab-Israel conflict, the fourth in 25 years, should remind everyone of the urgent need for concerted efforts to bring about a just and lasting peace in the Middle East on the basis of Security Council resolution 242 (1967), which was accepted by the majority of States Members of the United Nations, including all the parties directly concerned. Paragraph 2 of that resolution which, *inter alia*, affirmed the necessity for achieving a just settlement of the problem, recognized that otherwise there would be no real peace in the region. Although the strengthening of the unstable cease-fire would remain the primary issue for some time, the General Assembly should help to lay the groundwork for peace negotiations by renewing its insistence on equitable treatment of the Palestine refugees, based on General Assembly resolution 194 (III), which laid down the principle of repatriation or compensation.

18. The Japanese Government supported the principle of equal rights and self-determination for all the peoples of the Middle East, as emphasized by previous speakers, and sincerely hoped that the necessary measures would be taken as soon as possible to meet their legitimate aspirations. Since the twenty-sixth session his delegation had supported the General Assembly's annual resolution which recognized those rights under the Charter of the United Nations and was convinced that those goals should be achieved within the context of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

19. However, pending a settlement of the refugee problem, the relief work of UNRWA must be continued in order to sustain the minimum subsistence level of the refugees and alleviate further suffering. His delegation was gravely concerned over the immediate danger of a reduction in the Agency's services, already reduced to a bare minimum, and in particular in the education programme. His delegation endorsed the United Kingdom representative's statement (879th meeting) that the provision of relief for refugees in the Middle East should be considered the common responsibility of all the Members of the United Nations and strongly appealed to all delegations to urge their respective Governments to make more generous contributions to UNRWA.

20. Japan had actively participated in the efforts of the Working Group on the Financing of UNRWA to improve the Agency's financial situation. It had consistently increased its contribution and was now the seventh largest contributor. It was considering a further increase for 1974 and a substantial increase in the cash portion, in view of UNRWA's current financial situation. Owing to the growing public concern over the plight of the Palestine refugees, contributions to the Agency by non-governmental organizations in Japan were also increasing.

21. Mr. SEITZ (Federal Republic of Germany) said that his country was aware from its own experience of the suffering of refugees and had observed with particular attention and deep sympathy the efforts of the United Nations since 1948 to assist the Palestine refugees.

22. Since that date, the Federal Republic of Germany had regularly contributed substantial funds to the Agency and had been the third largest donor in terms of contributions made over the past few years. In 1973 alone, his Government had provided a total amount of 12.1 million Deutsche Mark in addition to its contribution to UNRWA through EEC. In 1973 the contribution of EEC had risen from \$5 million to \$7.4 million. His country had also given approximately 476,000 Deutsche Mark in 1973 in bilateral assistance to Middle East countries in connexion with the refugee problem.

23. His Government was greatly concerned about UNRWA's deficit for the current year. It agreed with the Commissioner-General (877th meeting) that reductions in any educational programmes would not be without serious political consequences and considered that such measures could bring about additional unrest at a time when all hoped that the deadlock might at long last be overcome and a comprehensive political solution be found to the Middle East conflict. His delegation found it difficult to believe that at that crucial time the international community could deny UNRWA the necessary sources for the continuation of its relief programme. All were aware that the Agency's relief programme was not a permanent solution, but concern for the rights of the refugees and for their future should not outweigh concern for their current situation.

24. His delegation felt that as long as there was a need for UNRWA's humanitarian relief programmes, their continuation was a joint responsibility of all Members of the United Nations who voted unanimously each year for their maintenance. The principle of voluntary contributions enabled every country to assess its contribution according to its economic possibility. However, that did not mean that some countries need not

contribute at all. His Government therefore associated itself with the urgent appeal of the Working Group (A/9231, para. 24) to those countries which in the past had contributed either inadequately or not at all to reconsider their position and to contribute generously.

25. Mr. BIRIDO (Sudan) commended the Commissioner-General of UNRWA and his staff for their work on behalf of the Palestinian refugees, as described in the Commissioner-General's report, he also expressed his delegation's gratitude to the Chairman and members of the Working Group on the Financing of UNRWA.

26. The reports of the Commissioner-General and the Working Group suggested that UNRWA would be forced to consider reductions in its services unless the estimated deficit of \$10 million was covered by voluntary contributions in the near future. In his delegation's view, the international community, and particularly those States which were the cause of the tragic situation of Palestine and the plight of the Palestinian people, had a moral obligation to meet that deficit.

27. He noted with satisfaction the growing awareness that a just and lasting peace in the Middle East required a settlement of the Palestinian problem, the return of the refugees to their homes and the recognition of their inalienable right to self-determination and independence, which had been repeatedly reaffirmed by General Assembly resolutions. As reported in a letter dated 6 November 1973 from the representative of Denmark to the Secretary-General (A/9288), the nine member countries of EEC had stated that one prerequisite for peace in the Middle East was "recognition that in the establishment of a just and lasting peace account must be taken of legitimate rights of the Palestinians". Other statements emphasizing the close relationship between the problem of peace in the Middle East and the rights of the Palestinian people had been made recently by the representatives of the United Kingdom, Netherlands and Japan. The Assembly of Heads of State and Government, at its session at Addis Ababa in May 1973, had condemned Israel and expressed support for the just cause of the Arabs and the Palestinian people. Israel had been expelled from the African continent except for the parts controlled by South Africa and Portugal. The Heads of State or Government of the Non-Aligned Countries, at their Conference at Algiers in September 1973 had also supported the inalienable right of the Palestinians to self-determination and the just struggle of the Arabs to liberate their occupied territories.

28. For those reasons, it was his delegation's view that the problem of the Palestinian people was essentially one of colonization, occupation, expansion and aggression by Israel against the Palestinians and the Arab States. It was no coincidence that Israel's policies were similar to those pursued by the Governments of South Africa and Portugal and by the Southern Rhodesian régime, nor was it a surprise that, as reported by the *Rand Daily Mail*, the South African Minister of Defence had stated on 15 October 1973 that South Africa would find ways of showing sympathy with Israel in a practical manner.

29. At the 881st meeting the representative of Israel had asserted that the standard of living of the ordinary inhabitants in the areas administered by Israel since 1967 had risen. That argument was similar to those used

by South Africa and Portugal to justify their exploitation and occupation of African lands. He drew attention, however, to the Commissioner-General's warning in paragraph 24 of his report (A/9013) that, regardless of any immediate material benefits, the longer-term economic effects and the cumulative, pervasive social and cultural effects gave cause for concern.

30. On 6 October 1973 Israel had launched its fourth war of aggression against the Arab countries. That war had added new victims to the long list of Palestinian refugees. The Commissioner-General had informed the Committee (877th meeting) that the fighting in Syria had brought death or injury to a number of refugees and damage to refugee camp facilities and that 7,700 refugees had had to be evacuated from their camp or village quarters. According to a letter dated 3 November 1973 from the representative of Egypt to the President of the Security Council¹, nearly 300 persons living in two Egyptian villages had been forced by the Israeli armed forces to evacuate their homes and move to the nearest Egyptian military position. Thus, Israel had again demonstrated its consistent policy of uprooting Arabs from their homes in order to replace them with European and foreign settlers and establish new settlements, in violation of the Geneva Conventions and United Nations resolutions. Such Israeli action must be condemned by all Member States, and Israel must be forced to put an end to its atrocities and crimes.

31. In conclusion, he reaffirmed his Government's unequivocal support for the inalienable right of the Palestinian people to self-determination and independence and the continuation of Sudan's contribution to the UNRWA budget.

32. Mr. SOKALSKI (Poland) observed that the Special Political Committee's agenda, unlike those of other Committees of the General Assembly, included perennial problems which the United Nations had had to deal with almost since its inception, such as the problem of *apartheid*. The item now before the Committee was of a similar nature, with a 25-year history. A closer look at the developments of the past year alone, however, would suffice to give a clear picture of the situation.

33. The report of the Commissioner-General stated (A/9013, para. 1) that between 1 July 1972 and 30 June 1973 there had been no progress towards a settlement of the basic Palestine refugee problem in accordance with the relevant resolutions of the General Assembly and the Security Council, that Israeli military occupation of the west bank, the Gaza Strip and part of the Golan Heights continued and that the vast majority of the refugees and other persons displaced from those territories as a result of hostilities of 1967 were still unable to return to their homelands. Similarly, the United Nations Conciliation Commission for Palestine had stated in its report that the situation remained "essentially unchanged as regards the circumstances governing the possibilities open to the Commission" (see A/9187, para. 4).

34. The UNRWA documents before the Committee could serve as an indictment of Israel's treatment of the Palestinian refugees. General Assembly resolution 2963 C (XXVII) had called upon Israel to desist forth-

¹ Official Records of the Security Council, Twenty-eighth Year, Supplement for October, November and December 1973, document S/11080.

with from all measures that affected the physical structure and demographic composition of the Gaza Strip and to provide adequate shelter for the accommodation of refugees. Israel's response, as described in the Secretary-General's report (A/9155), had been the destruction of hundreds of rooms and shelters inhabited by the refugees, and neither the Secretary-General in his report nor the Commissioner-General in the documents he had provided had been able to give a confirmation that the residents of those shelters had been compensated. Thousands of families remained inadequately housed. Israel claimed that 50,000 displaced persons had returned to their homes since 1967, but UNRWA had been able to ascertain the return only of 7,500 (see A/9156). Further evidence of Israel's failure to heed the appeals of the international community could be found in the Twenty-sixth World Health Assembly's resolution WHA 26.56, of 23 May 1973, calling upon Israel to refrain from such practices as the destruction of refugee shelters and the dispersal of the refugees.

35. The lack of progress referred to by the Commissioner-General consisted, first, in failure to effect repatriation or compensation as provided for in General Assembly resolution 194 (III); secondly, in the lack of any substantial progress in the programme for the reintegration of refugees either by repatriation or resettlement, as called for in resolution 513 (VI); and, thirdly, in the growing urgency and expanding political scope of the problem owing to successive acts of aggression against Arab lands and continuing failure to comply with United Nations resolutions.

36. His delegation had therefore been dismayed to find that the fundamental political aspects of the problem had been totally neglected in some of the statements made in the Committee. Fortunately, numerous speakers in the latter part of the debate had returned it to the proper track, towards the only correct appraisal of the plight of the Palestinian refugees. As the representative of the Palestine Arab Delegation had said at the 881st meeting, the problem involved the Palestinians' homeland, their right of self-determination and their freedom and dignity as a people.

37. The 1.5 million victims of the Palestine tragedy were receiving help from the world community in a number of forms, of which UNRWA's activities, under its able Commissioner-General, were important but by no means the only one. His delegation believed that a multi-channel voluntary system of assistance which, whatever its faults, did not impose any rigid limitations upon States, was of practical advantage to all concerned. An attempt to change it with respect to UNRWA might unnecessarily complicate, if not aggravate, the already difficult financial situation.

38. Poland had been participating in assistance programmes other than those at UNRWA for many years, mostly on a bilateral basis and through various non-governmental organizations. Contributions had been made by numerous Polish civic groups, including the Red Cross, trade unions, youth organizations and schools, Polish food, clothing and medicines were being sent to the refugee camps, young Palestinians were attending Polish schools and universities and Poland would continue to spend considerable sums of money on assistance to Palestinian refugees as long as it could afford to do so.

39. He emphasized, however, that not even the most extensive and generous programme of international assistance could be a substitute for a just political settlement, nor could it bring about the implementation of United Nations resolutions by those who had notoriously failed to respect them.

40. Mr. ABDULDJALIL (Indonesia) expressed his delegation's appreciation of the work done during the past year by the Commissioner-General of UNRWA and by the members of the Working Group on the Financing of UNRWA.

41. Today UNRWA faced the worst crisis in its history. That was particularly tragic in view of the recent events in the Middle East, which had again demonstrated that, in the words of the representative of the United Kingdom, no lasting settlement could be achieved which did not take into account "the legitimate rights of the Palestinians" (879th meeting). The importance attached to those rights throughout the world was illustrated by the declaration issued by the nine member States of EEC (see A/9288). It would be a tragedy if UNRWA's services to the refugees had to be reduced because of the financial difficulties of the Agency, which, according to the Commissioner-General, would have a deficit amounting to perhaps \$10 million during the coming year. Such a reduction would indeed have the serious political consequences and ominous implications for peace and security that the Commissioner-General predicted. UNRWA was currently almost the sole support of more than 1.5 million people who had been driven from their homes and lands and would have nowhere to turn if the United Nations and its agencies failed them.

42. The very existence of the Palestinian people might be said to be in the hands of the international community today; unless greater assistance was supplied during the coming year, the living standard of those unhappy exiles would fall even lower. Although the Commissioner-General and the members of the Working Group had done an excellent job under extremely difficult conditions, it was clear that the international community had a duty to provide for the refugees in such a way as to prevent the yearly recurrence of increasingly severe financial crises. In its resolution 194 (III), adopted in 1948, the General Assembly had expressed the international community's hope that the displaced people of Palestine would soon be able to return to the land of their fathers in peace. Yet the Palestinians had remained exiled for 25 years, living in makeshift tents and rooms, and their situation had not improved over the years.

43. In his delegation's view, the term "Palestinian refugee" also applied to those whose circumstances did not compel them to live in UNRWA camps but who had refused to become assimilated in any land other than their own. From a political perspective, to be a Palestinian refugee was to have achieved a particular state of mind which was independent of economic considerations; it involved an attachment to the land of Palestine that superseded all other loyalties and could not be explained in a purely objective fashion. The inalienable right of self-determination, enshrined in General Assembly resolution 1514 (XV), had continued to elude the Palestinians' grasp. Despite numerous United Nations resolutions, they were no closer to the exercise of their basic human rights today than they had been in

1948. Israel had done nothing to fulfil its obligations under those resolutions and evidently had no intention of taking any steps which would return the land to the refugees. It was not surprising, therefore, that the Palestinians continued to struggle to regain their rights.

44. Indonesia would continue to show its concern for the Palestinians and their problems by maintaining its contribution to UNRWA; those nations which had not yet contributed should do so now. With the fraternal assistance of peoples throughout the world, the Palestinians too would soon enjoy the exercise of the rights of self-determination and dignity which all peoples so deeply cherished.

45. Mr. FOUM (United Republic of Tanzania) commended the Commissioner-General and staff of UNRWA for their dedication to their task. The Commissioner-General's report (A/9013) graphically illustrated the difficulties faced by UNRWA as an institution, while the difficult life of the Palestinian refugees dislodged from their homeland had been made clear by the statements made in the debate, particularly that of the representative of the Palestine Liberation Organization (882nd meeting). The peoples of Africa, having had long experience of humiliation and denial of their rights in their own homelands, could not but sympathize with the Palestinian people.

46. Originally established basically as a temporary agency to provide necessary relief services until the Palestinian people could return to their homeland, UNRWA had now been in existence for over two decades, during which the Israeli authorities not only had refused to allow the refugees to return to their homeland but had taken actions which had increased the number of refugees. He shared the concern expressed by the majority of delegations over the outrageous measures taken by the Israeli authorities, particularly in the occupied Arab territories. Israel, which owed its very existence to the United Nations, had flouted the Organization's resolutions, had steadfastly refused to let the refugees return and was intensifying its persecution and maltreatment of the Palestinian people. It had shown by word and deed its expansionist purpose of annexing Arab lands, thus extending and aggravating the root cause of the refugee problem.

47. The millions of individuals served by UNRWA did indeed require humanitarian assistance, but what the Palestinians as a people needed was to regain the rights denied them by the State of Israel. A people should not be compelled to live on international charity. The urgent need for humanitarian relief should not becloud the Palestinians' more urgent need for justice nor divert attention from the basic issues, thereby perpetuating the denial of the fundamental rights of the Palestinian people and legitimatizing the aggrandizement of the Israeli authorities, which had defied the will of the international community.

48. While his delegation supported the essential tasks of UNRWA, it believed that concerted action was urgently needed to give meaning to the basic concepts of the United Nations Charter and the relevant resolutions and restore justice to the Palestinian people. The refugee problem and the dangers arising therefrom would continue so long as Palestinians were denied their rights, for the denial of rights inevitably brought resistance. His delegation fully supported the efforts necessary to obtain a lasting solution, namely, restora-

tion of the legitimate and inalienable rights of the Palestinian people.

49. Mr. DESOUZA (Jamaica) said that the Middle East conflict could at least boast of one enormous humanitarian achievement, the establishment of an agency whose preoccupation with the welfare of the refugees was sincere and far-reaching. The Jamaican delegation appreciated the Commissioner-General's constructive report and wished to thank him and his staff for their tireless efforts, administrative ability, deep human commitment and devotion to the principles of the Charter and, finally, their efficiency and integrity in helping to prevent the collapse of UNRWA in the face of real dangers and increasing financial difficulties. It must be noted, however, that the Agency could never have succeeded in its task without the almost superhuman endurance of the refugees themselves. Moreover, it was regrettable that the situation had changed so little in recent years: the need for UNRWA's services remained as urgent as ever and no solution of the underlying problem seemed to be imminent.

50. It was to be hoped that Member States would ensure enough funds to allow the Agency to continue its noble work and to hasten the day when the refugees would no longer be referred to as such, but would enjoy a higher standard of living in their homeland area in an atmosphere of peace and international co-operation. While the world must remain actively concerned with the rights and future of the refugees, it must also pay attention to their welfare and basic human needs, for their survival and well-being were important factors in the movement towards a just peace in the area.

51. The Agency's acute financial crisis of recent years might bring to an end some of its most careful education and training programmes and might greatly curtail its relief services, with a consequent serious increase of unrest in the area. The Working Group on the Financing of UNRWA that the Assembly had set up at the twenty-fifth session had shown great ingenuity in tapping old and new sources, but the problem remained acute and would no doubt continue unless there was some broader settlement of the Arab-Israel conflict. The humanitarian aspects of the refugee problem were not easily separated from its historical and political context: lack of progress in finding a just and lasting solution of the Middle East crisis not only made peace elusive, but also aggravated the refugees' sense of abandonment and betrayal by the international community and increased their despair and unrest. There seemed to be no real substitute for the complete political settlement desired by all the inhabitants of the area, and it was to be hoped that conditions would soon be created for such a settlement.

52. Wars were, of course, by nature destructive and aroused the conscience of mankind, which inevitably sought ways to find appropriate remedies for past evils. Yet constant harping on the subject and incessant complaining over the vicissitudes of the innocent victims of war tended to perpetuate their plight. Every effort should be made to improve the living conditions of the Palestine refugees and to provide their young people with the education that would give them a chance of a better future. The stamina, ingenuity, skills and innate intelligence of those people, enriched over the years by UNRWA activities, might well prove to be a boon for the Middle East area. In any case, their mental and

physical well-being must be the paramount concern of the international community until such time as they could regain full enjoyment of their human rights with the unflagging support and encouragement of the United Nations.

53. Since peace in the Middle East was inextricably linked with the implementation of resolutions on the right of the Palestinians to their homeland, which was an essential factor of peaceful coexistence, it was anomalous that in an area of continuous immigration the indigenous people should be confined to camps, dependent on the charity of donors. Their plight was surely deserving of sympathetic consideration.

54. Mr. POPOV (Union of Soviet Socialist Republics) said that the problem of the Palestinian Arab refugees attracted the attention of the international community not only in connexion with its humanitarian aspects, but also in connexion with its political side, which was the basis of the entire problem. The fundamental cause of the military conflicts in the region and of the plight of the Palestine refugees was the aggressive seizure of Arab lands by Israel and that State's stubborn refusal to recognize the legitimate rights of over 1.5 million Palestinian Arabs who had been driven from their own lands. As a result of Israel's expansionist policy, most of the Arab population of the part of Palestine in which the State of Israel had become consolidated, had been exiled from their homeland in 1948 and still lived outside its territory. That policy was still hindering the settlement of the Middle Eastern problem as a whole and of the Palestine refugee problem in particular. The situation had been further aggravated by Israel's aggression in 1967 and during the current year.

55. The entire history of the Middle East in recent decades showed that Israel's policy of depriving the Palestinian Arabs of their homeland was doomed to failure. The problem of the Palestine refugees called for an urgent political solution, since no lasting settlement could be expected from purely philanthropic palliatives. That situation was confirmed by the report of the Commissioner-General of UNRWA, in which it was stated that "the problem of the refugees had been further complicated and the political dimension enhanced since the hostilities of 1967" (A/9013, para. 2).

56. The crux of the problem was to enable the Palestinian Arabs to leave their camps in exile, to return to the land of their fathers and to cease being refugees as soon as possible. The essential prerequisite for a settlement was the cessation of Israel's aggression against the Arab States, the withdrawal of its armed forces from the occupied territories and compliance by Israel with the decisions of the Security Council and the General Assembly for a just settlement of the Middle Eastern problem.

57. It should be borne in mind that none of those decisions had cast any doubt on the right of the Palestinian Arabs to their homeland, where their ancestors had dwelt for many generations. Indeed, General Assembly resolution 181 (II), provided that the Arabs had a legitimate right to decide for themselves where they should live. That political approach was further reflected in other relevant United Nations decisions: thus, General Assembly resolution 194 (III) provided that the Palestine refugees had an unlimited right to return to their homeland, and subsequent resolutions reaffirmed that the people of Palestine were entitled to

equal rights and self-determination in accordance with the United Nations Charter.

58. The well-known Security Council resolution 242 (1967) emphasized "the inadmissibility of the acquisition of territory by war", provided for the withdrawal of Israel armed forces from territories occupied in 1967 and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace and affirmed the necessity for achieving a just settlement of the refugee problem.

59. The international community was paying increasing attention to the situation in the Middle East. Thus the problem had been stressed in the final communiqué of the World Congress of Peace-Loving Forces, held in Moscow in October 1973 and attended by representatives of 120 international and over 1,100 national organizations and movements from 143 countries. The communiqué stated that the bases for a settlement in the Middle East were immediate compliance with the Security Council resolutions adopted in October 1973, complete withdrawal of Israel armed forces from all the occupied territories in accordance with Security Council resolution 242 (1967) and the comprehensive guarantee of the legitimate rights of all States and peoples in the area, including the Palestinian Arabs, to return to their countries and to self-determination in accordance with United Nations resolutions.

60. Although United Nations decisions provided a sound political and legal basis for the settlement of the Palestine refugee question, the Government of Israel was stubbornly refusing to comply with them, including those concerned with the Palestine refugees. It was obvious that Israel would not have been able to resist the will of the United Nations and the demands of the world community without support from the forces of Zionism and imperialism. The United Nations could not remain passive in the face of such a situation. All peace-loving States were in duty bound to unite their efforts to compel Israel to submit to the will of world public opinion and to comply with the many United Nations decisions on the Middle East.

61. The position of the Soviet Union on the question of the Palestine refugees was well known, and the attempts that had been made to distort that position could not be successful. Everyone was aware of the assistance that the Soviet Union was giving to the Arab peoples, including its aid during Israel's latest aggression and its help to the Palestine refugees. The Arab States themselves had expressed recognition and appreciation of that assistance: thus, Egypt had recently voiced its deep gratitude to the USSR for its genuinely disinterested aid in the war against Israel. In his statement to the World Congress of Peace-Loving Forces, Leonid I. Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union, had announced the Soviet Union's past, present and future policy of insisting that the lands occupied by Israel should be returned to the Arab States and that justice for the people of Palestine should triumph.

62. Taking into account all the complexities of the Middle East situation, it should be noted at the same time that conditions for the stable and just settlement of the crisis in that area were now more favourable than ever before. The United Nations should take effective steps to secure Israel's immediate and strict com-

pliance with the Organization's decisions on the question, which would open the door to the solution of the problems of the Palestinian people.

63. Mr. RAWA (Malaysia) said that the fact that for more than 25 years the Palestine refugees had been subjected to enforced exile and the misery of camp life was not due to any failure by the United Nations to seek a just and lasting settlement. Almost every year during that period, the Organization had recommended a solution of the problem on the basis of the return of the refugees to their homeland or of fair compensation for them. It had also called for restoration of the inalienable right of the Palestinian people to self-determination, in accordance with the United Nations Charter. Yet more than 1.5 million Palestinian Arabs continued to endure enforced exile without any hope for the future. The injustices perpetrated against them had grown in magnitude, so that a whole new generation had grown to adulthood knowing only the misery and deprivation of refugee camps.

64. That lamentable situation was mainly due to Israel's refusal to respond to numerous appeals from the United Nations and to co-operate in the implementation of the relevant resolutions. Thus Israel bore the full responsibility for the failure of the international community to find a solution for the problem. The recent hostilities made the need for such a solution even more urgent, and the United Nations must apply itself to a new effort for a just and lasting settlement. In his delegation's opinion, the crux of the problem was the plight of the Palestinian Arabs, and while their fate hung in the balance no true and durable peace could be achieved in the Middle East.

65. Turning to the Commissioner-General's report, he paid tribute to the Commissioner-General for his dedication to his task and his understanding of the complex refugee problem. The Malaysian delegation considered education to be one of the most important aspects of UNRWA's programme. While it did not underestimate the importance of such other aspects as relief and health services and noted with satisfaction the results achieved in the latter sphere, it believed that for people who had been deprived of their homes, lands and means of livelihood, it was particularly important to ensure that their children were not robbed of their only hope, that of engaging in positive and constructive education. It was therefore most gratifying to note the increase of enrolment in schools and in vocational training.

66. The Agency's financial situation was a matter of grave concern to his delegation. The further deficit that UNRWA was likely to suffer owing to the increase of the refugee population, devaluation and inflation would seriously affect the programme and would consequently bring more misery and deprivation to a population which was already living far below the level tolerated by any decent modern society. Their legitimate needs must be maintained at all costs, and his delegation joined others in appealing to those who were more fortunate to come to the immediate assistance of the Agency.

67. In conclusion he emphasized that, despite the importance of UNRWA's work in solving the immediate problems of the refugees, it must be borne in mind that the Agency could only be regarded as temporary and that the ultimate objective must be that of restoring the

inalienable rights of the Palestinian Arabs and securing a just and lasting peace in the Middle East.

68. Mr. BAROODY (Saudi Arabia) said that he had been involved with the Palestine refugee question personally even before it had been brought before the United Nations. Since he had discussed the political aspects of the matter in his statement at the 879th meeting, he would confine himself to its financial aspects.

69. The United States of America had been trying to find a solution to the question for many years and in the current emergency had, with the Soviet Union, played an important part in initiating the cease-fire resolution.

70. The United States representative at the forementioned meeting had called him a foreigner living on the bounty of the United States. However, even the United States Secretary of State had not been born in the country and he himself had spent over \$1 million in foreign currency in that country over the past 25 years.

71. He agreed that the United States contributed generously to the Agency. Arab States also, apart from their regular contributions to UNRWA, contributed large sums to relieve hardship to the refugees. That was a sacred duty—which they did not even advertise—to their Palestinian brothers whose plight was caused by the partition of Palestine and the recognition by the United States of Israel as a State Member of the United Nations, in contravention of the Palestinians' right to self-determination.

72. Draft resolution A/SPC/L.274 was commendable. He assumed that the United States had sponsored it because it was a major contributor to UNRWA and therefore felt it had the right to call upon other States to equal its generosity. Before submitting it officially, he wished to ask the United States representative to seek his Government's reaction to the following amendment:

"Calls upon the United States of America, which has recently involved itself very actively to find a lasting solution to the problem of the Middle East, to double its annual contribution to the budget of the United Nations Relief and Works Agency for Palestine Refugees in the Middle East considering that in a single day a decision was taken by the United States of America to send military aid to Israel amounting to \$2 billion."

It was true that the United States was already the highest contributor to the Agency but the next highest, the Scandinavian countries, acted strictly from a philanthropic urge and were not involved in the Middle East question like the United States. At the beginning of the recent war, \$200 million had been raised in the United States to enable Israel to buy arms, and American Jewry was now requesting a higher contribution from the Government. The United States involvement in the partition of Palestine was such that Israel's first President, Chaim Weizmann, had been smuggled out of the back door of the White House, thus showing that President Truman did not wish that participation to be too obvious.

73. He did not take issue with the Soviet Union because, although they had participated in the partition of Palestine in 1948—perhaps because they had thought that they could spread communism in the Middle East through Soviet immigration—no sooner had Israel been

established than the Zionists had turned their back on the Soviet Union which at that time was emerging from one of the costliest wars in history, on the pretext of humanitarian concern for the persecution of Jews in Europe. It was however illogical that the Palestinians should pay for the ill-treatment of Jews in Europe. The responsibility for the creation of the Middle East situation lay squarely on the shoulders of the United States, because of the policy of that President whose claim to fame was to have initiated the Marshall Plan, a so-called humanitarian enterprise, the real aim of which was to halt the influence of communism in the world.

74. Most Zionists did not practise their religion but played on the sentiments of poor Jews who had lost all in Nazi Germany. The Nazi persecutions had led successive German Chancellors to try to make amends by paying millions of Deutsche Mark to Israel, although the victims were all nationals of European countries. The German Democratic Republic did not recognize Israel but, although the Federal Republic of Germany had no responsibility for Israel's creation because it was still a defeated nation at the time and not a Member of the United Nations, it should share some of the burden of the United States because Israel would long since have come to its senses had it not been for the arms and other aid it supplied. The Arab States had tried to improve relations with the Federal Republic of Germany but when its Government had assured them that it would not send arms to Israel and had then succumbed to United States pressure to do so, they had been forced to break off relations with that country.

75. It might be said that the Soviet Union had only severed relations with Israel for some ulterior motive. But every country pursued its own interests. The United States said that they supported Israel in order to maintain the balance of power in the Middle East, when they were in fact responsible for bringing the Soviet Union to that region because of their support for Israel.

76. It had been suggested that Japan should also increase its contributions to UNRWA. However, since Japan was in no way involved in the Middle East question, there was no reason why it should do so unless it so desired. It might also be asked why the United Kingdom should not be asked for a larger contribution. It had, however, had an uneasy conscience since it had become almost insolvent after the Second World War.

77. On the other hand, were the United States of America and the Federal Republic of Germany to double their contributions to UNRWA, the Agency's financial problem would be solved. He therefore called for a direct answer from the delegations of the United States and the Federal Republic of Germany as to their Governments' reaction to the submission of the amendment he had already mentioned and a similar one concerning the Federal Republic of Germany.

78. Mr. BARROMI (Israel) said, in exercise of the right of reply, that at the previous meeting, in deference to the Chair, he had refrained from dealing with certain substantial aspects of the refugee question. He had been challenged on several occasions and consequently found it necessary to clarify his delegation's position and viewpoint, particularly with regard to the misleading references to paragraph 11 of General Assembly resolution 194 (III). It would be recalled that the second session of the General Assembly had convened in Paris in 1948 during the first Israeli-Arab war; the Arab inva-

sion of Israel had not yet been repulsed. The General Assembly had envisaged several possibilities such as repatriation, settlement, economic and social rehabilitation and payment of compensation. Repatriation was conditional on the willingness of the refugees "to live in peace with their neighbours".

79. It was worth while to remember that the Soviet Union had not supported that paragraph 11, and, in fact, had voted against the resolution as a whole. At that time, the Soviet position had been very different from its position today. On that occasion the Soviet Union representative, Mr. Malik, had asked why the State of Israel should be blamed for the existence of the Arab refugee problem and had said that in seeking to determine the responsibility for the existence of the problem of refugees, mention should be made of the outside forces which pursued their selfish interests for the monopoly exploitation of the oil wells of the Near and Middle East and the creation of military strategic bases.

80. The lack of willingness to consider any form of peaceful coexistence had been openly proclaimed by official Arab representatives and had become a stark, obdurate fact of life. For example, on 11 October 1949, the Egyptian Foreign Minister had declared that the Arab refugees returned intended to annihilate the State of Israel. At the refugee conference in Homs, in Syria, a resolution adopted on 15 July 1957 had stated that any discussion aimed at a solution of the Palestine problem not based on ensuring the refugees' right to annihilate Israel would be regarded as an act of treason. On 1 September 1961, the late President Nasser had said that if the Arab refugees returned to Israel, Israel would cease to exist. On 29 April 1966 the Lebanese Prime Minister had said that the day of the realization of the Arab hope for the return of the refugees to Palestine meant the liquidation of Israel.

81. The consequences of that policy were well known. The long history of strife and conflict left only one practical sensible approach, namely, the method of resettlement, rehabilitation and reintegration, all provided for by paragraph 11 of General Assembly resolution 194 (III) and subsequent resolutions. It should also be borne in mind that paragraph 11 was only one of 15. Paragraph 5 which was now conveniently ignored was of paramount importance: it called for the final settlement of all outstanding questions (including the refugee question) by negotiations between the parties. In the view of his Government, negotiation constituted the best hope for a solution of that problem and all other Middle East problems.

82. At the previous meeting, his remarks had been directed mainly to Syria. However, many of the subsequent statements had been from representatives of countries waging a political and military war against Israel from a comparatively safe distance. What prompted countries like Kuwait, Morocco and Bahrain to that relentless hostility? The destruction of Israel would bring them no benefit; they were large, prosperous and thriving countries, some of them fabulously rich. Their natural wealth was such that they did not need to toil, to till an arid soil, or to create agriculture and industry out of the desert. For them, oil royalties and loan interests were enough to ensure a leisurely life. Their countries were far away from the zone of military operations and had not experienced the horrors of war, whereas Israel had paid for the upholding of its liberty with the blood of hundreds of its sons.

83. The peoples of Kuwait, Libya, Morocco and Bahrain had not endured those ordeals, although their Governments shared responsibility for bringing them upon the peoples of the Middle East. It was often stated that those States had acted out of Arab solidarity. Did that mean that the principles of the Charter and the solemn obligation to respect sovereignty of other Member States and to preserve peace did not apply when Arab solidarity was invoked?

84. The Arabs claimed that Israel was an extraneous element among them. In other words, Israel's fault lay in the fact that it was not like them and should therefore be exterminated. Was that not a new version of racism, perhaps the most far-reaching and shameless since the days of Hitler? Racism was the enemy of mankind, the negation of humanity, and Israel was now confronted by a new and brutal embodiment of the enemies against which it had struggled throughout its history, in the form of Arab racism.

85. The Jews rejected racism; they knew, through the experience of more than 20 centuries, that racism brought ultimate destruction on those who preached and practised it. That was not what they wished for the Arab peoples. They invited them to awaken from the hallucinations of vengeful wrath and join Israel in the arts of peace and creation.

86. Mr. EL-FATTAL (Syria), speaking in exercise of the right of reply, said that he wished to bring the attention of the Committee to a radio dispatch from Teheran dated 12 November 1973 which stated that the General Commission of the International Conference of the Red Cross had rejected an Israeli allegation concerning the treatment by Syria of Israeli prisoners of war. The same dispatch stated that the Israeli authorities had submitted documents claiming that 26 soldiers had been shot dead in captivity, whereas the Israeli representative had fixed the number of dead prisoners at 28; *The New York Times* of 10 November 1973 had claimed that 12 Israelis had been shot; and the Prime Minister of Israel had claimed that a few Israeli prisoners had been shot. The Israelis would do well to co-ordinate and prepare their lies as they had done in the past. It was clear from a statement by Mrs. Meir that the Israelis were using Syrian prisoners of war in contravention of the Geneva Convention. That was a serious matter which Israel would regret. Mrs. Meir had also stated that Israel was distressed about its prisoners of war in Syria because of Syria's bad record in regard to its treatment of prisoners. Her allegation had been totally refuted by the most recent report of ICRC whose representatives had been able to visit Israeli prisoners of war twice a month and to talk freely with them. The same report had noted that the Israeli Government had refused to apply the fourth Geneva Convention² in the occupied territories, thus, repudiating an international convention which it had signed and ratified.

87. On 27 October 1973 an article in *Le Monde* had stated that Syrian prisoners of war had been used to guide Israeli soldiers through Syrian minefields during the battle for Mount Hermon. The number of Syrian prisoners of war murdered in that way was not yet known.

² Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.

88. Mr. SAYEGH (Kuwait) said, in exercise of the right of reply, that at the previous meeting the Israeli representative had dismissed his delegation's reply with a remark indicating his contempt for quotations. The Israeli representative had apparently revised his attitude and had subsequently treated the Committee to a number of quotations. However, the Committee would have noted that when his delegation had quoted from a primary source, it had given the source to enable the veracity of its statement to be checked, whereas the Israeli representative had not indicated the sources it had used. However, his delegation had recognized the source of one of those quotations as paragraph 5 of General Assembly resolution 194 (III). The representative of Israel had merely said that the paragraph referred to negotiations between the parties and had neglected to state that it continued "either directly or through the Palestine Conciliation Commission". The Arab States had co-operated with the Commission, but Israel had not.

89. The Committee had been told by the representative of Israel that the Jews rejected racism. While his delegation was inclined to believe that that was true, it did not believe that the Zionists and the Israelis rejected racism. Zionism was predicated on racial exclusiveness and Israeli society was based on structured racism with the white Jew and the first-class citizen, followed by the Oriental Jew and then by the black Jew to whom the law of return did not apply.

90. The representative of Israel had asked why Kuwait, which was so far from Israel, was so hostile to it. The answer was that Kuwait was hostile to any régime which trampled underfoot human dignity and fundamental rights. By the same token, Kuwait was far from South Africa but was still hostile to it. Kuwait was second to none in enforcing every resolution on South Africa because South Africa showed contempt for the dignity of man, and Kuwait was against Israel for the same reason.

91. In his book *Trial and Error*³ written after the rise of Israel, its first President had said he was certain that the world would judge the Jewish State by what it would do with the Arabs. Mr. Weizmann had been taken at his word and Israel had been judged in terms of what it had done to the Arabs of Palestine.

92. Mr. BAROODY (Saudi Arabia), speaking in exercise of the right of reply, assured the representative of Israel that there was a distinct Palestinian people with its own identity. Accordingly, it, as all peoples, had the right to self-determination.

93. The quarrel of the Arab nations was not with Jews but with the exclusivist ideology of Zionism, which, for the past 50 years, had been seeking to gather all the Jews of the world in Israel with a view to territorial and economic expansion into the Arab world. Were Zionism a religious movement, it would have been welcomed in Palestine, the land of pilgrimage, but the Zionist leaders merely used their religion for economic and political ends. The Arab peoples sympathized with the Jews who were the victims of Zionist indoctrination.

94. His oral amendment to draft resolution A/SPC/L.274, was now being circulated (A/SPC/L.278). He proposed in a second amendment

³ New York, Harper and Brothers, 1949.

(A/SPC/L.279) the inclusion in the draft resolution of one more additional paragraph, reading:

“*Appeals to the Federal Republic of Germany to double its annual contribution to the budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East considering its deep interest in the Middle East by having extended massive financial aid to Israel for many years.*”

95. Mr. BENHIMA (Morocco), speaking in exercise of the right of reply, said that the Israeli representative's inclusion of Morocco when speaking of the Arab States hatred of Israel showed ignorance of Moroccan history. While Israel itself obviously hated the Arab world and demanded pity from other nations because of the treatment of the Jews from the time of Dreyfus to that of the Nazis, its representative seemed oblivious of Morocco's traditional tolerance of its Jewish community, which had been recognized by many historians, including Jewish historians. During the Second World War, not only had Moroccan soldiers fought with the allies to free the Jews from Nazi concentration camps, but also its King, Mohammed V, had resisted strong pressure from the Vichy régime to apply its anti-Jewish laws to the Jews in Morocco. Israel, however, did not show such tolerance towards its Arab inhabitants, whom it treated as second-class citizens.

96. Mr. BARROMI (Israel), speaking in exercise of the right of reply, expressed his gratitude to the representative of Kuwait for at least quoting the exact text of paragraph 5 of General Assembly resolution 194 (III), among his otherwise fanciful affirmations. That text supported Israel's position on agreement by negotiation. He refused to be drawn into legalistic arguments with the representative of Syria. He regretted to have had to use heart-shaking words: however, murder is not a numbers game. He charged Syria with the murder of 28 prisoners of war.

97. Mr. ALSHAKAR (Bahrain), speaking in exercise of the right of reply, said his statement at the previous meeting had not been refuted and indeed could not be refuted by the representative of Israel. The accusation that Bahrain sought to wage war against Israel was obviously untrue, for Bahrain had a population of only 220,000. The Committee would not be fooled by false charges by the representative of Israel, which were merely Zionist propaganda against peaceful Arab States. The representative of Israel had proved by his statement that his country did not comply with United Nations resolutions.

98. Mr. POPOV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, rejected utterly and refuted as unfounded the attempt by the representative of Israel to distort the position of the Soviet

Union with regard to the Arab people of Palestine. The remarks quoted by the representative of Israel showed that the merely refugee problem had been created not only by Israel but also by international monopolies and capitalism, and that remained the consistent position of his delegation. The Soviet Union's position had not changed since the Second World War. The USSR had always opposed aggression from the first days of the existence of the Soviet State. It had opposed aggression on the eve of the Second World War. During that war the Soviet Union had fought to protect the peoples of Europe, including the Jews, from Nazi aggressors, and it remained opposed to all acts of aggression today. However, the aggressors in the Middle East and those who ignored the relevant United Nations resolutions were, as everyone knew, not the Palestinian refugees but the Israelis, and the Soviet Union was therefore firmly on the side of the Arab peoples. The crux of the matter was whether Israel would or would not respect the United Nations resolutions and take note of world public opinion.

99. Mr. SAYEGH (Kuwait) said that paragraph 11 of General Assembly resolution 194 (III) contained the final decision of the United Nations with regard to the Palestinian refugees. Paragraph 5 of the same resolution called for “negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions” outstanding between the parties. To date, the Palestinian refugees had not been permitted to participate in those negotiations. The representative of Israel had spoken of “meaningful negotiations”, but had refused to answer his question whether that meant that Israel was now ready to negotiate with the representatives of the Palestinian people concerning the modalities for the implementation of United Nations decisions with regard to the rights of refugees. He would continue to put that question whenever he spoke.

100. Mr. EL-FATTAL (Syrian Arab Republic), speaking in exercise of the right of reply, reminded the Israeli representative that he had quoted from the report of ICRC, from the Israeli Prime Minister's own statement and from *Le Monde*, a most responsible newspaper. He noted that the Israeli representative had not attempted to rebut or discuss the substance of those quotations. Among a long list of 40 to 50 murders by the Zionists, he would mention only the blowing up by Jewish terrorists at Haifa in 1940 of the *S.S. Patria*, which had contained 268 illegal Jewish immigrants, and the assassination of the United Nations mediator, Count Bernadotte, by the Stern Gang in 1948.

The meeting rose at 7.10 p.m.

884th meeting

Tuesday, 13 November 1973, at 10.50 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.884

In the absence of the Chairman, Mr. Šmíd (Czechoslovakia), Vice-Chairman, took the Chair.

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/SPC/163, A/SPC/164, A/SPC/L.273-280):

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

GENERAL DEBATE (*continued*)

1. The CHAIRMAN drew attention to a number of draft resolutions and amendments that had been circulated: the first draft resolution, A/SPC/L.273, related to the provision of humanitarian assistance by the United Nations Relief and Works Agency for Palestine Refugees in the Near East to persons displaced since June 1967. The second, A/SPC/L.274, was concerned with the Agency's work: Colombia had submitted an amendment (A/SPC/L.275) to that draft, and a statement on the administrative and financial implications of the amendment was contained in a note by the Secretary-General (A/SPC/L.280); Saudi Arabia had also submitted two amendments (A/SPC/L.278 and A/SPC/L.279) to draft resolution A/SPC/L.274. The third draft resolution, A/SPC/L.276, had been submitted by 13 countries and related to the displaced population. The fourth draft resolution, A/SPC/L.277, sponsored by 12 countries, related to the question of the right of the people of Palestine to self-determination.

2. Mr. MUHONEN (Finland) reaffirmed his satisfaction with the work done by UNRWA, which, since 1949, had not only assumed the burden of providing for the essential needs of the Palestine refugees but had also given them longer-term economic, social and educational support. His delegation fully shared the concern of the Commissioner-General over the Agency's financial crisis and the fact that unless the necessary contributions were forthcoming, UNRWA would be compelled to reduce some of its activities in 1974, particularly in the education programmes.

3. There was only one solution to the immediate financial problem: a considerable increase in voluntary contributions. His delegation joined those which had called on all Member States to consider making contributions to UNRWA, or to increase contributions they were already making, since, pending a just and lasting settlement of the refugee problem, relief assistance and health and education services for the refugees should be the responsibility of the whole international community. His Government would continue, as in the past, to contribute annually to UNRWA and would

announce its contribution for 1974 at the forthcoming pledging conference. As for the long-term problem—the financing of the Agency's activities after 1974—the comprehensive study of finances should be continued in order to put the operation on a more solid footing and to avoid any recurrence of a financial crisis.

4. Mr. DIETZE (German Democratic Republic) reminded the Committee that the Foreign Minister of his country had stated during the general debate in the General Assembly on 1 October 1973 (2134th plenary meeting) that withdrawal of the Israeli forces from the occupied Arab territories and respect for the independence and legitimate rights of the States and peoples of the area, including the Arab people of Palestine, constituted the only political arrangement that would lead to the settlement of the Middle East conflict in conformity with the Security Council resolutions. Israel was entirely responsible for the fate of the refugees, because it was Israel's expansionist and aggressive policy that had created the problem. The report of the Commissioner-General showed that the refugee problem had been aggravated considerably since the Israeli aggression of 1967 and that no progress had been made in Israel's repatriation or compensation of the refugees as requested by the United Nations.

5. Since 1948 the States Members of the United Nations had, by General Assembly resolution 194 (III), recognized the right of the Palestinians to return to their homes or to be compensated for the property they had lost, and had stated, in Assembly resolutions 2792 D (XXVI) and 2963 E (XXVII), that full respect for the inalienable rights of the Palestine people was an essential factor in establishing a just and durable peace in the Middle East. The Security Council, in its resolution 338 (1973), had called for the implementation of its resolution 242 (1967) "in all of its parts", namely, the restoration of the legitimate rights of the Palestine refugees and the withdrawal of Israeli forces from the occupied territories. Furthermore, according to the appeal made by the Security Council in resolution 340 (1973), all the States Members of the United Nations must do everything to overcome the aftermath of Israel's aggression and to guarantee peace in the Middle East on the basis of Council resolution 242 (1967). That was not a matter of political propaganda but of active support for the struggle by the people of Palestine for their elementary right to self-determination and a life worthy of human beings.

6. Out of solidarity with peoples fighting for national and social liberation, his country had given and would continue to give bilateral assistance to the people of Palestine. It was for each country to decide the form in which it provided that assistance, but, as some delegations had already said, the principle of voluntary contributions by States to the people of Palestine through UNRWA should be maintained. Necessary as that assistance might be to alleviate the misery of the refugees, however, it could not bring about a final settlement of

the problem. Restoration of the right of the Arab people of Palestine to self-determination and the achievement of a lasting political settlement in the Middle East were the principal humanitarian tasks to be performed by the States Members of the United Nations.

7. Mr. BAROODY (Saudi Arabia) said he wished to amend further the amendments he had submitted at the previous meeting. The beginning of the first amendment (A/SPC/L.278) should read:

"Appeals in particular to the United States of America, which has recently involved itself very actively to find a lasting solution to the problem of the Middle East, to double or increase substantially its annual contribution . . ."

at the end of the paragraph, the word "over" should be inserted before the words "\$2,000 million".¹

8. The beginning of the second amendment (A/SPC/L.279) should read:

*"Also appeals to the Federal Republic of Germany to double or increase substantially its annual contribution . . ."*²

9. Mr. DE PINIÉS (Spain) said that his Government, as it had stressed on many occasions, was convinced that it was essential to take into account the rights of the people of Palestine in any solution to the Middle East problem. Although the question of UNRWA was essentially humanitarian in nature, it also involved the rights of the people of Palestine.

10. His delegation subscribed to the opinion expressed by the Commissioner-General (A/9013, para. 2) that it was the lack of progress in effecting repatriation or compensation of refugees as provided for by paragraph 11 of General Assembly resolution 194 (III) that was the continuing, underlying justification for the programmes carried out by UNRWA. General Assembly resolution 194 (III) and Security Council resolution 242 (1967) were based on the rights of the Palestine people; the matter was not one of charity, but of the right of the Palestinians to receive assistance from the United Nations until such time as the Organization was in a position to guarantee the exercise of their rights, which it had recognized. The Palestinians, like all other people, had the right to live and must have the means to exist; the children and the young people had the right to an education to enable them to live a life of dignity. Those were natural rights which could not be disregarded any more than the right of any people to self-determination.

11. His delegation had noted the points made in the introduction to the report of the Commissioner-General (A/9013, paras. 1-47) concerning the financial difficulties which were compromising the education programme and the Agency's very existence. It was disturbed by the conclusions set forth in paragraphs 46 and 47, for the consequences of any reduction in UNRWA's activities would necessarily be felt very soon and could only aggravate tensions and encourage new outbreaks of violence in the region. The General Assembly must understand the seriousness of the situation clearly; Member States, whether they contributed to the maintenance of the programmes or not, or made only nominal contributions, must consider the appeal

made in the conclusions of the Working Group (A/9231, paras. 21-24) and reassess their capabilities and responsibilities with a view to remedying the consequences of the deficit threatening the Agency. His Government, which had contributed \$827,000 in 1973, was studying the possibility of increasing its contribution.

12. However, the continued operation of the Agency must not serve as justification for shirking the responsibility which all Member States bore for seeking a permanent solution to the political problems underlying the present situation. He felt that at a time when all the parties concerned, and the countries which were able to co-operate effectively with them, were trying to negotiate a solution to the crisis, the Committee could make a contribution by not ignoring any aspect of the problem and, in particular, by recognizing and giving concrete support to the inalienable rights of the Palestine people.

13. Mr. BYAMBA (Mongolia) said that the report of the Commissioner-General provided evidence of the refugees' wretched plight. Yet, the General Assembly had long ago, in its resolution 194 (III), indicated how that situation could be brought to an end. Since then, innumerable resolutions had been adopted and had remained a dead letter. The problem of the Palestine refugees could not be divorced from the over-all situation in the Middle East. It had been brought about by Israel's policy of racist aggression. However, the solution that Israel would like to impose would mean justifying and ratifying the existing situation.

14. His delegation fully appreciated the work being done by the Agency but felt that it was not enough. The problem must be solved on the basis of the rights of the Palestinian people. His delegation hoped that the spirit of détente currently prevailing in international relations would make a solution possible. In the meantime, Mongolia would continue to support the Arab peoples in their just struggle.

15. Mr. SALJUQI (Afghanistan) said that his delegation greatly appreciated the humanitarian activities of UNRWA and the dedicated work of the Commissioner-General. However, although the measures recommended by the Commissioner-General in his report could ensure the survival of the Palestine refugees and to some extent meet their educational needs, they were not enough to put an end to the tragedy of the refugees.

16. His delegation believed that the humanitarian problems created by the occupation of Palestine were the main cause of the current unrest in the Middle East and that, if Member States did not deal with the situation, not only would the Palestinian tragedy remain a blot on the conscience of mankind and on international justice but it would remain a source of unrest in the area and a threat to world peace and security.

17. As the Commissioner-General had noted in his report, resolution 194 (III) and all the subsequent General Assembly resolutions which called upon Israel to permit the repatriation of the Palestine refugees had remained unimplemented. His delegation wished to emphasize once again the need to restore the legitimate rights of the Palestinian people and compensate them for their losses and their suffering. It supported any constructive measures aimed at achieving that objec-

¹ Subsequently circulated in document A/SPC/L.278/Rev.1.

² *Idem*, document A/SPC/L.279/Rev.1.

tive in accordance with the right of the Palestinian people to self-determination.

18. So long as Israel did not recognize the unlawful nature of armed conquest, the situation in the Middle East would remain dangerous. It was the responsibility of the United Nations to bring about Israeli observance of that all-important principle.

19. Mr. ROSU (Romania) expressed his country's appreciation for the work being done by UNRWA under difficult financial conditions and noted that Romania provided bilateral aid to the people of Palestine through the Red Cross organizations. However, his delegation felt that humanitarian activities were not enough and that a solution must be sought in the broader context of the situation in the Middle East.

20. For the past 25 years the United Nations had been adopting resolutions which had remained without effect. Political indecisiveness had given rise to new conflicts which had brought indescribable suffering to the peoples of the region and, as the most recent war had just demonstrated once again, had settled nothing. The only possible solution was a political one that took into account the legitimate interest of all the States in the region. It was time for the United Nations to devote all its efforts to the search for a lasting and final solution which restored the rights of the Palestinian people and ensured observance of the Security Council resolutions and the principles of the Charter as well as of the rules of international law. Romania had consistently called for such a settlement on the basis of Security Council resolution 242 (1967).

21. On 24 October 1973, the Government of the Socialist Republic of Romania had reaffirmed its belief that a lasting solution necessarily required the withdrawal of all Israeli troops from the occupied Arab territories, a guarantee of the right of all States in the region to a free and independent existence as well as respect for their national security and territorial integrity, and a settlement of the problem of the Palestinian people in conformity with their legitimate aspirations and interests.

22. His delegation wished to stress the urgent need for the negotiations envisaged in Security Council resolution 338 (1973) and for a conference under United Nations auspices which would be attended by the countries involved in the conflict, the parties concerned and all countries which were willing and able to help bring about a final settlement of the question. His delegation would support all constructive proposals along those lines.

At the invitation of the Chairman, Mr. Issa Nakhleh (Palestine Arab Delegation) took a place at the Committee table.

23. Mr. NAKHLEH³ (Palestine Arab Delegation) expressed his delegation's gratitude to those States which had supported the right of the Palestinian people to self-determination. He felt he should point out, however, that the international community had not yet set out on the road leading to a just and lasting peace in the Middle East. Many delegations wished to see that peace based on the implementation of Security Council resolution 242 (1967). They were making a mistake.

³ Mr. Nakhleh took the floor in accordance with the decision taken by the Committee at its 878th meeting to authorize members of the Palestine Arab Delegation to address the Committee without such authorization implying recognition of that organization.

That resolution was not and could not be the basis for a just and lasting peace in the Middle East, and he wished to explain the reasons for that fact so that the international community would take a new attitude towards the problem of the Middle East and would be able to find the road that led to peace.

24. He recalled that in 1947 and 1948 he had tried to convince the representatives of the States then Members of the United Nations that the adoption of a resolution partitioning Palestine was immoral, unjust and illegal and would lead only to war. On 6 February 1948 he had submitted a statement to the Security Council to the effect that the Arabs of Palestine would regard any attempt by the Jews or by groups of Powers to create a Jewish State in Arab territory as an act of aggression which they would resist by force, that all Palestine Arabs were determined to oppose the partition of Palestinian territory by all possible means and that they would never yield to any authority that went to Palestine to implement such a partition. Those observations were as true today as they had been in 1948. The Palestinians would never recognize Jewish sovereignty over a single inch of Palestine because that alleged sovereignty was contrary to the rights of the Palestinian people.

25. If the United Nations had taken a position in 1947 and 1948 which led to war, it was the United States of America that was responsible not only for the position taken by the United Nations but also for the continuation of the situation thus created. It was the United States that had supported the Zionist invaders politically, economically and militarily because, thanks to the Jews in the United States, the Zionists controlled the decision-making centres in that country. In support of that statement he cited Senator Fulbright's remarks on the "Face the Nation" television programmes of 16 April and 7 October 1973 to the effect that the United States Government was unable to exert pressure on Israel with a view to solving the problems of the Middle East because the United States Senate took orders from Israel; Congressional policies were dependent on the Israelis, Senator Fulbright had stated, and whenever a question before the Senate affected the Israelis they could count on from 75 to 80 per cent of the votes. The Zionists also controlled the newspapers, television and radio. Anyone who watched United States television programmes could see that a campaign of hatred was being conducted against the Arabs. When Americans were made aware of the real fact, they were amazed that it had been possible to subject them to such a process of brainwashing. They were concerned about fairness and justice and did not in any sense approve of usurpation, but they were ignorant of the facts of Middle Eastern history as well as the fact that the Zionists were leading the United States Treasury along the road to bankruptcy.

26. Not content with having seized Arab lands, the Zionist invaders of Palestine launched a campaign of expansion in the form of the war of June 1967. At the United Nations, the United States of America, instead of condemning Zionist aggression against three Member States, did all it could, through Goldberg to counteract the efforts of the United Nations. Goldberg made it his task to prevent the Security Council from condemning Israel and from adopting a properly phrased resolution calling for the immediate withdrawal of Israel from the territories it had occupied.

Goldberg was assisted in the improper formulation of the Security Council resolution by Lord Caradon, a notorious colonialist and former United Kingdom official in Palestine during the mandate period.

27. Resolution 242 (1967), the product of Goldberg's and Lord Caradon's efforts was both illogical and unjust. In the second preambular paragraph, the Security Council emphasized "the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security". He would ask whether the Zionists had acquired Palestine by lawful means or through negotiation, or whether they had done so by force and by expelling and massacring the inhabitants. It was a well-established fact that the Zionists who had emigrated to Palestine had driven back the Arabs. The terms of the second preambular paragraph of the resolution were therefore contradictory. Subparagraph 2 (b) referred to the achievement of "a just settlement of the refugee problem". But there was no indication of how the problem was to be settled and whether the Palestine refugees enjoyed human rights and the right to self-determination. If they did they were entitled to return to their homes and their country to exercise that right. The resolution also mentioned the guarantee of "the territorial inviolability and the political independence of every State in the area". But how could the inviolability of territories occupied by the Zionists be guaranteed while the inviolability of a State established under a mandate conferred by the League of Nations on the United Kingdom was not guaranteed? Thus it was the invaders who enjoyed inviolability while the indigenous population did not. Security Council resolution 242 (1967) was unjust and could not bring about a just and lasting peace. The United Nations should open its eyes and heed the voice that would lead to such a peace.

28. After 1968 Nixon had engaged the services of Kissinger on the recommendation of the arch-Zionist Jacob Javits and of Nelson Rockefeller an avowed pro-Zionist. Kissinger, with the help of Joseph Sisco, had injected a Zionist outlook into the minds of the political rulers of the United States, i.e., the members of the National Security Council, composed of the State Department, the Defense Department, the Central Intelligence Agency and the Presidency. The thinking of those responsible for United States policy was so close to the policies of the Zionist invaders that the United States had become an agent of Israel. Nixon sincerely wanted a fair settlement of the Middle East problem. Yet he gave the Zionists more support than had his predecessors. That was because his will had been undermined by the Watergate affair which had been conceived by the Zionists. The Zionists thus had a hold on the White House, the United States Congress, the Government and the information media, and could make use of them for their expansionist policy. The Arabs were not hostile to the Americans and wanted to co-operate with all countries, but they wanted their rights to be respected and the remnants of the colonialism of the past to disappear from the Middle East.

29. Why did Western countries put up with the inconveniences caused them by their support of Israel? The closing of the Suez Canal, for example, was costing Europe \$3,000 million a year and as much to Asia and Africa. Why did the United States, in those circumstances, support the annexationist policy of Moshe Dayan who wanted to impose a peace on his own terms

upon the Arab States? How could the Western countries believe for a moment that Egypt, Syria and Jordan could accept such a peace? Those countries had not forgotten that in 1967 Israel had caught Egypt unawares because of the promises the United States had made to President Nasser to gain his confidence.

30. Today Kissinger was once again endeavouring to deceive the Arabs as to Israeli intentions by going to propose a peace plan to them. It was enough to read the Israeli press and that of the United States to realize the duplicity of the United States Secretary of State. *The Jerusalem Post* of 9 November 1973 had, for example, published an article drawing a parallel between Kissinger and the crafty Metternich whom the American Secretary of State greatly admired. The American press had reported that during Golda Meir's recent stay in Washington, Kissinger, because of his mistrust of those working with him, had gone daily to the Israeli Embassy to confer with the Israeli Prime Minister. *The New York Post* of 12 November 1973 had explained that Kissinger was endeavouring to delay the opening of the negotiations provided for under Security Council resolution 338 (1973), because he wanted to hold separate consultations with Egypt, Jordan and Syria, to the detriment of the Palestinian people.

31. The United States was proclaiming to the world that a genuine peace in the Middle East was close at hand, but what peace did it have in mind? Why did it not say that there would be no peace in the Middle East as long as the Zionists exercised sovereignty over any part, however small, of Palestinian territory?

32. Kissinger, who shrank from nothing, had gone even further. When he had revealed at his press conference of 26 October 1973 that the United States had decreed a state of alert against the Soviet Union, he had said that after calling the National Security Council at 10 p.m., he had called the President at 3 a.m. to inform him of the advice of the members of the Council. However, Schlesinger, the United States Secretary of Defense, had subsequently stated that the order for a state of alert had been issued at 2 a.m. It must therefore be concluded that the Secretary of State had issued the order before informing the President.

33. The choice lay between peace and war. The only means of ensuring peace was to allow the Jews and the Arabs to live side by side in the countries of the Middle East. It was true that the Jews had been persecuted during a certain period of time, but that had been in Europe and the persecutors had been Christians. At a time when human rights were respected, the Jews could live contentedly in the Arab States, as in the USSR where anti-Semitism was prohibited and punished under the law. In such conditions, the pressure applied on the Soviet Government by the Western countries to allow Soviet Jews to go to occupy Palestine was senseless.

34. The Palestinian people wished to thank the African States for the support they had given it in its efforts to achieve peace by breaking off diplomatic relations with Israel. It also wished to thank the Soviet Union for the help it had given to its cause since it had realized in 1956 the error that had been committed in creating the State of Israel. It wished to thank too the States members of EEC for their statement (see A/9288) which showed their friendly and understanding attitude to the cause of the Palestinian people. It hoped that they

would develop their relations with the Arab world in the interests of all, both at the economic and the political level. It also owed thanks to the Vatican, Spain and Greece who had never recognized the State of Israel.

35. Why did the international community, which knew where the truth lay, continue in violation of the United Nations Charter and of the Universal Declaration of Human Rights, to help Israel which had rejected the friendship offered it by the Palestinian people? How could the United States act against its own interests by supporting the racist and expansionist régime of Israel and betraying the people of Palestine? Kissinger's machinations were doomed to failure, for the Palestinian people had the support of all the Arab countries.

36. The people of Palestine wished to turn over a new page and make Palestine a neutral country, open to all, where freedom and friendship reigned. He called on the United Nations to approach the question of the Middle East in a new spirit, that of friendship between Jews and Arabs, so that the periodic resumption of hostilities could be avoided in the future.

Mr. Nakhleh withdrew.

37. Mr. LEWENHAUPT (Sweden) announced that the Netherlands had asked to be included among the sponsors of draft resolution A/SPC/L.273.

The meeting rose at 12.50 p.m.

885th meeting

Tuesday, 13 November 1973, at 3.20 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.885

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/SPC/163, A/SPC/164, A/SPC/L.273-280):

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

GENERAL DEBATE (*continued*)

1. Mr. ŠMÍD (Czechoslovakia) recalled that the Czechoslovak Socialist Republic had repeatedly affirmed that the question of the Palestine refugees would be solved only when their legitimate rights were secured, in accordance with paragraph 1 of General Assembly resolution 194 (III), in particular, and other United Nations resolutions.

2. His delegation noted with regret, however, the repeated Israeli acts of aggression against neighbouring Arab countries in the form of murders, air attacks, attacks against the civilian population, kidnappings and other terrorist activities which had been justly condemned by international public opinion and by the United Nations. The Czechoslovak people had condemned that criminal activity which had been elevated by Israel to an instrument of State policy in its efforts to create an atmosphere of fear and terror and to force the Arab people of Palestine to renounce their just demands.

3. The Government of the Czechoslovak Socialist Republic, whose friendship with the Arab States had been further strengthened by high-level contacts and the further development of mutual relations, had emphatically condemned the expansionist policy of Israel in statements of 8 and 24 October 1973, and had once more reaffirmed the solidarity of the Czechoslovak people with the Arab people in their just struggle.

4. His country was also aware of the importance of assistance to the Palestine refugees. Czechoslovak institutions, particularly the Czechoslovak Red Cross, had provided such bilateral assistance in the past. His delegation was gratified to announce that the Czechoslovak Socialist Republic would increase its bilateral assistance fivefold to the amount of 500,000 Czechoslovak crowns.

5. The Czechoslovak Socialist Republic called on the United Nations to implement forthwith the decisions relating to the Near and Middle East and to demand that Israel should withdraw from the occupied Arab territories in order to make possible a just and lasting peace in the area.

6. Mr. ALI (Pakistan) said that the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Middle East and the Chairman and Rapporteur of the Working Group on the Financing of the Agency had once again (877th meeting) brought the Committee's attention to the continuing plight of over 1.5 million Palestine refugees uprooted from their ancestral homes a quarter of a century ago, as well as the persons displaced during the 1967 conflict.

7. The Agency had started the current year with a somewhat better financial situation than the two previous years. Unfortunately, the twin phenomena of world-wide currency fluctuation and inflation had quickly turned cautious hope into despair, and despite some increase in voluntary contributions, the Agency remained in desperate financial straits. Unless its resources increased substantially, it was faced with the course of cutting down its relief, health and particularly educational services to the refugees. It should be borne in mind that the services currently provided by UNRWA were at the minimum level and could not be reduced without causing great hardship to the refugees and seriously undermining the viability of UNRWA itself. His delegation hoped that the efforts to avert that situation and to keep the Agency operational would bear fruit.

8. His delegation believed that the world community had a collective responsibility to provide for the food, health and shelter of the Palestine refugees until they were restored to their homes or received adequate compensation. By far the greatest responsibility lay with those who had brought about a situation which had resulted in the uprooting of the Palestinians and their continued existence in the wilderness, and they must bear the costs of the continued supply of essential services by the Agency.

9. His delegation was convinced that the humanitarian work carried out by the Agency was very important and should be continued as long as the Palestine refugee problem was not resolved fairly and justly in accordance with the relevant United Nations resolutions. However, so long as the Palestinians were denied the rights laid down in the Charter, particularly the right to self-determination, and those proclaimed in the Universal Declaration of Human Rights, and so long as Israel continued to defy the world in its occupation of Arab territory and its refusal to implement the United Nations resolutions, the problem of the Palestinian refugees would continue to trouble the conscience of the world. Indeed, the Palestinian question was at the heart of the problems besetting the Middle East. There could be no viable solution which ignored that fundamental reality. His delegation earnestly hoped that the trauma of the recent conflict would enable the United Nations Conciliation Commission to include in its next report a message of hope for the restitution of the lawful rights of the Palestinians. Pakistan would continue to lend its unflinching and complete support to the struggle of the Palestine people for justice. Consequently, his delegation was gratified to have the privilege of introducing two draft resolutions—A/SPC/L.276 and A/SPC/L.277—relating to the right of self-determination of the people of Palestine and the plight of displaced persons in the region.

10. Draft resolution A/SPC/L.277 concerned one of the most fundamental aspects of the Palestine problem, namely the entitlement of the people of Palestine to equal rights and self-determination, in accordance with the Charter of the United Nations. The draft resolution recalled and reaffirmed the General Assembly resolutions which recognized their entitlement to the rights in question, expressed grave concern that Israel was depriving the Palestinians of those rights, declared that the exercise of those rights was indispensable for the establishment of a just and lasting peace in the Middle East and stated that peace would be possible only when the Palestine refugees were allowed to return to their homes and property.

11. He announced two amendments to draft resolution A/SPC/L.276, which concerned displaced persons and Israeli action in the Gaza Strip. In operative paragraph 2 the words "by Israel" should be deleted and in operative paragraph 3 the word "*Condemns*" should be replaced by "*Deplores*". The Committee was aware that the 1967 conflict had produced another category of displaced persons whose plight was as serious as that of the Palestine refugees. The General Assembly and the Security Council had rightly thought it necessary to call upon the Government of Israel to take effective and immediate steps for the return of those displaced persons. Parallel to that situation, Israel had begun to take measures involving the physical structures and demographic composition in the occupied

Gaza Strip, including the destruction of refugee shelters and the forcible transfer of the population. The General Assembly's resolutions calling upon Israel to desist forthwith from such actions and to take immediate and effective steps for the return of the refugees to the camps and the provision of accommodations for them had been completely ignored. Using the pretext of "safety, welfare and security of the population and the security of the State", Israel had continued to refuse the free return of the displaced persons, and the demolition of the residences and shelters of the refugees had continued unabated. The draft resolution reaffirmed the right of the displaced persons, including those displaced as a result of recent hostilities, to return to their homes and camps, and called upon Israel to take steps to arrange for the return of the displaced inhabitants, to desist from all measures obstructing their return, to take effective steps for the return of the refugees to their camps and to provide adequate shelters for their accommodation.

12. His delegation earnestly commended both draft resolutions to the members of the Committee. He was happy to state that Dahomey had become a sponsor of both drafts.

13. Mr. PETNICKI (Yugoslavia) was happy to second draft resolutions A/SPC/L.276 and A/SPC/L.277 because they concerned two fundamental rights of the Arab people of Palestine which his own and a great number of delegations had long upheld. Without the restoration of the legitimate rights of the Palestinians there could not and would not be a settlement or peace in the Middle East. The Palestinian people must enjoy the basic right to self-determination. As the displaced inhabitants of the area, they must be allowed to return to their homes if Israel's annexationist ambitions were not to go unchecked. Israel's actions were firmly opposed by the entire international community and support for the two draft resolutions was the logical expression of his Government's declared policy. He hoped the draft resolutions would obtain large majorities in both the Committee and the General Assembly.

14. Mr. SHERMAN (Liberia) said that his Government recognized the importance of the humanitarian services provided by UNRWA and viewed the possible curtailment of any aspect of such services with concern. His delegation would support any move to ensure the continuation of the services and wished to join those delegations which had already appealed to the delegations of any country that had inadvertently failed to meet its commitments to draw the attention of their Governments to the oversight.

15. His delegation shared the concern of the Canadian delegation (878th meeting) regarding the suggested cut in education and training services. Liberia was prepared to become a co-sponsor of any resolutions that would call upon the United Nations and its specialized agencies and others concerned to re-examine the advisability of making such reductions and call upon the Secretary-General to contact Member States which had not met their commitments. His Government's position was motivated by a desire for peace, security and justice for the parties and the conviction that a peaceful and just settlement, taking into account the inalienable and human rights guaranteed under the Charter of the United Nations and the Charter of the Organization of

African Unity, was desirable and urgent in order to end the tragic and explosive situation in the Middle East.

16. Finally, his delegation was convinced that the worsening situation and conditions of the Palestine refugees, the financial and administrative difficulties of UNRWA and the continuing tragedies in the Middle East were different manifestations of the interaction of cause and effect. Every effort must be made to improve the deteriorating situation and the miserable conditions of the Palestine refugees but a more serious and objective effort must be made to resolve the Middle East crisis which was the underlying cause of their suffering.

17. Mr. POJANI (Albania) noted that the problem of the Palestine refugees had been discussed without any positive result for 26 consecutive years. It was an undeniable fact that, as a result of the aggressive expansionist policy of Israel, the people of Palestine had been deprived of their freedom and national independence, their homes, their land and their country and had been transformed into a refugee people. Furthermore, the imperialist-Israeli aggression against the Palestinian and other Arab peoples had escalated even further and in consequence, the plight of the Palestinian refugees had become even worse. They continued to live in almost unbearable conditions, experiencing every difficulty of refugee life inside a camp.

18. The imperialist Powers, and primarily the United States of America represented the question as a mere humanitarian problem or, as a problem of the "hungry stomach" or as a matter of education for Palestinian children. The Member States which respected the principles of the United Nations Charter and the inalienable rights of peoples and nations were resolutely opposed to such an approach. The question of the Palestine refugees was not at all a question of charity, but an essential problem related to the restitution of the sovereign rights of the people of Palestine.

19. The United States, which was mainly responsible for the situation in the Middle East, had preached about humanity in connexion with the Palestinian people. His delegation opposed such an attitude, and the Palestinian and other Arab peoples had very properly rejected it. The representatives of Arab as well as other freedom-loving countries had justly pointed out that the people of Palestine did not need charity, but justice and their country. The humanity which the United States representative advocated was one that served the policies of imperialism, colonialism, racism and reaction. Attempts to distort the problem and reduce its dimensions to that of a simple question of refugees would deceive no one. By its very nature it was an important political problem, closely linked with the struggles of peoples against imperialist aggression and colonial oppression.

20. The problem of the Palestine refugees must be viewed in the context of the Middle East situation. Israel stubbornly pursued its hostile attitude and absurd expansionist pretension. However, the arrogance of Israel had exceeded all limits and had aroused the indignation and deep anger of world public opinion. It was obvious that Israel was able to pursue an aggressive policy in defiance of the world community because of United States political, economic and military aid. It was clear to all that Israel was being used by the United States to implement its hegemonistic policy in the Middle East. During the recent aggression by Israel against

Egypt and Syria, the United States Government had come out openly in support of the aggressors and had immediately supplied Israel with the most modern weapons. In order to stop the just struggle of the Arab peoples it had even placed all United States armed forces and military bases on alert.

21. Recent events in the Middle East and the latest bargaining between the United States and the Soviet Union had clearly revealed the hegemonistic policy of the two super-Powers in that area. They had proved once more that their main concern was not the national interests of the Palestinian people and other Arab peoples, but the preservation of the *status quo* in the Middle East and further penetration by them in that important strategic and economic area. When they felt that the struggle for liberation of the Arab peoples and the strengthening of Arab unity might lead to a rejection of the no-war, no-peace situation in the Middle East, the two super-Powers had joined together to halt the militant impetus of the Arab peoples and to impose a settlement which was not in the interests of those peoples. It was not by chance that the recent resolutions of the Security Council which were an expression of the collusion of the super-Powers, were unclear and uncertain. Nor was it by chance that they failed to condemn the aggressor and did not touch upon the problem of Palestine.

22. Albania had always resolutely supported the just cause of the Palestinian and other Arab peoples and his delegation was convinced that the heroic people of Palestine would re-establish their inalienable rights and return to their homeland.

23. Mr. ZAHAWIE (Iraq) said that, in his statement in the general debate (881st meeting) the representative of Israel had falsely accused the Arab countries of the acts of which Israel was guilty, namely the creation of the refugee problem and the refusal to implement the resolutions designed to settle it. Israel was sitting in the Committee only because it had falsely accepted as a condition of its admission to membership that it would implement those resolutions and it should long ago have been suspended from membership until it complied with that condition.

24. His own delegation's views on who bore the responsibility for financing UNRWA's operations were well known. Further, it was ludicrous for the arch aggressor to claim that what was needed was a change in the hearts and minds of the Arab Governments. There should instead be a change in the fanatical, racist mentality of the Zionists and the abolition of the iniquitous and discriminatory Law of Return. That the Israelis were responsible for creating and prolonging the refugee problem was clearly shown in an article contained in the January 1970 issue of *The Arab World*, entitled "Why are there still Arab refugees?" by Mr. John Davis, a former Commissioner-General of UNRWA. Mr. Davis had mentioned the generosity of the Arab nations to the refugees and had said the problem was prolonged by Israel's policy of hampering the return of refugees to their homes when fighting halted.

25. The previous summer, a Zionist representative had toured the occupied territories and presented a very rosy picture of the refugees and their camps. That picture was belied by an article in *The New York Times* of 18 May 1973, which described the pitiful situation of the refugees. The article also stated that the refugees

felt they had a single identity as Palestinians. The strength of that sense of nationhood was extremely distressing to the Zionists, whose representative had bewailed the fact that the status of refugee was handed down from the original displaced persons to subsequent generations, wrongly blaming UNRWA for that state of affairs. Yet later in his statement he had tried to vindicate the so-called Jewish self-determination by speaking of centuries of Jewish struggle to overcome foreign conquest and exile. It was obvious that the Zionists' main concern was "integration" and "rehabilitation", but not repatriation, of the refugees. The Zionists sought the dissolution of the Palestinian entity outside Palestine if possible, and certainly outside present-day Israel.

26. The claim that Zionism was an ideological movement based on the longing and need of all Jewry for a national home was merely a slogan whereby Herzl had been able to turn the religious aspirations of the Jews into an imperialistic political venture. There could be no doubt that the Zionist leaders and the British Government of the day knew they were contributing to the founding of a racially exclusivist, imperialist bastion in the midst of a highly strategic area struggling for independence. Further, how could the Zionists now claim theirs was nothing but a "national liberation movement"? Was the country being liberated one which the Palestinian people, to whom the Zionist representative never even gave their rightful title of Palestinians, had forcibly seized from the Zionists?

27. As early as May 1943, the files of the United States Department of State had contained a report made to President Roosevelt that the Zionist organization in Palestine had indicated its commitment to an enlarged programme for a sovereign Jewish State which would embrace Palestine and probably eventually Transjordan, an eventual transfer of the Arab population from Palestine to Iraq and Jewish leadership of the whole Middle East in the fields of economic development and control. The first point proved that as late as 1943, the Zionists still wanted to incorporate Transjordan into their conquest of Palestine. The third point explained Abba Eban's statement regarding the kind of peace envisaged in Security Council resolution 242 (1967), to the effect that the Zionists aspired not to the type of relationship existing between Lebanon and Syria but to something akin to that between the United States and the Latin American continent. Just when that continent was asserting its determination to rid itself of alien economic control, the Zionist leaders wished to impose that domination over the Arabs and the whole of the Middle East.

28. From the outset, Zionist leaders had had plans to expel the indigenous population of Palestine and to replace them by Jews. The Zionist representative had said that the problem of Jews displaced from Arab countries had never been brought before the United Nations. That was because the Zionists knew that those Jews were not refugees but immigrants. Had they been real refugees, the Zionists would certainly have exploited to the full the opportunity of extracting sympathy and contributions for yet another Jewish humanitarian cause. Having cajoled, blackmailed and terrorized those Jewish communities into emigrating to Israel, the Zionists said that they had been taken in exchange for the original Palestinian inhabitants and landowners. They then argued that that discharged Israel's obliga-

tion, which it had accepted as a condition of admission to the United Nations, to allow the Palestinians to return home. The international community could not accept such falsification of events.

29. It should equally reject the racist Israeli Law of Return of 1950, which automatically gave every Jew the right to establish permanent residence in Israel. That claim of Jews the world over to possession of the Holy Land was granted at the expense of the Palestinian people living inside Israel and the refugees wishing to return. The Zionists wanted to keep Palestine Jewish in the same way as the South Africans wanted to keep South Africa white. Yet despite all the Zionist claims for their colonialist State, carved out of Palestine by fire and sword, as the fulfilment of the longing and need of world Jewry for nationhood and an independent State, the majority of Jews still lived outside Israel. New York had as many Jews as the whole of Israel and the Jewish national home could well have been established in the United States of America.

30. Israel's attitude to the refugees was further illustrated by an article in *The Christian Science Monitor* of 11 December 1972, which described how refugees had been expelled from their shelters with almost no notice in order to permit the construction of new "security roads", refuting the Zionist claim that every possible care was taken to avoid undue hardship to the inhabitants of the affected areas. The article also referred to Israeli plans to eliminate UNRWA entirely, as a first step towards an imposed settlement of the refugee problem. However, in advancing a long-term plan to abolish all refugee camps inside the territory they controlled and raise the economic level of their inmates, the Zionists failed to heed the advice of one of their own leaders, who had warned that an improved living standard could not compensate for national aspirations.

31. Mr. GUELEV (Bulgaria) regretted that the report of the Commissioner-General of UNRWA (A/9013) showed that no progress had yet been made towards a solution of the basic problem of the Palestinian refugees in accordance with the relevant General Assembly and Security Council resolutions. However, his delegation was glad that attempts to limit the discussion to matters relating to the financing of UNRWA had been defeated, for the humanitarian aspects of the refugee problem could not be divorced from the political aspect. His delegation was aware of the immediate problems posed by the distressing situation of the refugees and, as in the past, Bulgaria gave bilateral aid to them through the Red Cross. However, it was now clearer than ever that no appreciable improvement in the lot of the refugees could be achieved unless it was recognized that their aspirations were the legitimate aspirations of an entire people for the inalienable rights recognized by the United Nations Charter. His delegation agreed entirely with the many participants in the debate who had said that respect for those rights was essential if real peace was to be established in the Middle East. The events of October 1973 had dramatically confirmed that the so-called refugee problem was not confined to humanitarian, economic and financial questions and that a solution to the tragic plight of the refugees should be sought in the context of an over-all settlement of the situation in the Middle East.

32. As the representative of the Soviet Union had said (883rd meeting), the crux of the problem lay in the

return of the Palestinian refugees to their ancestral home. Accordingly, an end must be put to Israeli aggression against the Arab countries, Israeli troops must be withdrawn from the occupied Arab territories and Israel must implement the relevant United Nations resolutions. That was the consistent view of his delegation, a view clearly shared by world public opinion and the overwhelming majority of States Members of the United Nations. The sooner Israel's ruling circles understood that, despite the considerable foreign aid they received, their aggressive and arrogant policy was doomed to failure, the better for the interests of all peoples in the Middle East. Those who clamoured so insistently for recognition of their own right to a sovereign and independent existence, a right which was not disputed, could no longer refuse to recognize the inalienable rights of all peoples in the Middle East, including the right of the Arab people of Palestine to self-determination.

33. Mr. HOUHOU (Algeria) said that the recent war in the Middle East, which had clearly shown how the expansionist policy of Tel Aviv threatened peace in the region, might make the situation of the Palestine refugees even more tragic. The problem of the Palestine refugees was not merely humanitarian; it was the problem of a whole people designated by the West to atone for a persecution in which they had had no part and which the West had inflicted on the European Jewish community. Despite the justifications put forward for it—the particularly troubled state of the world at that time, when little attention was paid to the existence of a nation and the future of a people—the United Nations was fully responsible for that state of affairs. Although the attempt to exterminate the Jews had aroused the indignation of all peoples throughout the world, those same peoples had not hesitated to oblige the Palestinian people to leave their homeland in order to establish in it a new State composed of people from every part of the globe. One injustice was not redressed by another. That injustice was aggravated by the violent acts of the Zionists, based on Nazi philosophy and *apartheid* methods, which exploited the religious feeling of the Jews to persecute the Palestinians and drive them from their lands.

34. The international community must have the courage and sense of realism to recognize the political nature of the Palestinian problem. There could be no lasting solution of the Palestine refugee problem which did not include the return to their ancestral homelands of the Palestinians, who were more interested in the recognition of their legitimate rights than in any form of charitable aid. The humanitarian work of the Commissioner-General of UNRWA and his staff could tackle only the problems of their daily life and not cure the fundamental causes of the ill from which they suffered.

35. At a time when history was recording the failure of the policies of colonialism and discrimination, the régime of Golda Meir, like those of Vorster and Ian Smith, was trying to perpetuate its domination over a whole people, oblivious of their fundamental rights. The Heads of State or Government of Non-Aligned Countries meeting at Algiers in September 1973, had stated that the systematic uprooting of the Palestinians from their homeland was identical to the situation in southern Africa. It was therefore not surprising to see the consolidation of the Pretoria-Salisbury-Tel Aviv

axis. The struggle of the Palestinian people was therefore one with that of all the liberation movements and was obtaining increasing understanding and solidarity throughout the world. Only by ensuring that the Palestinian people recovered their national rights could the international community make up for the flagrant injustice it had done them and finally solve a problem which had threatened peace in the world for decades.

36. Mr. HOVEYDA (Iran) said that some comfort might be derived from the fact that the shock of the latest Middle East war had generated a serious drive towards the restoration of peace in the region. Peace was, however, not merely the absence of fighting; it was a state of mind which could survive only if it was based on justice. The latest outbreak of war in the Middle East had proved that the Arab peoples would not accept the verdict of force, no matter what the price of defiance might be. The failure to bring peace to the Middle East was directly linked to the refusal to redress the tremendous injustice suffered by the Palestine refugees. The Committee's discussions could not compensate for that injustice but they underlined the international dimension of the issue and hence the responsibility of the United Nations.

37. The task entrusted to the devoted and able staff of UNRWA was no longer merely humanitarian but included programmes which had in many respects assumed the character of semi-governmental services. It also reflected only one aspect of a complex problem, no part of which could effectively be dealt with in isolation. The Agency's activities were not meant to be permanent, but could not be dispensed with until a durable solution had been found to the tragedy. UNRWA's services were at their minimal level and the Committee must have a greater sense of purpose in its deliberations.

38. It was regrettable that UNRWA, already troubled by disruptive political events had to be harassed by a new financial crisis. The devaluation of the United States dollar and the acceleration of inflation had reversed the favourable trend of 1972, and the estimated deficits for 1973 and 1974 were alarming. A reduction in the educational programme could endanger the existence of the Agency itself and wreck the hopes of future self-support of many thousands of young refugees.

39. The voluntary financing of UNRWA was incapable of coping with inflationary trends and it was time to find means of providing the Agency with a sound source of income. Events during the past year had convinced his delegation that, although it might be premature to call for a partial or total integration of UNRWA's budget into the regular budget of the United Nations, a feasibility study of the matter would be timely.

40. With regard to the education programme, his delegation noted with satisfaction the substantial rise in enrolments in the UNRWA/UNESCO schools and the increase in the total teaching staff. It endorsed the high priority accorded those programmes and commended UNESCO's co-operation. Perhaps more assistance could be given by other agencies, especially the World Food Programme and the Food and Agriculture Organization of the United Nations. It was also encouraging to note that UNRWA had been able to maintain its comprehensive health care programmes.

41. However, all knew that the goal was not an infinite extension of UNRWA's activities, but a just settlement of the refugee problem within the context of a viable peace in the region. However, in an elusive hope for a quick peace, the central issue of the refugees should not be side-stepped. Pending a lasting solution of the whole problem, UNRWA should pursue its humanitarian mission, with the unremitting support of all Members of the United Nations who had often been so preoccupied with the survival of the programmes that they had neglected their quality.

42. As hopes for peace in the Middle East began to mount, it was time to consider UNRWA's final goal—a generation free from resentment and ready to return to a constructive life within whatever framework peace might provide. That called for a reassessment of needs, a reappraisal of methods of financing and a resolve by Member States to meet those requirements. In the final analysis, it was the United Nations which would benefit from UNRWA's success.

43. Mr. RAKOTOFIRINGA (Madagascar) said that recent events in the Middle East had increased the difficulties faced by UNRWA. However, although co-operation between the Working Group on the Financing of UNRWA, the Secretary-General and the Commissioner-General had enabled the Agency's deficit for 1972 to be reduced to less than \$600,000 (A/9231, para. 16), the increase in contributions which had continued in 1973 had not compensated for the combined effects of the devaluation of the dollar and inflation and the Agency was once more in its chronic state of deficit.

44. It was generally agreed that any further reduction in services, already at a minimum level was impossible. Rising food prices were threatening the supplementary rations given to high-risk groups and the health services so essential to people herded together in refugee camps had been reduced as much as possible. It would be cruel to contemplate reducing an education programme which provided the only hope for children born in refugee camps. The international community, and especially the rich countries, must therefore respond to the appeals to their generosity. Although the contributions of the poorest countries were often almost symbolical, it was they who headed the list of contributors in relation to *per capita* income.

45. Recent events had reminded the international community that the explosive situation in the Middle East might at any time endanger international peace and security. The measures adopted to solve it must be based on the pertinent resolutions of the General Assembly and the Security Council, in particular General Assembly resolution 194 (III) and Security Council resolution 242 (1967) and take account of the inalienable right of the Palestinian people to self-determination.

46. The United Nations must make every effort to find just and lasting solutions which would mean that the Palestinians were no longer refugees, the countries of the Middle East could live in harmony and the Organization would have enhanced its reputation.

47. Mr. ACOSTA (Cuba) said that it was impossible to read the Commissioner-General's report (A/9013) without realizing the injustice and suffering inflicted on a people which had been deprived of all its national rights. A whole generation of Palestinians had been born in refugee camps. The Palestinians, more than 3

million in number, were the sole people to have been deprived of their land and homes for allegedly religious motives which concealed clearly identifiable economic and political interests. There was much historical evidence to refute the biblical myths of the "promised land" and the "chosen people" used by Zionism to justify its racist and expansionist ideology, but which failed to hide the aggressive and neo-colonial aims of a Zionist State in the Middle East which was in fact the spearhead of North American imperialism in a large part of Africa and Asia. While increasing their economic, military and other aid to the Tel Aviv régime, the United States Government was decreasing its contribution to UNRWA. However, the Palestinian people enjoyed universal sympathy and the support of progressive States and organizations. It was impossible to conceive of a solution to the difficult problems of the Middle East without the restoration of the rights of the Palestinian people and the cessation of the acts of aggression and occupation perpetrated by Israel for the past two and a half decades. The Palestinians knew that they could count on the support of the revolutionary Government, the Communist Party and the whole people of Cuba.

48. Mr. KAMARA (Mauritania) considered that the problem of the Palestine refugees was essentially a political one, caused by the creation of the Zionist State on Palestinian land. It could therefore not be considered from the purely humanitarian point of view. A just and lasting solution must be based on the political aspect of the matter and not on even the most generous and disinterested financial assistance. The persistence of the tragic situation of over 3 million Palestine refugees reflected no credit on the United Nations, which was largely responsible for it. The Palestinian Arabs were the victims of a sordid conspiracy between the imperialists and colonialists on the one hand and the Zionists on the other. Whatever the Zionists might say, Palestine had been inhabited for 1,500 years by a large majority of Moslem and Christian Arabs, whereas a Jewish minority had lived there only sporadically. The Balfour Declaration was illegal because it was based on no historical fact. By permitting the Zionists to attain their primary objective through the adoption of the Palestine partition plan at the second session of the General Assembly (resolution 181 (II)), the United Nations had violated international justice and committed an illegal and undemocratic act.

49. Having attained that objective, despite the resistance of a people resolved to live or die in defence of their ancestral homeland, the Zionist State, supported by the vast resources of international Zionism, was to carry out its second occupation plan, to drive the indigenous inhabitants of the country to flee their homes where they were persecuted and massacred and to appropriate their land and property. More and more land was needed if the vast numbers of Jewish immigrants were to be given Jewish national home referred to in the Balfour Declaration. That anachronistic plan could be carried out only to the detriment of neighbouring Arab countries. Hence the repeated aggressions against Egypt, Syria, Lebanon and Jordan in 1948, 1956 and 1967. Under the pretext of living within safe, recognized frontiers, the Zionist State of Israel continued to occupy by force the lands of other nations contrary to United Nations decisions and to maintain a state of tension which seriously threatened international peace

and security, not only in the Middle East but also throughout the world. The recent war in that region, which had nearly plunged the world into catastrophe, showed that the United Nations had no longer the right to let such provocation go unpunished.

50. The lies of the mass media propaganda financed by the vast resources of international zionism had so far hidden the true nature of the Palestinian problem, but the international community must no longer be deceived. Israel had always portrayed its blatant aggression in the international press, over which it had almost complete control, as the defence of a small country against a 100 million Arabs resolved to eliminate it. The so-called modern world failed to protest, or at best adopted formal resolutions which Israel cheerfully violated, while the Palestine refugees lived on a meagre charity. It must be realized that those people had been deprived of their land and property but not of their faith and national pride.

51. It was time that the United Nations recognized the errors it had committed under the influence of unscrupulous imperialism and zionism and put an end to the intolerable situation of the Palestine Arab refugees. From the moral and legal point of view, it was the duty of the United Nations to protect the fundamental rights of that people to self-determination and to help it to free itself from colonial domination and at last to live a normal life.

52. Mr. BARJUCH (Colombia) introducing his delegation's amendment (A/SPC/L.275) to draft resolution A/SPC/L.274, said that it hoped that the additional operative paragraph might provide an alternative solution to overcome the deficit in UNRWA's budget, since the generous increase in contributions to the Agency had not kept pace with the effects of inflation and the devaluation of the dollar.

The meeting rose at 5.50 p.m.

886th meeting

Wednesday, 14 November 1973, at 11.45 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.886

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/SPC/162, A/SPC/164, A/SPC/L.273-275, A/SPC/L.276/Rev.1, A/SPC/L.277, A/SPC/L.278/Rev.1, A/SPC/L.279/Rev.1, A/SPC/L.280);

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

GENERAL DEBATE (*concluded*)

1. Mr. ASSUMPCÃO DE ARAUJO (Brazil) paid tribute to the dedication of the Commissioner-General and staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, who provided essential services for more than 1.5 million people. His delegation had always supported humanitarian resolutions, while being aware of the political causes and implications of the problem. In accordance with that constructive position, his Government could not fail to join, to the limit of its possibilities, in all relief efforts to improve the living conditions of the Palestinian refugees; thus, the previous year, the Brazilian Ministry for External Relations had obtained from several sources in Brazil donations of medicines which were delivered to the Agency through the Food and Agriculture Organization of the United Nations.

2. His delegation agreed entirely with the view expressed in paragraph 22 of the report of the Working Group on the Financing of UNRWA (A/9231); it would

be tragic if UNRWA was forced, owing to a lack of funds, to reduce its assistance to the refugees for, under the prevailing circumstances, it was absolutely indispensable. Member States had a duty to ensure that the goals of UNRWA's programmes were achieved. For its part, the Brazilian Government pledged a contribution of \$10,000.

3. Mr. HAMMAD (United Arab Emirates) said that UNRWA and the Working Group deserved the full support of the international community. The United Nations had a special responsibility towards the Palestinian refugees and should ensure that the warning given by the Commissioner-General that certain services to the refugees might be reduced did not become a reality.

4. The Committee should not turn its attention from the true nature of the refugee problem, which was essentially political, and concentrate, as it had done to date, on its humanitarian and financial aspects, for that attitude had not contributed at all to the elimination of the factors that had caused and were prolonging the problem. In any case, for his delegation, the term "humanitarian needs" meant the right to nationhood, the right to ancestral homeland, the right to self-determination and the right to live in honour and dignity.

5. The Palestine problem was characterized by three processes: deprivation, the claiming of rights and the making of decisions. The process of deprivation could be described as the application by certain participants in the world arena, for selfish and unjust objectives, of policies which had resulted in the expulsion of the people of Palestine from their homeland and their replacement by Zionist Jews. All knew of the role played by the United Kingdom, the United States of America, the United Nations and, last but not least, the Zionist

movement and its incarnation, Israel, in that respect. The Palestinian Arabs, having been expelled from their homeland and denied repatriation by Israel, were deprived of their homes and property and their right to self-determination or, in other words, of almost all their rights as human beings.

6. During and as a result of that process, the Palestinians had submitted claims to various authorities concerning the lawfulness of the changes imposed on them and of the deprivations they had suffered, in the hope of securing their inherent right to exist as a people and of redressing the injustices inflicted upon them. They claimed the right to existence, the right of return to their homeland, the right to property—all their inalienable rights, including the right of self-determination. One important point in that respect, particularly with regard to the response to those claims point in that respect, particularly with regard to the response to those claims by Israel and other countries, was that there was no central authority capable of using force in support of approval by the world community of any or all of those claims.

7. The process of making decisions emanated from the international community, namely the United Nations, regional organizations, groups of States, non-governmental organizations concerned with justice and, of course, the people of Palestine itself. Their general objectives were to maintain a minimum of public order in the world community; to secure a peaceful and just solution to the Palestine problem; to secure for the people of Palestine, as for the other peoples of the world, its inalienable rights, including the right to self-determination; and to apply the principles enshrined in the United Nations Charter and international law regarding the territorial integrity of States and the inadmissibility of the acquisition of territory by force.

8. In order to devise a more rational policy for the solution of the problem, it was necessary to clarify the goals, to study the trends apparent in past decisions and the factors affecting them and to suggest alternatives. With regard to goals, all States had demonstrated, on the occasion of Israel's acts of aggression in 1956, 1967 and 1973, their concern for the maintenance of international peace and security; all, except for Israel and certain other States, wanted a minimum of public order and respect for the decisions of the various organs of the international organizations. Israel's attitude was clear from its representative's statements in the Security Council concerning the Council's decisions.

9. He referred next to the decisions of the international community with respect to the various types of claim. The right of the Palestinian refugees to existence was a natural right. It was, therefore, natural that the United Nations, which had acquiesced in their expulsion as a result of the machinations of certain States, should ensure, through its creation of UNRWA, that assistance was provided to the refugees who had been deprived of the means of subsistence. It was noteworthy that Israel had been the only State to abstain from voting on the resolution on UNRWA adopted at the previous session.

10. The right of return claimed by the Palestinian refugees was in conformity with article 13, paragraph 2, of the Universal Declaration of Human Rights and had also been proclaimed in paragraph 11 of General Assembly resolution 194 (III) and reaffirmed at

each successive session. Further, the World Conference of Christians for Palestine had formally denounced the idea that the problems of the Middle East could be solved by any national or international policies which contradicted the rights of the Palestinian people, and especially its essential right to return to its country.

11. Having been forcibly expelled and exiled, the Palestinian refugees were deprived of the right to their own property and the income therefrom, a right which was proclaimed in article 17 of the Universal Declaration of Human Rights and was in conformity with man's instinctive attachment to property. That right had been both explicitly and implicitly recognized by the General Assembly in paragraph 11 of resolution 194 (III) and had been reaffirmed year by year. It was well known that, prior to the expiry of the British Mandate, the Palestinians had owned 92 per cent of the land in Palestine as well as houses, offices, factories and other property which had been taken from them by Israel.

12. The principle of equal rights and self-determination of peoples was embodied in Articles 1 and 55 of the United Nations Charter and had been reaffirmed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States and in the Declaration on the Strengthening of International Security. The Palestinians were no exception, and their rights in that respect had further been expressly recognized in various General Assembly resolutions, including resolution 2963 E (XXVII), and in paragraph 5 of the resolution adopted on 29 May 1973 by the Assembly of Heads of State and Government of OAU; in addition, the Conference of Heads of State or Government of Non-Aligned Countries had decided in September 1973 to support the struggle to recover the national rights of the Arab people of Palestine and had emphasized that the restitution of those rights was a fundamental prerequisite for a just and lasting peace. Various non-governmental organizations had also recognized those rights, including the World Council of Churches, which in 1969 had called upon the churches of the world to use their influence towards a just solution, involving necessarily the recognition of the rights of the Palestinians, the World Conference of Christians for Palestine and the Second Conference of the Afro-Asian Islamic Organization. Future decision-makers, namely, the participants of the World Youth Assembly, held in New York in July 1970, had submitted a message to the General Assembly at the twenty-fifth session expressing "their solidarity with the struggle of the Palestinian people" and had demanded "the immediate withdrawal of Israeli troops from all occupied territories [and] the restoration of the inalienable right of the Palestinian people to self-determination . . .".¹ Last and most important was the decision of the people of Palestine themselves, through the resistance movements, to wage a struggle for the restoration of their rights, a struggle which had been recognized by the various aforementioned organizations.

13. If followed from those decisions that the international community recognized and supported the claims of the Palestinians, recognized the indivisibility of those claims; was becoming increasingly aware of the need to satisfy those aspirations; recognized the injus-

¹ *World Youth Assembly*, document 56/WYA/P/10, p. 6.

tice inflicted upon the people of Palestine and was determined to redress it; and acknowledged the link between the establishment of a just and durable peace in the Middle East and the restoration of the rights of the people of Palestine. However, those decisions remained a dead letter because Israel refused to comply with them, in defiance of the will of the international community and the fundamental principles on which it was based and because certain States were unwilling to utilize the machinery available to compel compliance with the decisions taken by the international community.

14. There were three policy alternatives for the future. One would be to continue past practice, namely the adoption of resolutions which were not implemented, a situation which Israel would not fail to interpret as licence to pursue its policies of aggression and expansion. The second would require a change of attitude on the part of certain Powers which could exert pressure to bring about the implementation of those resolutions. The third and final alternative would be the realization of the vision of which the representative of the Palestine Liberation Organization had spoken at the 882nd meeting, namely, the establishment of a democratic, secular and pluralistic State in Palestine comprising both Jews and Arabs as equal citizens.

15. Mr. SAYEGH (Kuwait) said that he had discerned in all statements a conviction which could be couched in the following terms: the question of the Palestine refugees could not be abstracted from the larger question of the Palestinian people, the assistance provided to Palestinian refugees could only be a palliative and the humanitarian attitude of relief was by no means a final answer to the refugee problem.

16. The general debate had touched upon four distinct but interrelated problems: (1) the problem of the Palestinian refugees, which was the item before the Committee; (2) the problem of the Palestinian people, their plight and their destiny; (3) the problem of relations between Israel and the Arab States, commonly referred to as the situation in the Middle East; and (4) the problem of the nature and conduct of the Israeli régime.

17. Although the first and third problems were being debated in United Nations bodies, neither the second nor the fourth appeared on the agenda of any United Nations body. However, the second and the fourth problems were the central ones and the others were only consequences of them.

18. In order fully to comprehend the Palestinian question, a number of facts should be born in mind. First, although other peoples had experienced foreign occupation, subjugation or exile, the Palestinians were the only ones who had lived through all of those and were still experiencing one or another of them. Secondly, the multiple hardships affecting the Palestinian people were the result of the action or the inaction of the organized international community, which had, however, been established to satisfy the aspirations of mankind for justice, equity, peace and respect for human rights. Thirdly, it was during the era of decolonization that the Palestinian people had become the victims of a process of colonization made possible by the deeds and the inaction of the United Nations, which had presided over the process of decolonization elsewhere. In the age of rising expectations, the people of Palestine had been delivered nothing but rising frustrations.

Fourthly, the tragedy of the Palestinian people was not a quirk of fate: it was the inevitable consequence of an ideology and a movement and, later, of the conduct of a State. It was not the work of blind forces of nature, but of a conscious will that was a testimony to man's inhumanity to man. The meeting of 200 Jews at Basel in 1897 to establish the Zionist movement, which was to devote itself to the creation of a *Judenstaat* in a land occupied by non-Jews, had spelt the beginning of the tragedy of the people of Palestine. Fifthly, the Palestinians had remained the victims of that tragedy in spite of solemn promises by the international community for half a century assuring them that such would not be their fate. According to the Balfour Declaration nothing should have been done to prejudice the civil and religious rights of the non-Jewish communities in Palestine². Analogous safeguard clauses had been included in the text of the League of Nations Mandate for Palestine, placing Palestine under British administration, namely in articles 2, 6 and 9 in particular.³ Those safeguard clauses had also been included in the recommendation concerning the partition of Palestine adopted on 29 November 1947 by the General Assembly (resolution 181 A (II)). The United Kingdom Government, the League of Nations and the United Nations each had solemnly promised in turn to guarantee the rights of the Palestinians. What had they done to enforce that guarantee? It was no wonder that the Palestinian people felt that they had been betrayed and that they were the victims not only of the Zionists but also of the international community. What Balfour had stated on 11 August 1919—his remarks were contained in *Documents on British Foreign Policy, 1919-1939*, volume IV, page 345—could be said of the United Nations: the Organization had made no promise concerning the Palestinians which it did not intend to violate.

19. It was no wonder that some Palestinians had drawn the conclusion that they could safeguard their rights more effectively not by staying within the pale of the law, but by going outside it. The last point to be remembered was that the Palestinians had never submitted to the *fait accompli*; they had never surrendered their rights. From 1920 to 1948, until their displacement, they had waged their war of liberation almost continuously. The Peel Commission, sent to Palestine in 1937 by the United Kingdom Government to find out the causes of the disturbances which had broken out there, had concluded that the problems had been caused by the desire of the Palestinians for national independence and the hatred and fear of the establishment of the Jewish national home, and that in all the disorders the two causes had always been inextricably linked together. After 1948 the struggle of the Palestinians for liberation had taken a new form, but they had never surrendered their right nor had they ceased to defend their dignity. Israel could not point to a single group which had ever accepted as legitimate the situation established in Palestine by force.

20. It was lamentable that, contrary to the South African régime, Zionism and Israel had never been the subject of a thorough study, for Israel represented in south-west Asia the same assault on human dignity that *apartheid* represented in southern Africa. He cited as proof an interview with David Ben-Gurion in *The*

² See *Official Records of the General Assembly, Second Session, Supplement No. 11*, vol. II, annex 19.

³ *Ibid.*, annex 20.

Jerusalem Post of 23 June 1969 (weekly overseas edition) in which Mr. Ben-Gurion said that he had told the Prime Minister of the South African Government that if the white settlers had done in South Africa what the Jews had done in Palestine they would have been spared considerable troubles, a point with which the Prime Minister had agreed.

21. In his book *Experiences*⁴, Arnold Toynbee had observed that although the modern era had been marked by higher sensitivity to the value of human life, it had also been characterized by mass movements to destroy human life and dignity. Among those he cited genocide, of which nazism was the supreme illustration, and *apartheid*, as applied by the South African Government. Between those two movements he placed eviction, of which zionism was the supreme illustration.

22. In respect of both the expulsion of the non-Jewish population from Palestine and the importation into Palestine of Jews from foreign countries, Israel was the antithesis of the ideal of the founders of the United Nations and of the spirit of General Assembly resolution 181 (II), which had given birth to the country. Under that resolution, calling for the partition of Palestine, Israel was supposed to permit the Arabs to stay and to safeguard their rights; it was not envisaged as a place for the resettlement of Jews from all over the world. Neither the expulsion of the Palestinian Arabs nor the importation of Jews from foreign countries corresponded to the intentions of the Members of the Organization which had created Israel as a State. In view of the historic nature of the current phase of the life of the Middle East, it was important that those facts should be kept in mind.

23. He wished to make two further remarks. First, it would be futile to try to contrive arrangements between States that failed to take account of the aspirations of the Palestinians and was predicated on an abridgement of their rights, in particular the right to self-determination repeatedly affirmed by the international community. His second remark had to do with the syndrome of self-pity and self-righteous arrogance manifested by the Israeli leaders. At one moment they were proclaiming the suffering the Jews had endured in the past and at another they were boasting about what they had achieved. Self-centred and imbued with a feeling of superiority, Israel must get what it needed, even at the expense of the rights of others, for Israel could not be treated like other States but believed that special rules should be applied to it. Israel could no longer act arrogantly and fool the rest of the world by playing on the theme of self-pity. It now stood isolated as never before. It could no longer count on its superiority in the Middle East for, on the one hand, the inferiority of the other countries in the region was a thing of the past and, on the other hand, it owed its superiority to others.

24. If the situation led Israel to rid itself of the syndrome which characterized it, it might be possible to arrive at a solution that respected the rights of both the Palestinians and the Jews. The representative of the Palestine Liberation Organization had suggested in his statement (882nd meeting) what that solution might be—a solution that also he himself had contemplated at the twenty-fifth session (737th meeting). That solution

would make it possible to alter the irreconcilable nature of extreme positions. Indigenous Arabs, both Moslem and Christian, and Jews, whether indigenous or not, should live together in Palestine in a State to which they would all equally belong and which would belong to all of them equally. They should dedicate themselves, not to excluding one another, but to working together as human beings linked by bonds of humanity transcending religious, linguistic, racial and national differences. A State should be created in Palestine in which all those human beings would work together. That solution would symbolize the triumph of humanity over factionalism and the triumph of vision over obstacles that seemed insurmountable. It would enable the Arabs to renew what had always been their tradition of tolerance. It would also enable Jews living outside Israel to renew their tradition of pluralism, in which their salvation lay. All that the Israelis had to lose was something that had never belonged to them.

25. In conclusion, he paid a tribute to the Commissioner-General and his staff for the devotion they had shown in the relief work for the Palestinian refugees. He also paid a tribute to the Working Group on the Financing of UNRWA and its Chairman. He had not seen among the draft resolutions circulated any that called for the renewal of that Working Group's mandate. He wished to express his delegation's appreciation to the Working Group for the efforts it had made for the financing of UNRWA.

26. Mr. FOUM (United Republic of Tanzania), supported by Mr. SALJUQI (Afghanistan), Mr. BEAVOGUI (Guinea) and Mr. N'DIAYE (Senegal), said that the statement by the representative of Kuwait contained elements that were essential for understanding the problem of the Palestine refugees and therefore requested that the statement should be reproduced *in extenso* and circulated to the members of the Committee.

27. The CHAIRMAN recalled that on 21 September 1973, at its 2123rd plenary meeting, the General Assembly had decided to authorize the Special Political Committee to have transcriptions of the debates of specific meetings, if a request was made to that effect. If there were no objections he would take it that the Committee decided to have a transcription made of the statement by the representative of Kuwait.

*It was so decided.*⁵

28. Sir John RENNIE (Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East) said he wished first of all to thank the delegations that had expressed appreciation of the work of UNRWA.

29. He believed that the report (A/9013) and his statement (877th meeting) conveyed the facts of the situation adequately, but he would be glad to furnish additional information to any delegation that required it.

30. He had already made plain how very serious the financial situation of UNRWA was and how drastic the consequences of reductions in its services might be for the refugees and for the host Governments and, he believed, for the situation in the Middle East generally. What he had said had been echoed by a number of

⁴ London, Oxford University Press, 1969.

⁵ The full text of the statement was subsequently circulated in document A/SPC/PV.886.

speakers, and notably by the Chairman of the Working Group (*ibid.*). Like the representative of Kuwait, he had noted that there was no draft resolution about the Working Group and he wondered whether that indicated some disillusionment about the effectiveness of appeals for voluntary contributions despite the insistence there had been on the continuation of financing in that way. There were, however, amendments to the draft resolution A/SPC/L.274 that seemed to suggest that the General Assembly was going to assume the role of the Working Group in soliciting contributions from individual Governments. It was not for him but for the Committee to express a view on the effectiveness of that approach and on whether it would be successful or not, but the point was no doubt one that the Committee would take into consideration when deciding on the amendments.

31. In that connexion, he referred to the Colombian amendment (A/SPC/L.275) proposing that part of the cost of the Agency should be transferred to the regular budget of the United Nations. As he had already made clear (877th meeting), he believed that, for a variety of reasons, it would be preferable to have the international staff financed by the United Nations. There were good precedents and, at least, leaving aside any objections of principle, that was a means of financing from the regular budget that would be easily regulated. The Colombian proposal was rather open-ended in that it would be a percentage of the total budget of the United Nations. Unless the whole of the budget of UNRWA was examined by the institutions of the United Nations, there would be no control over the amount contributed by the United Nations budget. There would probably be practical and technical difficulties in having the whole of the Agency's budget examined by the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee. There would be no such difficulty, of course, in having an administrative budget for the international staff so examined.

32. He sought the Committee's guidance on what course he should follow if voluntary contributions did not provide sufficient funds to maintain the Agency's programmes. He wished to repeat that, in his opinion, decisions of such political consequence ought to be made on a governmental level. So far, while there had been much encouragement for the Agency's work, much concern had been expressed about the financial situation, some generous contributions had already been announced in the Committee and there had been appeals for more contributions, he had not received any guidance on the course he should follow.

33. In those circumstances he proposed to consult the Secretary-General and possibly to make known to the Committee or to the General Assembly in some appropriate manner what contingency plans he intended to make in order to meet such an eventuality.

34. Mr. BARROMI (Israel), speaking in exercise of the right of reply, said that the statements of the representatives of Iraq and Algeria at the previous meeting and the statements just made by the representatives of the United Arab Emirates and Kuwait had proved most disappointing. He reiterated that the recent hostilities had started with a premeditated attack by Syria and Egypt, supported by other Arab countries. He wondered whether the time was not ripe for a fresh approach in a spirit of understanding and conciliation.

Unfortunately the representative of Iraq had made no constructive proposal but had merely repeated the usual implausible allegations. For example, according to him the Iraqi Jews who had fled from Iraq had not done so because of such events as the hanging in public of several of their co-religionists, but because of Zionist cajoling. The representative of Iraq worked hard to dub the Jews foreign invaders in their ancient land, pretending that Abraham and Moses never existed and that the splendour of the Kingdoms of David and of Solomon were no doubt a figment of the imagination.

35. He noted that the representative of Kuwait often quoted Theodor Herzl, who had been a visionary and a man of action, like Thomas Jefferson, Giuseppe Mazzini or Benito Juárez. The painstaking effort of the representative of Kuwait to dig into the letters or diaries of Herzl would not detract from the historical role of Herzl and the Zionist movement: the age-long striving for national restoration and independence. There lay the best guarantee of Israel's eternal destiny. The representative of Kuwait had quoted Arnold Toynbee, whose views might not be infallible if he was judged by what he had said of the black races which, according to him, had not contributed to any civilization.⁶ Would the representative of Kuwait subscribe to such a statement?

36. However, he would abstain from polemics and stick to the facts. The facts were that the Arab refugee problem was a result of the aggression launched by the Arab States immediately after the adoption of General Assembly resolution 181 (II), known as the "partition resolution", even before the expiration of the British Mandate. Already on 16 February 1948, the United Nations Palestine Commission had, in its report to the Security Council,⁷ denounced the violation of the United Nations resolution. Disregarding the appeal for co-operation throughout the Middle East which the new State of Israel had issued in its Declaration of Independence of 14 May 1948, the Arabs had spoken of a war of extermination and called on the Palestinians to take refuge in the neighbouring countries. The Arabs themselves and others had made no secret of those facts. Since then, as the Research Group for European Migration Problems had stated in its bulletin for January-March 1957, the Arab countries had not tried to come to the help of the refugees or to absorb them in order to use such a situation for political ends.

37. With regard to the right of the Palestinians to self-determination, he pointed out that the vicissitudes of history had brought two peoples in subsequent times to the land of the Bible. The Jews had created in their ancestral homelands a great civilization, while the Arabs had only conquered the same territory by the sword in the 7th century A.D., not by right but by might, until they were defeated by new conquerors. In 1948, at the end of the British Mandate, they had again attempted to seize that territory by force, in defiance of the United Nations. Wars and strife had ensued. In 1973, after more fighting, should the task of the United Nations be to give a blessing to terrorist organizations, or to proposals to tear away parts of Israel's territory and to destroy it slice by slice? Between Iraq and the Mediterranean Sea there was ample room for both Is-

⁶ *A Study of History* (New York, Oxford University Press, 1962), vol. 1, p. 233.

⁷ *Official Records of the Security Council, Third Year, Special Supplement No. 2*, document S/676.

rael and an Arab State in full dignity and self-determination. In Israel itself the Jewish majority and the Arab minority coexisted peacefully in the framework of a democratic régime. The political and human problems, which were leftovers of the past, as well as the question of secure and recognized borders could be solved there and then.

38. Mr. SAYEGH (Kuwait), speaking in exercise of the right of reply, said he thought the Israeli delegation was careless in its use of quotations. In that connexion he noted that the Israeli representative, having heard him quote Arnold Toynbee, had quite unreasonably concluded that he approved of everything that author had said. Furthermore, the Israeli representative had accused him of distorting the sense of the passages he quoted without bringing any proof in support. He would, if the Chairman saw no objection, circulate to members of the Committee the full text of the passages from which he had drawn his quotations.

39. With regard to the offer of peace made in the Declaration of Independence of the State of Israel of 14 May 1948, mentioned by the representative of Israel, he would remind that representative that at that date the Israelis, who were past masters in the art of making false promises, had already driven out 300,000 Palestinians.

40. The Israeli representative had referred to Palestine as "the ancestral land of the Jewish people", but long before the Hebrew people had settled there, Palestine had been inhabited by other peoples, and after the Diaspora, the Jewish presence in Palestine had been in the form of small groups only and had been intermittent. A large proportion of modern Jews were descended from converts to Judaism. Palestinians on the other hand were the product of a mixture of various ethnic groups, including Hebrews, who had lived in Palestine. The Arab conquerors of the 7th century were only one of those ethnic elements, and the only Arab feature that Palestinians, like the Moroccans, Algerians and others, had in common was the language.

41. He would ask the Israeli representative, who had blamed the Arab conquerors of the 7th century for having established themselves by force, whether the Zionist colonists had come armed with an olive branch.

42. The future, as the Arabs wanted it, was founded on the coexistence of Jews and Arabs in a country that they held in common, whereas the Israeli ideal was that of an alien occupier dominating the indigenous inhabitants. He would ask which of those two situations would come closer to the ideal of the United Nations.

43. Mr. ZAHAWIE (Iraq) said that he wished to exercise the right of reply because of the constant lies being uttered by the Israeli representative. First of all, the Arab armies had invaded the State of Israel when it was founded because six months before the end of the British Mandate Jewish terrorist organizations, the Haganah and the Irgun, were occupying towns and villages. In a work published in 1964, *Rebirth and Destiny of Israel*,⁸ David Ben-Gurion had said that at the birth of Israel, its territory had been almost cleared of Arabs, an expression which was reminiscent of the word *judenrein* which Hitler favoured. In fact, before the first Arab soldier had entered Israel, the number of Palestinian refugees had already amounted to 300,000.

44. Despite the claims made by Israel, and as was borne out by the broadcast communiqués recorded at the time and preserved in the British Museum, the Arab countries had encouraged the Palestinians to remain in their own country. They had fled because of the massacres of which many of them had been the victims.

45. The Israeli representative had taken him to task for not making any constructive proposals. Yet he had asked the Jewish rulers for a change of attitude and heart, calling on them to renounce the "Law of Return", racism and the exclusive right they claimed to decide who could live in Palestine.

46. With regard to the immigration of Iraqi Jews, he pointed out that Israel was particularly vindictive against Iraq because it had become obsessed with the idea that that country should accept the Palestinians in exchange for Iraqi Jews. As for the "hangings", he would point out that those concerned had been spies, and that there were numerous precedents for such cases to which Israel had not objected, for example the sentencing and execution of the Rosenbergs, who were Jewish citizens whom the Government of the United States of America had believed to be guilty of espionage. Nor did Israel show indignation at the hangings which had taken place in South Africa, a country with which it maintained excellent relations.

47. He would point out that he had not said that Iraqi Jews had been persuaded to leave, but that they had been forced to do so through threats and acts of terror. Only such acts could have made them leave, for, as Iraqi Jews who had emigrated to Israel had confirmed, Jews and Arabs lived peacefully side by side in Iraq. Those immigrants regretted that they had left a comfortable life in Iraq to live in wretched conditions in Israel reserved by the Zionist State for Sephardic Jews, on whom were imposed all the hard tasks necessitated by the development of the country and whose children were even deprived of an education.

48. Mr. BARROMI (Israel), speaking in exercise of the right of reply, said that Iraq, which displayed executioners on television, could hardly speak of human rights. It was indeed ludicrous to assert that Jews had bombed their own synagogues and confiscated their own property. The history of Iraqi persecution was amply documented. In his researches the Iraqi representative might have discovered that in a 1950 copy of the *New York Herald Tribune*, Mr. Kenneth Bilby had said that the Arab exodus had been encouraged by many Arab leaders such as the pro-Nazi Mufti of Jerusalem and by the Arab Higher Committee for Palestine.

49. With regard to battles and conquests which took place before Israel's independence on 14 May 1948, he referred to his previous statement which had stressed that from November 1947 until the end of the British Mandate the Arab States, in co-operation with some Arab leaders in Palestine, plunged the country in chaos and turmoil and that Arab armies followed this up by outright invasion, in some places even before the expiration of the Mandate.

50. Mr. TALEB (Algeria), speaking in exercise of the right of reply, said that the Israeli representative had not refuted the facts adduced by the Algerian delegation in its statement at the previous meeting. One truth in particular had stood out clearly despite Zionist propaganda: the collusion between the racist and minority

⁸ New York, Philosophical Library, 1954.

régime of Israel, South Africa and Southern Rhodesia. He would confine himself to quoting the declaration on the struggle for national liberation, made at the Fourth Conference of Heads of State or Government of Non-Aligned Countries, that

“the case of Palestine, where Zionist settler-colonialism has taken the form of a systematic uprooting of the Palestinian people from their homeland and represents a very serious threat to their survival as a nation, is exactly the same as the situation in southern Africa, where racist segregationist minorities use the same method of colonial domination and exploitation pursuant to the requirements of a single imperialist strategy” (see A/9330).

51. Mr. ZAHAWIE (Iraq), speaking in exercise of the right of reply, wished to point out to the representative of Israel that Iraq had long been a member of the Commission on Human Rights and that the number of votes

it received when it was a candidate amply refuted the Israeli representative's allegations. With regard to the bombs placed in the synagogues, a distinction should be drawn between Jews and Zionists. Zionism thrived on anti-Semitism, as had been shown by certain non-Zionist Jews, in particular Mr. A. Rabinovich, professor at Montreal University, who had said that Ben-Gurion had had the idea of sending Jews into Arab countries to cause provocation there. Zionism would like to represent world Jewry, but it had neither the right nor the ability to do so.

52. The CHAIRMAN announced that the Committee had ended its general debate on the question of UNRWA. In accordance with the decision taken at the preceding meeting, it would at the afternoon meeting the same day resume its debate on the question of *apartheid*. Draft resolutions on the question of UNRWA would be voted on subsequently.

The meeting rose at 1.30 p.m.

887th meeting

Wednesday, 14 November 1973, at 3.20 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.887

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa (continued)* (A/9160, A/9188, A/SPC/160, A/SPC/161, A/SPC/L.269, A/SPC/L.271, A/SPC/L.281, A/SPC/L.282/Rev.1, A/SPC/L.283):

- (a) Reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9169 and Corr.1, A/9180);
- (b) Reports of the Secretary-General (A/9165, A/9235)

1. Mr. RYDBECK (Sweden), Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa, introducing the report of the Committee of Trustees (A/9235, annex), said that the responsibility of that Committee was to decide on the grants to be made to appropriate bodies for humanitarian and legal assistance to the victims of *apartheid* and racial discrimination in South Africa, Namibia and Southern Rhodesia, to encourage contributions to the Fund and to facilitate co-ordination of the activities of voluntary agencies engaged in such assistance. It was deplorable that the Fund was still needed, but until other United Nations bodies found a solution to the problem in South Africa, it was a positive demonstration of Member States' deep concern over the situation.

2. The Committee of Trustees took seriously its duty to assure that the grants were used strictly for humanitarian purposes and required adequate reports, accounts and audited statements from the organizations concerned. He had again visited some of them during the past year and had satisfied himself that the grants were used for the purposes intended. The Committee was gratified by the growing awareness that the

repression in southern Africa called for increased humanitarian assistance. During the past year there had been several new contributors and some contributions had increased. The Committee of Trustees wished to express its appreciation to donor Governments and to those which had pledged contributions. It appealed to the richer States to continue to increase their contributions and welcomed even small contributions from States with financial difficulties as evidence of their support.

3. Although a number of political prisoners had recently completed their sentences, many of them had been subjected to banning and house-arrest orders or deported to impoverished reserves or resettlement camps. There had also been several new trials during the past year, and the costs of legal assistance had risen substantially. Many African workers had been persecuted as the result of the strikes which had culminated in the Carletonville massacre in September 1973. Many students, white and black, had been served with banning orders for their activities against *apartheid*, and scores of African students had been expelled from colleges and could not obtain admission to any other educational institution in South Africa.

4. In Namibia hundreds of persons had been arrested because of their opposition to the Bantustan scheme, and many students who had been expelled for demonstrating in support of the advisory opinion of the International Court of Justice of 21 June 1971 could only continue their education through expensive correspondence courses. Families of Namibians imprisoned on Robben Island needed assistance, especially to enable them to travel the long distance to visit the prisoners.

5. In Southern Rhodesia the illegal régime was increasing repression against the members of the African

* Resumed from the 875th meeting.

National Council and against students and was preventing such persons and their families from receiving assistance from abroad.

6. In view of all those calls upon assistance from the Fund, the Committee of Trustees earnestly hoped that all Member States would increase their contributions for the coming year, the first in the Decade for Action to Combat Racism and Racial Discrimination, and thereby show international solidarity with the victims of *apartheid*. Until a new situation had been established in southern Africa, it was the duty of the international community to alleviate the hardships faced by men, women and children in a system which was universally recognized as unjust.

CONSIDERATION OF DRAFT RESOLUTIONS (continued)

7. Mr. MUHONEN (Finland) introducing draft resolution A/SPC/L.283, announced that Indonesia, Mauritania, Pakistan, Turkey and Yugoslavia had asked to join the sponsors. Although the contributions made or pledged by many countries had increased substantially during the past year, the continuing and growing needs for humanitarian assistance arising from the persecution of persons under repressive and discriminatory legislation meant that more resources were vitally needed. The draft resolution was designed to encourage States, organizations and individuals to contribute to the Fund. Its sponsors were confident that it, like similar resolutions at previous sessions, would meet with virtually unanimous support from the Special Political Committee and the General Assembly. They also hoped that a larger number of States would contribute to the Fund to enable it to continue its vital work.

8. Miss WILLIAMS (Sierra Leone), introducing draft resolution A/SPC/L.281, announced that the following countries had joined its sponsors: Algeria, Cameroon, Dahomey, Guyana, Liberia, Madagascar, Mali, Morocco, Nepal, Nigeria, Senegal, Somalia, Uganda, the United Republic of Tanzania, Yugoslavia and Zambia. Her delegation had felt that the draft resolution, together with the draft resolution on the programme of work of the Special Committee on *Apartheid* (A/SPC/L.266), which her delegation had also sponsored and which had been adopted at the 875th meeting, would provide the framework for a stronger and more effective programme of action against *apartheid* by United Nations organs in the coming year, which was the first in the Decade for Action to Combat Racism and Racial Discrimination.

9. Like the overwhelming majority of African countries, her country had consistently taken a strong stand against *apartheid* and colonial domination in southern Africa, had rigorously implemented United Nations resolutions on that issue and was determined to increase its efforts to promote the international campaign in future years.

10. Draft resolution A/SPC/L.281 had two aims: to achieve intensified and better co-ordinated direct action against *apartheid* and to identify and dissuade those countries whose collaboration with South Africa enabled it to continue and increase its repressive policies.

11. During the 10 years since the creation of the Special Committee (General Assembly resolution 1761

(XVII)), as more ruthless systems of oppression had been introduced and violence had escalated, there had been an unparalleled growth of liberation forces and international recognition of the justice of their demands had increased. United Nations action against *apartheid* and colonialism had been instrumental in the world's growing awareness of that situation. Although it was almost inconceivable that brutality such as the shooting of African mine workers at Carletonville could occur at a time when freedom should be natural for all, such ruthless action had not killed the spirit of the liberation movements and had only increased support for their cause throughout the world.

12. The Special Political Committee's invitation to the representatives of the South African liberation movements recognized by OAU to participate in its debates and the decision taken by the General Assembly on 5 October 1973 (2141st plenary meeting) to deny recognition to the representatives of the Vorster régime at the current session were significant developments in the history of the struggle against *apartheid*.

13. It was well known that the explosive situation created in southern Africa by continued colonial and racial domination could not have escalated to its current level without the continued military, political, economic and other support accorded South Africa by certain Western Powers. Her delegation strongly believed that concerted United Nations action against *apartheid* should be intensified, as stated in the draft resolution. While the primary role in the struggle belonged to the liberation movements, international action by United Nations bodies, non-governmental organizations, trade unions and student groups could greatly contribute towards the exercise of moral and material pressure on the South African régime, which it might be unable to bear in the long run. Although success had not yet been achieved, neither South Africa nor its friends were impervious to current developments. For instance, the weekly Johannesburg *Star* of 3 November 1973 had contained four articles on United Nations action against the South African régime, three of them on the discussion in the Special Political Committee. South Africa was very concerned about the possibility of a co-ordinated economic boycott by the international trade union movement and of the campaign against *apartheid* being carried to her borders through the establishment of radio programmes in independent neighbouring countries. Its allies made increasing efforts to keep military, economic and financial agreements secret and to disclaim their relationship with the Vorster régime.

14. The preamble to draft resolution A/SPC/L.281 therefore emphasized the need for intensified international action and the crucial importance of greater co-ordination among United Nations bodies and specialized agencies in promoting the forthcoming Decade.

15. She was sure that all members of the Committee would associate themselves with the view expressed in operative paragraph 1 of that draft. Operative paragraph 2 requested the Special Committee to take a number of measures which corresponded to significant aspects of the international campaign for the eradication of *apartheid*. The action requested in subparagraph 2 (a) was of particular importance in order to remind the countries that collaborated with the

apartheid régime of their responsibilities as States Members of the United Nations and to strengthen the international boycott. The Special Committee's report on that issue (A/9168) represented the first attempt by a United Nations body to cover systematically the implementation or non-implementation of various aspects of past resolutions and to identify the areas and extent of such collaboration. Subparagraph 2 (b) requested the Special Committee to submit a number of special reports to the General Assembly at its twenty-ninth session. The proposals were vital in the sense that the studies would reflect developments and provide guidance on the difficulties and requirements of the international campaign at different levels, and would develop a better and more comprehensive strategy. Subparagraph 2 (c) requested the promotion of a world-wide campaign for the release of all those in prison or restricted for their opposition to *apartheid*.

16. Operative paragraphs 3 and 4 dealt with the need for United Nations organs to intensify their co-operation and to adopt a unified approach in order to avoid duplication and achieve greater effectiveness. The dependence of South Africa on certain Western countries and foreign economic interests indicated that a fragmented approach to the issues of continued colonial and racial oppression in South Africa was self-defeating. There was therefore an urgent need for joint and co-ordinated action by all United Nations bodies concerned with those problems and the sponsors felt that operative paragraphs 3 and 4 represented another step in that direction. Some of the measures recommended had been put into effect in the past by the Special Committee and had proved extremely useful. Others would make a notable contribution to a more effective strategy of action.

17. Finally, operative paragraph 5 requested the Secretary-General to reinforce the Unit on *Apartheid* and provide it with the necessary staff and resources for the discharge of the tasks indicated in paragraph 300 of the Special Committee's report (A/9022). Her delegation had no doubt that the reinforcement and reorganization of the Unit on *Apartheid* into a centre which would facilitate the co-ordination of United Nations activities on all aspects of *apartheid* was very necessary in view of the tremendous expansion of the international campaign against *apartheid* in recent years, mainly as the result of United Nations interest in the promotion of such a campaign. All were aware of the tremendous amounts of money that the South African régime and its allies were pouring into a propaganda campaign designed to mislead the public about the realities of *apartheid* and to weaken international opposition to continued collaboration by States and economic and other interests. The tasks arising from the mandate of the Special Committee had continued to expand while the Secretariat staff had remained practically unchanged. While the tremendous amount of work the staff had done was greatly appreciated, it was feared that they would be unable to cope with the new workload arising out of the intensification of the campaign against *apartheid*, unless they were given some additional resources.

18. In conclusion, her delegation commended draft resolution A/SPC/L.281 to the Committee for its unanimous approval.

19. Mr. TEYMOUR (Egypt) said that his delegation was privileged to introduce draft resolution

A/SPC/L.282/Rev.1. Although several draft resolutions on the item had already been considered, the draft he was introducing concentrated mainly on the action of intergovernmental institutions such as the specialized agencies and other institutions in the United Nations system, as well as the non-governmental organizations which had an important role to play in combating and destroying the racist system of South Africa. Although the draft resolution reflected one facet only of the struggle to eradicate the policy of *apartheid*, it should be considered as one of the cornerstones of international action in that field. The purpose of the draft resolution was to initiate action to increase the participation of the specialized agencies and the public in general in the campaign against *apartheid*, in conformity with the recommendations submitted in the report of the Special Committee.

20. The co-sponsors had considered the wording of operative paragraph 1 very carefully and had adopted a realistic approach by calling specifically on Governments to initiate action in the specialized agencies and other intergovernmental organizations. After all, the specialized agencies and other governmental institutions were composed of Governments who should bear the responsibility for the action, or inaction, of any particular organization. In paragraph 271 of its report, the Special Committee had drawn attention to the need for specific measures by the agencies and concrete programmes to implement the decisions of the General Assembly. Although much had already been achieved, the role of intergovernmental organizations in combating *apartheid* and isolating the axis between Portugal, South Africa and Israel needed to be defined concretely and then pursued with energy and determination.

21. In operative paragraph 2, two requests were addressed to UNESCO. The first was to expedite the publication and distribution of the educational kit on racial discrimination and *apartheid* in southern Africa which it was hoped would be ready for distribution during the first year of the Decade for Action to Combat Racism and Racial Discrimination. The second request was that UNESCO should consider convening a conference of prominent educators, writers and other intellectuals from various parts of the world to examine their contribution to the anti-*apartheid* campaign. In that connexion, the sponsors considered that close co-operation should be maintained between UNESCO and the Special Committee when discussing the proposal and eventually deciding on its merits.

22. Operative paragraphs 3 and 4 commended the positive action taken by non-governmental organizations and invited other organizations and groups to intensify and develop their efforts in observance of the Decade for Action.

23. Operative paragraph 5 specifically requested the Secretary-General and the Special Committee to take appropriate steps to encourage public action against *apartheid*. Perhaps the competent organs of the United Nations, such as the Economic and Social Council, would wish to take into consideration the support given to the efforts of the United Nations against *apartheid* when evaluating the activities of organizations applying for consultative status. Subparagraph 5 (c) merely reiterated a previous recommendation to create committees against *apartheid* in countries where they did not exist. Such committees would be able to serve a

very useful purpose by disseminating information on *apartheid* by the United Nations and would also create the will to generate measures for isolating the régime, boycotting its goods, helping those who were victims of its inhuman policies and supporting their fight for liberation. Those aims of the draft resolution should be read in conjunction with the relevant recommendations in the report of the Special Committee.

24. In conclusion, he appealed to all members of the Committee to vote unanimously in favour of the draft resolution. The true representatives of the people of South Africa were the representatives of the liberation movements and the adoption of the draft resolution would be a fitting rebuke to the régime which claimed to represent South Africa in the United Nations and a testimony to the determination to promote the campaign against *apartheid* throughout the world.

25. MØLLER (Denmark) said that his delegation had held consultations with the co-sponsors of draft resolution A/SPC/L.269, following which operative paragraph 5 had been amended to read as follows:

“5. *Requests* the Secretary-General to establish as soon as possible an information centre in an independent African State neighbouring South Africa, at its request, taking into consideration the financial difficulties of the host country;”

His delegation hoped that the amendment would be acceptable to all delegations and enable them to support the draft resolution.

26. Mr. BARAKAT AHMAD (India) wished to thank the representative of Denmark for his amendment. The new text reflected more precisely the intentions of the Special Committee on *Apartheid* and met the apprehensions expressed by some delegations. The proposal by the Special Committee had not been meant to authorize the establishment of United Nations information centres all over southern Africa. It was in fact difficult to define what was meant by southern Africa as such. His delegation had been informed that a proposal to establish information centres in Lusaka and Nairobi had been submitted by the Secretary-General and was currently before the Fifth Committee. The Special Committee's proposal, in paragraph 269 of its report (A/9022) was to establish “information centres in the non-racial independent States neighbouring South Af-

rica”. Those States were Lesotho, Swaziland and Botswana and although they were the neighbours of South Africa, and one of them was completely encircled by it, they had upheld the principle of non-racialism.

27. The Special Committee was concerned that the work of the United Nations with regard to *apartheid* should be made as widely known as possible to the populations of the countries of southern Africa. At the current juncture, there was no information centre in the whole area known as southern Africa, and one information centre would certainly suffice to cover the three territories. His delegation had been informed that the Government of Lesotho had already expressed an interest in having an information centre in Maseru. It seemed somewhat unfair to expect the host Government of a developing country to bear a large share of the cost of setting up an information centre, especially when it was in the interest of the United Nations itself to disseminate information in the area. The basic requirements for an information centre were adequate rent-free premises, basic furnishings for the centre, postal, telephone and telegraph facilities, transport facilities and, of course, a director and staff. In accordance with the policy of the Office of Public Information, the information centre would, of course, be set up only at the request and with the approval of the host country. His delegation hoped that draft resolution A/SPC/L.269 would be adopted unanimously.

28. Miss WILLIAMS (Sierra Leone) said that her delegation wished to insert the words “the People of” after the words “Colonial Peoples of southern Africa and” in operative subparagraph 3 (f) of draft resolution A/SPC/L.281.

29. Mr. TEYMOUR (Egypt) said that Cameroon, Dahomey, Gabon, Morocco, the Syrian Arab Republic, Uganda and Upper Volta also wished to sponsor draft resolution A/SPC/L.282/Rev.1. In operative paragraph 3 of the draft resolution the words “liberation movement” should be changed to “liberation movements” and in operative subparagraph 5 (c) the word “organizations” should be amended to read “committees”.

The meeting rose at 4.25 p.m.

888th meeting

Thursday, 15 November 1973, at 3.25 p.m.

President: Mr. Károly SZARKA (Hungary).

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa (concluded): (A/9160, A/9188, A/SPC/160, A/SPC/161, A/SPC/L.269/Rev.1, A/SPC/L.271, A/SPC/L.281/Rev.1, A/SPC/L.282/Rev.2, A/SPC/L.283-285):

- (a) Reports of the Special Committee on *Apartheid* (A/9022, A/9168, A/9169 and Corr.1, A/9180);
- (b) Reports of the Secretary-General (A/9165, A/9235)

1. The CHAIRMAN reminded the Committee that at the 859th meeting it had decided to concur with the

request of the World Peace Council to address the Committee. In the absence of any objection, he would take it that the Committee wished him to invite the representatives of the World Peace Council to address the Committee.

It was so decided.

2. Mr. CHANDRA (Secretary-General of the World Peace Council) said that the World Peace Council had a long record of consistent effort to mobilize world public opinion to support the struggle of the liberation movements of southern Africa and to end the colonialist and racist régimes.

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3. The association between the World Peace Council and the Special Committee on *Apartheid* had become still closer during the previous year. He thanked the Special Committee for its support. World public opinion played a vital role in the struggle against *apartheid* and its importance was growing. The effective implementation of United Nations resolutions on *apartheid* and in condemnation of the South African régime was only possible with the help of public movements and organizations. Those were the movements that the World Peace Council sought to mobilize.

4. During 1973, the World Peace Council had discussed ways of increasing support for the United Nations struggle against *apartheid* with representatives of the Special Committee on *Apartheid*. It had also taken part in the International Conference of Experts for the Support of the Victims of Colonialism and *Apartheid* in South Africa that met in Oslo in April 1973 and had held further discussions on ways to improve co-operation.

5. The recently formed Sub-Committee on Decolonization, Racial Discrimination and *Apartheid* of the Non-Governmental Organizations in Consultative Status with the Economic and Social Council (NGOs) had received representatives of the United Nations Special Committees dealing with colonialism and *apartheid* in southern Africa. The Sub-Committee's latest decision had been to organize an international conference of NGOs on colonialism and *apartheid* in southern Africa in 1974. The World Peace Council wished to discuss the details of that conference with the United Nations and the Special Committees involved. The aim of the conference was to promote deeper commitment by public organizations at all levels in support of United Nations decisions. He invited the United Nations bodies concerned to take an active part in the proposed conference.

6. The programme of action that had emerged during discussions with the Special Committee on *Apartheid* was broadly based and was receiving increasing support. The World Peace Council had attended the June 1973 International Trade Union Conference against *Apartheid* in Geneva as an observer and had participated in the special, tenth anniversary session of the special Committee on *Apartheid*. It had made particular efforts to campaign for the release of political prisoners in South Africa and had observed the Day of Solidarity with Political Prisoners in South Africa. He welcomed General Assembly resolution 3055 (XXVIII), adopted on 26 October 1973, on that vital issue. The Council was making special efforts to popularize the Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/9095, annex and A/9095/Add.1). *Apartheid* was a serious threat to international peace and security; the Council would campaign in all countries to have the Convention ratified speedily and implemented effectively.

7. The report of the World Congress of Peace Forces held in Moscow in October 1973 referred to the question of South Africa and called for very specific action. It stated that the white minority régime in South Africa should no longer be allowed to represent South Africa in international organizations; any co-operation with the régime encouraged it in its criminal and aggressive policies and must be stopped. It called on all Governments and organizations to co-operate with solidarity movements in campaigns against any form of collabora-

tion with the South African régime and to provide adequate assistance to the liberation movement in its struggle against the white racist régime. Assistance should also be provided to the trade unions and other organizations engaged in resistance against *apartheid* inside the country. All Governments should be pressed to ratify and enforce the Convention for the Suppression and Punishment of the Crime of *Apartheid*. They should also seek the expulsion of South Africa from the United Nations and its affiliated agencies and other international bodies. The commitment of the Congress to the struggle against *apartheid* had given a new dimension to the world movement.

8. The year 1974 would mark the twenty-fifth anniversary of the World Peace Council. Meetings in 120 countries would be paying special attention to winning support for the liberation movements and the struggle against colonialism and *apartheid* and for national independence. There would be a session of the Presidential Committee of the World Peace Council and a special anniversary conference in Paris at the end of April 1974. The Council invited the United Nations and the Special Committees concerned to participate.

9. The World Peace Council extended its full support to the Special Political Committee in its efforts to prepare resolutions and documents to be adopted by the General Assembly in connexion with the current new stage of the liberation struggle and world-wide movement against *apartheid* and colonialism.

10. There were a number of new features in that movement. First, it was no longer a movement supporting the victims of colonialism and *apartheid* and vaguely concerned with the ending of colonialism and *apartheid*. It was a movement of solidarity with the liberation movements whose struggles and victories were the key to ending colonialism and *apartheid*. Secondly, international and national organizations understood that the main enemies of the liberation struggle and United Nations resolutions and declarations were not only the colonialist and racist régimes themselves, but also the Governments which provided, directly or indirectly, vital military and economic assistance to Pretoria, Salisbury and Lisbon. Thirdly, there was a realization that liberation movements were fighting not only for the independence of their own peoples, but for peace and independence for the peoples of the whole world. Territories under colonialist and racist domination were bases for the conspiracies of world imperialism against the independence of African countries in what was called the "re-conquest of Africa". The South African racist régime was a powerful pivot in those plans. Both the projected South Atlantic Organization and the entire system of imperialist bases in the Indian Ocean depended on the key role played by South Africa.

11. He suggested that the Special Committee on *Apartheid*, the Special Committee on Decolonization and the United Nations Council for Namibia should prepare a list of the NGOs that were actively fighting *apartheid* and colonialism and were supporting the liberation struggles and should establish close and continuous relations with them. The NGOs should be used to a greater extent as channels for communication with the peoples of the world. They should be consulted on all programmes so that they could reinforce United Nations resolutions by public action.

12. Mr. SCHAFFER (World Peace Council Presidential Committee) said that *apartheid* was one of the most evil aspects of the international scene. One theme that had run like a thread through all the debates at the Moscow World Congress of Peace Forces was that the struggle for national liberation was an essential part of the struggle for peace. No nation or continent should be half enslaved and half free. The struggle to destroy *apartheid* must seek to remove it for all time. It was a great step forward that movements engaged in the struggle were accepted and proudly welcomed in the United Nations.

13. There was some encouraging evidence that the consciences of an increasing number of people in the United Kingdom were awakening to the evil of *apartheid* and to their responsibility. The United Kingdom was the largest investor in South Africa, which was the United Kingdom's fourth largest export market. Until recently, efforts to mobilize public opinion against *apartheid* had met with little success, until *The Guardian* had published a series of articles showing that British firms were paying black South African workers wages below the subsistence level. As a result, an official parliamentary inquiry had been set up; the Church of England had also taken action. The latter's Board for Social Responsibility had sent a memorandum to 45 large companies describing the conditions of the South African workers and warning that British industry could not afford to neglect the interests of the black employees in South Africa, even on the grounds of self-interest. The World Council of Churches had issued a list of 650 British, American, Dutch and Swiss companies directly involved in investment and trade in South Africa and it had set up a fund to combat racism.

14. The revelations in *The Guardian*, and the Carletonville massacre, had resulted in an official visit to South Africa by members of the British Trades Union Congress. The trade union leaders had returned home convinced that there was no freedom of trade union organization for black or coloured South Africans; they would continue to press the demand for a declaration of intent by the South African Government to recognize racial equality in industry. The Labour Party conference had taken a much more decisive stand in October 1973 for a complete arms embargo against South Africa, for trade sanctions and for support for African freedom fighters.

15. The steps taken so far were tragically little in the light of the seriousness of the situation, but the movement was growing in strength. All the World Peace Council could do was to mobilize support for the African people, who would assuredly win their freedom. There were still powerful voices in the United Kingdom defending *apartheid* or at least advocating no action against it. There were also voices in the United Nations opposing the Draft Convention on the Suppression and Punishment of the Crime of *Apartheid* declaring *apartheid* a crime against international law. Such voices, however, had been heard opposing every advance. The conscience of mankind could not be imprisoned or fettered by legal contortions. The struggle against the evil of *apartheid* must be accepted as a right and a duty. The *Christian Science Monitor* had warned that if white South Africans did not move swiftly to change laws and customs that were obstructing and humiliating black South Africans, there would be strife, possibly on a large and bloody scale. The question was whether that

warning would be heeded in time. The oppressed millions of South Africa had been patient for many years. The South African white minority had launched the race war and should beware lest they become its victims.

16. Mr. RANDRIAMIHASINORO (World Peace Council) said that the World Peace Council followed with great interest the efforts of the United Nations and, in particular, those of the Special Committee on *Apartheid* to eliminate *apartheid*. Those efforts supported the goals of the peoples of the world who were struggling to put an end to injustice, exploitation and aggression in all their forms and to establish peace throughout the world.

17. *Apartheid* in South Africa was not simply a system of racial discrimination, but a form of colonialism based on the merciless and inhuman exploitation of the people by a foreign colonialist minority. *Apartheid* was a crime against humanity which constituted a grave threat to international peace and security, and in particular to the peace and security of Africa, since it was a policy of occupation, aggression and expansionism.

18. To achieve those goals, the South African régime had considerably strengthened its military arsenal in recent years, just as Israel was doing in north Africa. The so-called defence budget for 1973-1974 had reached almost 500 million rand, compared with 347 million rand in 1972-1973. A number of existing military installations had been enlarged and others, such as the Kempton Park military base where the Atlas Aircraft Corporation plant was situated, were under construction. A naval shipbuilding industry was also being set up. In addition, certain North Atlantic Treaty Organization (NATO) countries had flouted world public opinion by increasing their military assistance to the Salisbury-Pretoria-Lisbon alliance. The South African press had reported that delivery of 50 Mirage F-1 fighter-bombers, ordered from France in 1972, would begin in 1973. On 15 September 1973, the newspaper *The Star* had quoted *Flight International* as saying that, beginning in 1974, South Africa would receive 200 aircraft, including 32 Mirage F-1-AZ fighters, and 20 Italian Aermacchi MB326K aircraft.

19. Furthermore, under the Simonstown Agreements, military co-operation with South Africa was being intensified, as had been shown by the joint naval manoeuvres in July 1973, and a number of high-ranking French, English, Portuguese and Iranian naval officers had been present at the inauguration of the South African naval communications centre and operations headquarters in March 1973.

20. Those were just a few examples which showed that the South African régime, in collusion with certain NATO countries, was concerned not simply with maintaining the *status quo* in southern Africa, but above all with subjecting the newly independent African countries to its policy of economic aggression.

21. The racist régimes of southern Africa, therefore, posed a direct threat to the free development of Africa as a whole. In view of that threat to international peace and security, the South African régime must be isolated and some system should be established enabling effective measures to be taken against countries such as France, the United States of America, the United Kingdom, Italy and Japan, that deliberately violated United Nations sanctions. A régime which committed

crimes against humanity and peace should not be allowed to consolidate itself through international relations.

22. The international community had called for the provision of moral and material assistance to enable the liberation movements to rid themselves of the yoke of oppression and exploitation. However, material aid was no longer enough. All Governments which genuinely wished to eliminate colonialism and *apartheid* should accord to the liberation movements and their leaders the status and respect enjoyed by the authentic representatives of other peoples. In addition, co-operation between intergovernmental and non-governmental organizations should be strengthened to enable world public opinion to play a key role.

23. It was the hope of the World Peace Council that the Committee would once more be able to adopt measures commensurate with the expectations of the peoples struggling for their freedom. The Council itself would continue to do everything possible to ensure the full implementation of the decisions and resolutions of the United Nations by focusing public opinion on the situation.

24. Mr. SINGH (India) said that the Special Committee on *Apartheid* had always emphasized the importance of the support of non-governmental organizations to the United Nations efforts against *apartheid*. That emphasis was reflected in one of the draft resolutions on *apartheid* before the Committee. The close relations that had developed between the World Peace Council and the United Nations committees on southern Africa had been most helpful in promoting public support for United Nations action. He was gratified that the Council had recognized the fact that anyone who wanted peace today must also work to end racism and colonialism and must support the liberation movements of the peoples oppressed by racism and colonialism in their legitimate struggles, as had been reaffirmed at the World Congress of Peace Forces in Moscow in October 1973.

25. As he understood it, the conference on colonialism and racism in southern Africa mentioned by Mr. Chandra would be a sequel to the April 1973 Oslo Conference. The Special Committee on *Apartheid* had already decided to participate in the conference and had expressed the hope that the United Nations would assist in promoting its success in all appropriate ways. He hoped that the necessary action would be taken in consultation with the three Committees dealing with southern Africa.

26. Action in the United Nations and at the non-governmental level should emphasize constantly that the struggle against racism, *apartheid* and colonialism was not only the struggle of oppressed people, but of all humanity.

27. In view of the importance of the problems of colonialism and racism, he believed that the non-governmental organizations should set up a committee on decolonization, racial discrimination and *apartheid*, rather than a sub-committee.

28. Mrs. TROPP (United Nations Educational, Scientific and Cultural Organization) said she wished to provide the Committee with additional information to the status report submitted on 7 September 1973 concerning the anti-*apartheid* kit. On 1 October 1973, the

Executive Board of UNESCO had decided to request the Director-General to have the kit prepared and published before September 1974. Distribution of the kit was to be as wide as possible, including additional language versions provided they did not hold up the original publication. It had also been decided to keep the matter on the agenda of the ninety-fourth session. On 22 October 1973, negative replies were received from five commercial publishers that UNESCO had approached with a view to wider distribution of the kit. Some of the reasons given were: difficulties in including the kit in the school curriculum in most countries; the size of the manuscript, which ran to over 500 standard pages; and the limited market for the final kit. She was therefore pleased to announce that UNESCO itself had decided to publish the kit. It was awaiting copyright permission for some of the material in the kit and a number of small technical problems remained. A decision had to be taken on the form in which the kit was to be issued. If published as a source book, it would reach a larger market; if published in the form of a kit its size and fragile nature would reduce the potential market. In any event, she hoped it would be possible to display the kit at the next session of the General Assembly.

29. Mr. BARAKAT AHMAD (India) welcomed the statement by the representative of UNESCO and hoped that the technical difficulties she had mentioned would not prevent some copies of the kit from being available for examination by the Committee at the next session of the General Assembly. He had recently been to Paris on behalf of the Special Committee on *Apartheid* to discuss the matter with UNESCO officials, who had all been most helpful, although they had not been able to produce the kits themselves. The material could be useful only to the Special Committee if it was produced in the form of a kit, with separate maps and charts, and not as a book.

CONSIDERATION OF DRAFT RESOLUTIONS (concluded)

30. Mr. TEYMOUR (Egypt) announced that the delegations of Guyana, Niger and Trinidad and Tobago wished to joint the sponsors of draft resolution A/SPC/L.282/Rev.2.

31. The delegations of Indonesia and Malaysia had suggested the addition at the beginning of operative paragraph 2 (b) of the phrase "to continue its programme of studies, seminars and conferences on the role of culture in combating colonialism, racism and *apartheid* and in particular . . .". That amendment appeared acceptable to most of the other sponsors.

32. Mr. TALEB (Algeria), introducing draft resolution A/SPC/L.284, said that the following delegations had joined the list of sponsors: Afghanistan, Czechoslovakia, Ethiopia, German Democratic Republic, Guyana, Haiti, Hungary, Indonesia, Kenya, Kuwait, Malaysia, Niger, Pakistan, Romania, Rwanda, Syrian Arab Republic, Togo, Ukrainian Soviet Socialist Republic, Upper Volta.

33. The draft resolution was particularly important because it forcibly stated the position of the United Nations towards the policy of discrimination, aggression and oppression which the minority régime in South Africa continued to pursue in defiance of the Organization's resolutions. It also expressed the international community's opinion of the action of certain

Powers which persisted in collaborating with that régime, thus hampering every effort to make South Africa listen to reason and persuade it to abandon the dangerous path upon which it had embarked. The sponsors had considered it useful to group together in a single text the content of the different resolutions adopted during the past few years on all aspects of *apartheid*. The draft had been the subject of numerous consultations within the Asian and African groups and of various contacts with other delegations and therefore expressed the opinion of a majority of countries concerning the action to be taken against that policy.

34. The report of the Special Committee (A/9022) referred to in the second preambular paragraph emphasized the increasing concern aroused by the *apartheid* policy and the South African Government's complete defiance of United Nations efforts to put an end to it. Those efforts were however constantly being intensified and the sponsors had therefore wished to draw attention, in the fourth preambular paragraph, to the importance of the International Conference of Experts for the Support of the Victims of Colonialism and *Apartheid* in Southern Africa. It was a positive and welcome step forward that that Conference had for the first time been held under the auspices of the United Nations and that the representatives of the liberation movements had had the status of full participants.

35. On those grounds, and because of the criminal aspect of *apartheid* and the threat it represented to international peace and security, operative paragraph 1 condemned the South African régime and operative paragraph 2 reaffirmed the legitimacy of the struggle of the people of South Africa, which deserved support by the international community. Because of the South African régime's defiance of United Nations decisions and total obliviousness of the fundamental human rights of the majority of the inhabitants, the sponsors had considered that the South African people could legitimately use all available means to fight *apartheid*. The increased co-operation between the United Nations and OAU referred to in paragraph 3 was very welcome.

36. Operative paragraphs 4 and 6 drew attention to certain Powers' co-operation with South Africa which the various reports and individual testimonies had shown were perpetuating the suffering of the South African people and constituting a serious threat to the sovereignty of independent African countries and consequently to international peace and security. In particular, the sponsors had felt it necessary, in operative paragraph 5 (a) to point out that no distinction could be made between "offensive" and "defensive" weapons because whatever types of arms were supplied to South Africa, they strengthened Pretoria's desire to annex Namibia, encouraged its repressive and discriminatory policy and contributed to breaking the resistance of those fighting against *apartheid*. The arms embargo imposed by the Security Council should therefore be total. The measures outlined in operative paragraph 7 were intended to isolate the South African régime and strengthen the struggle against *apartheid*. Some countries' contention that sport should be divorced from politics seemed to overlook the fact that the racial criteria enforced in South African sport were yet another aspect of discrimination. That was why, in operative paragraphs 8 and 9, the draft resolution commended Governments which had boycotted sport-

ing exchanges with South Africa and called upon all other Governments to do the same.

37. The new element introduced into operative paragraph 10 had been the subject of considerable discussion in the Afro-Asian and African groups but a strong majority had favoured its inclusion because of the growing recognition of the national liberation movements throughout the world. Many meetings of the OAU and that of the Heads of State or Government of the Non-Aligned Countries held at Algiers in September 1973 had affirmed that the national liberation movements were the only legitimate representatives of their people. The inclusion of that paragraph had been above all justified by the majority decision of the General Assembly to reject the credentials of the representatives of the minority racist régime of South Africa as not representing the majority of the inhabitants of that country. Consequently, the minority régime was also not entitled to the privileges of membership of the specialized agencies and other intergovernmental organizations, a situation which had led to the inclusion of operative paragraphs 11 and 12.

38. One of the most horrible aspects of the discriminatory policy of the South African régime was the establishment of Bantustans, the most abject form of contemporary slavery, which dehumanized whole groups of human beings, Balkanized the South African territory and, by dividing the people into tribal groups, threatened the unity of the people of South Africa. The condemnation and appeal in paragraph 13 were thus fully justified. For all those reasons, the sponsors considered it high time that the Security Council assumed its responsibilities as supreme organ of the United Nations and took urgent action as outlined in operative paragraph 5 of the draft resolution.

39. Mr. PETNICKI (Yugoslavia) supported comprehensive draft resolution A/SPC/L.284 which undoubtedly represented a step towards the goal of total eradication of *apartheid*. If it adopted the draft resolution, the Committee would not be indulging in wishful thinking or making empty romantic gestures but would be recognizing realities which only the politically short-sighted could ignore. The African countries which had broken off relations with Israel had undoubtedly influenced that country's attitude and the many resolutions adopted by the United Nations on the Middle East question had probably been to some extent responsible for the attitude of the European Economic Community and Japan during the recent Middle East war. A similar process was taking place with regard to South Africa, Namibia, Southern Rhodesia and the Territories under Portuguese domination. He therefore hoped that the Committee would adopt the draft resolution unanimously.

40. Miss WILLIAMS (Sierra Leone) said that the delegations of Afghanistan, Ghana, Mauritania, Rwanda, Trinidad and Tobago and the United Arab Emirates had become sponsors of the draft resolution A/SPC/L.281/Rev.1.

41. Mr. MUHONEN (Finland) said that the delegations of Australia and Chile had joined the sponsors of draft resolution A/SPC/L.283.

42. Mr. TANIMOUNE (Niger) said that his delegation wished to become a sponsor of draft resolutions A/SPC/L.269/Rev.1, A/SPC/L.281/Rev.1, A/SPC/L.282/Rev.2, A/SPC/L.283 and A/SPC/L.284.

43. Mr. DIETZE (German Democratic Republic) said that his delegation had no doubt that the most effective international assistance to the national liberation movements in South Africa could be given by breaking off diplomatic and economic relations with South Africa and by strictly observing the arms embargo against it. His delegation supported the measures contemplated in draft resolution A/SPC/L.284 and would vote in favour of it.

44. Mr. DAUNT (United Kingdom) said that he wished to speak in explanation of his delegation's votes on all the draft resolutions before the Committee as well as those on which the Committee had voted at the 875th meeting.

45. His delegation had been glad to support the draft resolution on political prisoners in South Africa (A/SPC/L.264), since his Government detested the policies of *apartheid* pursued in South Africa and fully endorsed the humanitarian aims of the resolution.

46. His delegation wished to stress that it sympathized with and indeed shared the motives professed by the sponsors of the various resolutions. It therefore felt obliged to explain why, none the less, it could not subscribe to some of the elements in them. However, he wished first to refer to remarks made in the general debate on so-called collaboration in the military spheres. Much of what had been said was fanciful: his Government's policies and actions had been explained in great detail both in the Security Council and in the Special Political Committee. The inaccurate assertions about connexions between the North Atlantic Treaty Organization and South Africa had already been answered effectively. One delegation, speaking on 22 October 1973, had referred to a secret agreement between the British Rolls Royce Company and South Africa; there was no such "secret deal".

47. While his delegation shared the aims of the sponsors of the draft resolutions on *apartheid*, it did not agree with some of the tactics which they advocated. In the context of South Africa, as elsewhere, his delegation had constantly advocated change by evolution and consent. The Prime Minister of the United Kingdom had said that his Government did not believe in isolating people, but in having contact and trying to influence them. His delegation believed that such an approach would show positive results and had noted that during the general debate, other delegations had drawn attention to significant changes occurring in South Africa. Where his delegation differed from many others was in its analysis of the cause of change and the best method for promoting further change. It did not seek to conceal the fact that it honestly differed from those who, during the debate and in the draft resolutions, contended that contacts must be broken and that dialogue was mere sham, or worse.

48. His delegation believed that the same techniques of contact and dialogue between States with widely differing philosophies should also be applied to the problem of *apartheid*. His Government did not regard trade as a weapon which Governments should use to express political opposition to each other's régimes and was no more prepared to support the breaking of contacts with South Africa as advocated in draft resolution A/SPC/L.284, than to break with any other Government of whose régime it disapproved.

49. It was highly important to focus attention on South Africa's racial policies and give the international community the opportunity of bringing moral pressure to bear. The discussions in the Special Political Committee helped to achieve that purpose and his delegation welcomed them for that reason. However, the adoption of impractical resolutions which were bound to be ineffective was no service to the United Nations and no service to the cause of human rights in South Africa.

50. The draft resolutions before the Committee had similarities with the resolutions of the previous year and his delegation's remarks in explanation of its vote at that time still applied. They concerned some of the activities of the Special Committee and attempts to involve the specialized agencies in political activities precluded by their constitutions. However, the current resolutions on the Committee's work clearly implied approval of paragraph 289 of its report. His delegation could not endorse that in full, nor could it endorse the draft resolution on trade union action, which commended to the attention of Governments a resolution his delegation had no part in framing and elements of which his Government could not accept.

51. Some of the reservations his delegation had mentioned also applied to the draft resolution on dissemination of information on *apartheid* (A/SPC/L.269/Rev.1). His delegation also had reservations on the financial implications of that draft resolution and those resolutions concerning the work of the Special Committee and co-ordination. His delegation would therefore abstain in the vote.

52. In draft resolution A/SPC/L.284, be apparent endorsement of violence, the suggestion that measures should be adopted under Chapter VII of the Charter of the United Nations, the total rejection of exchanges to open up South Africa to those influences which had the best chance of promoting change, were not compatible with his delegation's approach to the whole problem. It would consequently be dishonest for his delegation to do anything but vote against it.

53. His delegation would support the resolution on the United Nations Trust Fund for South Africa (A/SPC/L.283) since it sympathized with its basic purposes. His delegation was glad to demonstrate its support for effective humanitarian assistance by its vote and by its practical assistance as largest contributor to the United Nations Educational and Training Programme for Southern Africa.

54. In conclusion, he wished to stress that his Government was in complete sympathy with the aims of those who worked for change in South Africa, for the reversal of the policies of *apartheid* and for an early end to racial discrimination. Such discrimination was prohibited by law in the United Kingdom itself and his Government in no way condoned racial practices. On the contrary, it condemned them wherever they occurred.

55. Mr. ASSUMPÇÃO DE ARAUJO (Brazil) said that his Government had consistently supported all measures within the United Nations and elsewhere designed to put an end to *apartheid* in all its forms and manifestations. It therefore intended to support three of the draft resolutions before the Committee.

56. Brazil was also sponsoring draft resolution A/SPC/L.283 on the United Nations Trust Fund for South Africa.

57. However, his delegation wished to reiterate its belief that the use of force was not a valid means to achieve a solution to the problem of *apartheid*. In that connexion, his delegation was compelled to record its reservations on operative paragraph 2 (b) (iii) of draft resolution A/SPC/L.281/Rev.1 and operative paragraph 3 of draft resolution A/SPC/L.282/Rev.2 which referred to the activities of certain groups in South Africa. Furthermore, operative paragraph 3 (f) of draft resolution A/SPC/L.281/Rev.1 tended, in the view of his delegation, to grant generalized consideration to entirely separate problems. It did not believe that such a policy served the best interests of the struggle against *apartheid*, to which all were committed.

58. Mr. SCHAUFLE (United States of America) said that as a multiracial nation in which the principle of equality had the force of law, his country found the subordination of one race to another to be fundamentally and wholly repugnant. The South African system of *apartheid* offended the sense of fairness of the people of the United States and was antithetical to the principles of justice and equality which had inspired the formation of the United Nations. The policy of *apartheid* was unwise even from the point of view of the ruling minority, for it inspired lasting bitterness, and obstructed the type of communication that could help to resolve South Africa's racial problems.

59. His Government desired constructive change in South Africa, but would be unable to vote for some of the draft resolutions on *apartheid*. It would vote against the draft general resolution (A/SPC/L.284) because that draft resolution condemned States having economic relations with South Africa, requested the specialized agencies to expel South Africa, suggested that the Security Council should adopt measures under Chapter VII of the Charter and, in operative paragraph 2, seemingly endorsed armed struggle. His delegation believed that those recommendations were impractical and counter-productive. The United States opposed the use of force to gain majority rule in southern Africa. It believed that violence could cause terrible destruction and loss of life, without achieving its intended goal. It considered mandatory action under Chapter VII an impractical and ineffective alternative in the struggle for equality, and saw no benefit in imposing sanctions which could probably not be enforced effectively and which would tend to make South Africa even more rigid in its defiance of world opinion and more blind to the long-term interests of its citizens.

60. The United States also objected to the use of the specialized agencies as battlegrounds in the fight against *apartheid*. The agencies had specific technical tasks which they could perform adequately only in the absence of political obstruction, and some of them could no function properly without near-universal participation.

61. His delegation did not consider valid the thesis that foreign investment in and trade with South Africa encouraged the South African Government in its policy of *apartheid*. It felt that the withdrawal of foreign investment would not induce South Africa to moderate its policies. Rather, cutbacks in investment and employment would adversely affect a considerable portion of

the non-white population more severely than the whites. Foreign enterprises in South Africa could do much to improve the status of non-white workers and their families. Accordingly, his Government actively encouraged United States companies operating in South Africa to train, promote and better the salaries and benefits of non-white South African workers and believed that such policies had had a salutary effect on the working conditions of non-white South Africans. It considered that by improving the living standards of their employees, foreign companies could do far more good than by withdrawing their investments from South Africa.

62. His delegation would therefore abstain on the draft resolutions on action by intergovernmental and non-governmental organizations (A/SPC/L.282/Rev.2) and intensification and co-ordination of United Nations action against *apartheid* (A/SPC/L.281/Rev.1) as it had on the draft resolution on trade union action against *apartheid* (A/SPC/L.265) at the 875th meeting. His delegation intended to vote in favour of the draft resolution on the United Nations Trust Fund for South Africa (A/SPC/L.283); however, it did not consider that its vote on that resolution bound it to contribute. It would abstain for budgetary reasons on the draft resolutions on the dissemination of information on *apartheid* (A/SPC/L.269/Rev.1) and on the programme of work of the Special Committee on *Apartheid* (A/SPC/L.266). It had noted that the Committee's special session in Europe and other consultations would require an additional appropriation of \$51,800 and that the establishment of an information centre in southern Africa would cost \$47,000 in the first year. It did not agree that those expenses, which were unlikely to have any effect on South Africa's policies, were warranted.

63. In conclusion, his delegation wished to reiterate that the United States deeply abhorred *apartheid*. It only regretted that the draft resolutions were not so worded that it could have voted affirmatively on them.

64. Mr. MENDEZ RIVAS (Uruguay) said that his delegation would vote in favour of the draft resolutions before the Committee, but wished to record its reservation with regard to paragraph 3 of draft resolution A/SPC/L.281/Rev.1 and paragraph 3 of A/SPC/L.282/Rev.2.

65. The CHAIRMAN invited the Committee to vote on the draft resolutions.

At the request of the representative of Egypt, a vote was taken by roll-call on draft resolution A/SPC/L.269/Rev.1.

Indonesia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia,

Zaire, Zambia, Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, India.

Against: None.

Abstaining: Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution was adopted by 107 votes to none, with 3 abstentions.

At the request of the representative of Egypt, a vote was taken by roll-call on draft resolution A/SPC/L.281/Rev.1.

Gambia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Gabon.

Against: Portugal.

Abstaining: Israel, Malawi, United Kingdom of Great Britain and Northern Ireland, United States of America, France.

The draft resolution was adopted by 105 votes to 1, with 5 abstentions:

66. Mr. HANSEN (Federal Republic of Germany) said in explanation of vote, that although his delegation had voted in favour of the draft resolution, it had reservations on paragraphs 2 (a), 2 (b) and 3 (d).

67. Mr. JABALA (Spain) said that his delegation had voted in favour of the draft resolution but had reservations on paragraph 3 (f).

At the request of the representative of Egypt, a recorded vote was taken on draft resolution A/SPC/L.282/Rev.2, as orally amended by the representative of Egypt (see para. 31 above).

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Botswana, Brazil,

Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Gabon, German Democratic Republic, Ghana, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Belgium, France, Germany (Federal Republic of), Greece, Israel, Malawi, Netherlands, Portugal, Swaziland, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution, as orally amended, was adopted by 99 votes to none, with 11 abstentions.

68. Miss KEATING (Ireland) said, in explanation of vote, that her delegation had voted in favour of the draft resolution because of a genuine desire to promote public awareness of *apartheid*. However, it did not favour any request to governmental and intergovernmental agencies to take decisions on matters that were essentially political and thus fell outside their sphere of competence. Her delegation was therefore obliged to reserve its position on paragraph 1 of the draft resolution regarding some of the recommendations in the report of the Special Committee on *Apartheid* (A/9022), particularly the recommendation in paragraph 272 of that report that all the organizations within the United Nations should terminate any existing relations with South Africa. Her Government could not support the formulation of action to that end in the specialized and other agencies. Her delegation also felt compelled to voice some reservations on the general terms of paragraph 3. Her Government could urge support only for those movements whose methods were in compliance with the principles of the Charter of the United Nations.

69. Mr. HANSEN (Federal Republic of Germany) said that his country condemned all forms of racial discrimination but felt that the measures called for in the draft resolution went beyond the mandate of the specialized agencies. His delegation had therefore abstained in the voting on the draft resolution.

70. Mr. MACRIS (Greece) said, in explanation of vote, that the mandates of the specialized agencies must be divorced from political considerations, and the Committee should not give the specialized agencies directives. Consequently, his delegation had abstained in the voting.

71. Mr. MØLLER (Denmark) said, in explanation of vote, that his delegation had voted in favour of the draft resolution but that it did not feel that political isolation was a correct approach. It also had misgivings as to the advisability of polarizing the specialized agencies polit-

ically since their effectiveness would be reduced thereby.

At the request of the representative of Egypt, a recorded vote was taken on draft resolution A/SPC/L.283.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Egypt, El Salvador, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Portugal.

The draft resolution was adopted by 108 votes to none, with 1 abstention.

72. The CHAIRMAN then called for comments on draft resolution A/SPC/L.284.

73. Mr. ASSUMPCÃO DE ARAUJO (Brazil) said that, in keeping with his country's traditional condemnation of all forms of racial discrimination and in particular the policy of *apartheid*, his delegation would vote in favour of the draft resolution although it had reservations on some of the paragraphs. For instance, with regard to operative paragraph 2, his delegation wished to make it clear that, although it considered that all acceptable means should be used to eradicate *apartheid* from the world, it did not believe in armed violence. The imposition of the sanctions called for in operative paragraphs 5, 6 and 7 fell within the competence of the Security Council, whose position might be weakened if it was given instructions by the General Assembly. His delegation had also serious reservations on operative paragraphs 10 and 12, since it could not endorse a text which granted to groups the status reserved by the Charter of the United Nations for duly constituted Governments. The question of the membership of the United Nations and specialized agencies and the rights and privileges of members could not be decided in that way.

74. Mr. COTTON (New Zealand) said it was well known that New Zealand was totally opposed to the system of *apartheid*, to its denial of human rights, individual freedom and justice and to the cruel manner in which it was practised in South Africa. His delegation had sponsored some of the resolutions on various as-

pects of *apartheid* adopted by the Committee at the current session and had voted in favour of all of them. However, the so-called "general draft resolution" covered many important questions, some of which had been the subject of separate resolutions adopted by earlier sessions of the General Assembly. His Government had made clear its very definite views on military assistance and sporting contacts.

75. Draft resolution A/SPC/L.284 was the most significant of all the *apartheid* resolutions since it covered the whole of United Nations actions against that policy. For that reason, his Government had given most careful consideration to its vote. He had been instructed to express reservations on some of its language and part of its content. For instance, New Zealand supported freedom of trade and travel, so could not endorse operative paragraph 7 in its entirety. On the other hand, the New Zealand Government was at present taking steps to give effect to subparagraph 7 (c). His Government did not support the use of force as an instrument of policy and the New Zealand delegation was taking action in another Committee to put a stop to the testing and development of the ultimate form of recourse to force, nuclear and thermonuclear weapons. It was therefore unable to accept the ultimate implications of operative paragraph 2 and was not prepared at present to endorse operative paragraphs 10 and 12.

76. Despite its significant reservations on the language and content of parts of the draft resolution, New Zealand had decided to vote in favour of it because it fully understood the strong views of its African sponsors and was determined that there should be no misunderstanding about its own unqualified opposition to the racial policies of the South African Government.

77. Mr. MASITHELA (Lesotho) said that his delegation would vote in favour of the draft resolution because it concurred in the spirit behind it. It had, however, reservations with regard to operative paragraphs 5, 10 and 12 and parts of operative paragraphs 7 and 9.

78. Mr. VARELA (Costa Rica) said that his delegation had always condemned every type of discrimination and especially the policy of *apartheid* and would therefore have liked to vote in favour of the draft resolution. However, it had serious reservations about operative paragraphs 2, 6 and 10 and therefore felt obliged to abstain.

79. Mr. SINGH (Nepal) said that, although his delegation had reservations about the wording of operative paragraph 10, it would vote in favour of the draft resolution because of its strong opposition to the odious policy of *apartheid*.

80. The CHAIRMAN invited the Committee to vote on draft resolution A/SPC/L.284.

At the request of the representative of Egypt, a recorded vote was taken by roll-call.

The United States of America, having been drawn by lot by the Chairman, was called upon to the vote first.

In favour: Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Argentina, Bahrain, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Ger-

man Democratic Republic, Ghana, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, New Zealand, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania.

Against: United States of America, Portugal, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Uruguay, Australia, Austria, Belgium, Canada, Costa Rica, Denmark, Finland, France, Germany (Federal Republic of), Greece, Ireland, Israel, Italy, Japan, Khmer Republic, Malawi, Mexico, Netherlands, Norway, Spain, Swaziland, Sweden.

The draft resolution was adopted by 84 votes to 3, with 23 abstentions.

81. Mr. WYNDHAM (Australia) said that his delegation had voted in favour of draft resolutions A/SPC/L.269/Rev.1, A/SPC/L.268/Rev.1, A/SPC/L.282/Rev.2 and A/SPC/L.283, but had abstained in the vote on draft resolution A/SPC/L.284, although it could support much of its contents. His delegation found it difficult to support paragraph 2: while his country sympathized with the aims of the national liberation movements in southern Africa, it stopped short of endorsing the use of force to obtain them, or indeed any other objective. His delegation also encountered difficulties in connexion with the isolation of South Africa. His Government had consistently pursued the policy of not favouring the isolation of any State and a number of important decisions had been taken in pursuance of that policy. In the case of South Africa, his Government saw the effects of contacts as contributing to a change for the better in South Africa's policies. Although his delegation had differing views with regard to the means to achieve that change, it was in complete agreement with those who had supported the draft resolution on the ends to be achieved. His country utterly rejected *apartheid* and would continue to take every opportunity to condemn it and to co-operate with all those seeking responsibly to eliminate it.

82. Mr. MUHONEN (Finland) said that he wished to make a statement on behalf of his own delegation and those of Denmark, Norway and Sweden.

83. The policy of racial discrimination and segregation deeply affronted the Nordic concepts of freedom under law and faith in the equality and dignity of human individuals. The Nordic countries and their peoples were strongly opposed to the system and methods used by the South African Government to uphold its inhuman and aggressive policies in defiance of the United Nations resolutions, in violation of the Universal Declaration of Human Rights and in contravention of its obligation under the Charter of the United Nations. They fully shared the indignation and concern of the international community over the maltreatment of opponents of *apartheid* in South Africa.

84. The United Nations must do its utmost to put an end to the system of *apartheid* and the Nordic countries were ready to do whatever was necessary to help the United Nations to achieve that end by peaceful means. Accordingly, Denmark, Norway, Sweden and Finland had sponsored several and voted for all the other resolutions on *apartheid* adopted in the Committee during the current session.

85. The Nordic countries realized the importance of draft resolution A/SPC/L.284 and agreed with many of its recommendations. However, they had reservations to some of the paragraphs and would like to emphasize two points in particular.

86. First, in the light of their well-known position with regard to the principle of universality, they did not believe that the total exclusion of South Africa from participation in the life of the international community was a useful way of counteracting *apartheid* and influencing the policies of the South African Government.

87. Secondly, as all were aware, in order to be effective, sanctions must be mandatory and implemented loyally by all Member States. Without the full support of the main trading partners of South Africa and the great Powers, it would be futile to embark on a policy of sanctions. Mandatory sanctions could be adopted only by the Security Council and should it decide to do so, the Nordic countries would, as a matter of course, apply them scrupulously. Consequently, in the light of their reservations, they had been unable to vote in favour of draft resolution A/SPC/L.284.

88. Mr. HANSEN (Federal Republic of Germany) said that his delegation was firmly opposed to any form of racial discrimination and, consequently, regretted that it had been obliged to abstain on draft resolution A/SPC/L.284 because it had specific reservations on paragraphs 10 and 12 and on the phrase "by all available means" in paragraph 2.

89. Mr. HICKS (Canada) said that his delegation was pleased to have been able to support the previous draft resolutions, despite some minor reservations, and to have sponsored two of them. However, it had been unable to support draft resolution A/SPC/L.284. Reference had already been made to the undesirability of adopting any resolution which might be construed as subscribing to violence. Furthermore, Canada did not believe in isolating or excluding any nation in the world because of its policies. It had therefore had difficulties with paragraphs 2, 4, 7, 10 and 12 and, accordingly, had abstained in the vote on the draft resolution as a whole.

90. Mr. LEGWAILA (Botswana) said that his delegation had voted in favour of draft resolution A/SPC/L.284 because it subscribed to its principles, but would like to reserve its position on paragraphs 2, 7 (b), (c) and (d), 10 and 12.

91. Mr. MARTINEZ (Venezuela) said that his country maintained no relations with the South African régime and had consistently supported United Nations resolutions against *apartheid*. However, it had a number of reservations on paragraphs 10 and 12.

92. Mr. MACRIS (Greece) said that his delegation had abstained in the vote on draft resolution A/SPC/L.284. His country had consistently condemned the system of *apartheid* and was fully aware that the interests of mankind would be served if such a

system was eradicated. His delegation's abstention had been motivated by difficulties of principle and law, and it had been obliged, to its regret, to abstain in the vote on the draft resolution.

93. Mr. GUTIERREZ MACIAS (Mexico) said that his delegation had consistently opposed racial discrimination, but had been compelled to abstain in the vote on draft resolution A/SPC/L.284 in view of its reservations on paragraphs 10 and 12.

94. Mr. DIGUIN (Ivory Coast) said that his delegation had voted in favour of the draft resolution A/SPC/L.284 because of its abhorrence of the system of *apartheid*. However, it felt that violence, isolation and exclusion were not the only means of combating *apartheid* effectively.

95. Mr. DUARTE (Colombia) said, in explanation of vote, that his delegation had voted in favour of the draft resolution because of the need to put an end to *apartheid*. Nevertheless, it had reservations on paragraphs 10 and 12, which it felt were contrary to the Charter of the United Nations. He endorsed the point made by Brazil that violence could not be condoned in the contemporary world.

96. Mr. DE LATAILLADE (France) said that, although his delegation had voted for draft resolution A/SPC/L.269/Rev.1, it had done so with certain reservations. Those reservations stemmed mainly from the financial implications of the measures provided for in that draft. However, his delegation had noted that the activities referred to in paragraphs 1 and 4 would not require the allocation of additional funds and that the financial implications of paragraph 2 were limited. Furthermore, since the financial implications of paragraph 5 were to be considered under the supplementary budget to be submitted to the General Assembly at its twenty-ninth session, his delegation had been able to vote in favour of the draft resolution.

97. Although the activities proposed in draft resolution A/SPC/L.281/Rev.1 must be considered important, his delegation did not understand why the sponsors of that resolution had presented a text which, in effect, constituted nothing more than a supplement to resolution A/SPC/L.266 and which could easily have been combined with that resolution in order to give greater coherence to the Committee's work. His delegation had abstained from the voting on that draft resolution because it had reservations with regard to giving the Secretariat a free hand in reinforcing the Unit on *Apartheid*.

98. His delegation also wished to express its grave reservations with regard to draft resolution A/SPC/L.282/Rev.2, since it felt that it was unwise to ask intergovernmental and non-governmental organizations to engage in political activities, which were outside their sphere of competence.

99. On the other hand his delegation had had no hesitation in voting for draft resolution A/SPC/L.283, since France had supported the establishment of the United Nations Trust Fund for South Africa under General Assembly resolution 2054 B (XX) and had already made a number of substantial contributions to that Fund. In 1973, his Government had also made a large contribution to the United Nations Educational and Training Programme for Southern Africa, since it felt that that form of positive action constituted the best means of

assisting those populations who were victims of *apartheid*.

100. His delegation had abstained from voting on draft resolution A/SPC/L.284 because in both the preamble and the operative part of that resolution, there was an obvious confusion between the very disturbing situation created by the policy of *apartheid* and the threat to international peace and security as envisaged by the Charter. As his delegation had pointed out at the previous session, although the brutal policy of *apartheid* had aroused a great deal of anger, it had not given rise to any international conflicts. As far as the question of arms supplies referred to in paragraphs 4 and 5 was concerned, his delegation had already stated at the meeting of the Security Council at Addis Ababa in February 1972 that it could see no obvious link between that problem and the problem of *apartheid*. He noted that, unlike resolution 2923 E (XXVII), the draft resolution in question did not condemn the economic co-operation of certain States with South Africa but contained a more general condemnation of all States which maintained economic relations with Pretoria. Perhaps it had finally been realized that the number of buyers of South African products was greater than was generally thought. France's exports to South Africa represented only 3.5 per cent of South African imports and its purchases only 2.4 per cent of total South African exports. Consequently, France was only a modest trading partner of South Africa. Furthermore, his Government was not convinced that breaking off trade relations would help to eliminate *apartheid*. In addition, the measures recommended in paragraph 7 called for economic sanctions which did not fall within the competence of the General Assembly. His delegation also had grave reservations with regard to paragraph 10. He would remind the Committee in that connexion of the vote of the French delegation during the General Assembly debate on the verification of the credentials of the South African delegation (2141st plenary meeting held on 5 October 1973).

101. In spite of its numerous reservations, however, his delegation had decided not to vote against the resolution, but to abstain, in order to demonstrate its continuing concern over the situation in South Africa.

102. Mr. BASSETTE (Belgium) said that, in order to demonstrate his Government's continued opposition to the policy of *apartheid* pursued by South Africa, his delegation had voted in favour of draft resolutions A/SPC/L.269/Rev.1 and A/SPC/L.283. However, although his delegation had voted for draft resolution A/SPC/L.281/Rev.1, it had done so with a number of reservations on its paragraph 5. His delegation did not see the necessity of reorganizing the Unit on *Apartheid* or of entrusting it with tasks which, to a large extent, duplicated those of the Special Committee on *Apartheid*, if not those of other units of the Secretariat. The financial implications of that paragraph which were estimated at \$140,000 in document A/SPC/L.285 seemed a heavy burden to place on the already inadequate budget of the Organization.

103. His delegation had been compelled to abstain from voting on draft resolution A/SPC/L.282/Rev.2 in order to express its misgivings with regard to the increasingly political role which the specialized agencies were called on to play in the campaign against *apartheid*.

104. Considerations of principle had also caused his country to abstain from voting on draft resolution A/SPC/L.284. His delegation could not endorse a resolution which called for the isolation of South Africa, since such a step would only reinforce that country's racist policy. It was for the Security Council alone to decide whether to implement the measures provided for under Chapter VII of the Charter, or any other similar measures. If separate votes had been called for on other paragraphs of the resolution, such as those relating to co-operation between the United Nations and the Organization of African Unity, to sporting exchanges with South Africa and to the arms embargo—which his country strictly observed—his delegation would have been able to vote for them.

105. Mr. ORTONA (Italy) said his delegation generally shared the objectives of the draft resolution contained in document A/SPC/L.284, but had had to abstain on it because of the legal and constitutional difficulties raised by some of the measures, particularly those in paragraph 7, and the wording of paragraph 10.

106. His delegation had voted in favour of draft resolution A/SPC/L.269 but had a reservation on its financial implications. It also had a reservation on the financial implications of paragraph 5 of draft resolution A/SPC/L.281.

107. His delegation had voted in favour of draft resolution A/SPC/L.282/Rev.2, and had been encouraged to do so in view of the efforts by the sponsors to eliminate a number of objectionable points. Nevertheless, the general reference in paragraph 1 to the recommendations of the report of the Special Committee on *Apartheid* (A/9022) could not be construed as a general and unqualified approval of all the recommendations in the report, with some of which his delegation could not concur. Furthermore, the autonomy of the specialized agencies must be preserved in accordance with their Statutes and their agreements with the United Nations.

108. Miss LOPES (Portugal) said that, although it was well known that in Portugal there was no racial, religious or any other form of discrimination, unjust accusations had been made against her country during the general debate and the discussion on the draft resolution. Her delegation categorically rejected those accusations and regretted the continued tendency to in-

troduce into some resolutions on *apartheid* elements which had nothing to do with the question.

109. Her delegation had voted against some of the draft resolutions and had abstained on others because they concerned matters within the domestic jurisdiction of a Member State, under paragraph 7 of Article 2 of the Charter.

110. Mr. GÜNDEN (Turkey) said that his delegation had already stated its views on the policies of *apartheid* of the Government of South Africa during the general debate (869th meeting). It had voted in favour of all the draft resolutions submitted under the agenda item under discussion but wished to reserve its position on paragraphs 10 and 12 of draft resolution A/SPC/L.284, which were contrary to international law, the United Nations Charter and the Rules of Procedure of the General Assembly. His delegation understood those two paragraphs to be tantamount to a vehement condemnation of the policies followed by the Government of South Africa as explained by the President of the General Assembly on 5 October 1973 at its 2141st plenary meeting and at previous sessions. That understanding in no way affected his delegation's support of the just struggle of the people of South Africa.

111. Mr. NOGUCHI (Japan) said that his delegation fully understood the importance of the action against *apartheid* by the United Nations, as well as by intergovernmental and non-governmental organizations, and had therefore voted in favour of draft resolutions in A/SPC/L.281/Rev.1 and A/SPC/L.282/Rev.2, although it had encountered difficulties in some of the paragraphs. His delegation had abstained in the vote on draft resolution A/SPC/L.284 because of certain provisions with which it could not concur, although it fully supported the underlying spirit and purpose of the resolution.

112. Mr. SEIGNORET (Trinidad and Tobago) said that his delegation was deeply committed to the international campaign against *apartheid* and would have voted in favour of all the resolutions before the Committee.

113. The CHAIRMAN said that the Committee had completed its consideration of agenda item 42.

The meeting rose at 6.45 p.m.

889th meeting

Friday, 16 November 1973, at 3.25 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.889

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (continued)*: (A/SPC/163, A/SPC/164, A/SPC/L.273-275, A/SPC/L.276/Rev.1, A/SPC/L.277, A/SPC/L.278/Rev.1, A/SPC/L.279/Rev.1, A/SPC/L.280):

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

CONSIDERATION OF DRAFT RESOLUTIONS

1. The CHAIRMAN invited the Committee to consider the draft resolutions concerning agenda item 43.
2. Mr. BAROODY (Saudi Arabia) said that he had been asked by a number of delegations why he had singled out the United States of America and the Federal Republic of Germany when he had appealed to them to double or increase substantially their contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). His statement at the 883rd meeting had perhaps been rather emphatic, and some elements of it seemed to have been grafted on to the draft amendments in document A/SPC/L.278/Rev.1 and A/SPC/L.279/Rev.1. However, he had taken the initiative because during the previous year the former United States representative had sought his assistance in reducing the contribution of the United States of America to the regular budget of the United Nations from 31 to 25 per cent. He had lobbied for the reduction, on the understanding that the United States of America would maintain or increase its voluntary contributions to various United Nations funds and programmes, and he had been instrumental in bringing about a decision of the General Assembly to reduce the United States contribution.
3. With regard to the revised amendment in document A/SPC/L.278/Rev.1 to draft resolution A/SPC/L.274 he was prepared to amend the words "to double or increase substantially" to "consider doubling or increasing its annual contribution" and to delete the phrase "considering that in a single day a decision was taken by the United States of America to send military aid to Israel amounting to over \$2 billion".
4. With regard to the revised amendment A/SPC/L.279/Rev.1, he had singled out the Federal Republic of Germany because of that country's interest in the Middle East. He was ready to delete the words "to double or increase substantially" and replace them with the words "to consider doubling or increasing" and to delete the words "by having extended massive financial aid to Israel for many years".

* Resumed from the 886th meeting.

5. In conclusion, he would not at that late stage submit further amendments, but would appeal to States Members with \$1,500 *per capita* income to consider increasing their contribution to UNRWA.

6. Mr. BARAKAT AHMAD (India) wished to remind the Committee that the Commissioner-General of UNRWA had asked for guidance and directions from the General Assembly, and in the first instance, from the Special Political Committee, on the question whether, for lack of funds, he was to make reductions in programmes of the kind in view, very possibly against the wishes of the host Governments and therefore without any assurance of their full co-operation and, if not, whether he was to take an even more drastic course. The Commissioner-General had wondered whether such decisions, which were not simply administrative, but essentially political decisions, should be made by an appointed official. The Commissioner-General was still waiting for guidance from the Committee and in the circumstances, his delegation felt that it was absolutely essential that the mandate of the Working Group on the Financing of UNRWA should be extended for a further year.

7. On behalf of his own delegation and those of Afghanistan, Chile, Colombia, Denmark, Finland, the Federal Republic of Germany, Ghana, Iran, Jamaica, Sweden and Yugoslavia he wished to introduce draft resolution A/SPC/L.286 to enable the Working Group to continue its efforts for the financing of the Agency for a further period of one year in co-operation with the Secretary-General and the Commissioner-General.

8. Mr. SCHAUFLE (United States of America) drew the attention of the Committee to draft resolution A/SPC/L.274 which had been submitted by his delegation. The resolution was very similar to that submitted by his delegation the previous year and which had received the overwhelming support of the Committee and the General Assembly.

9. His delegation had heard with great interest the many constructive statements on the item before the Committee and had noted that most speakers had stressed that efforts must be continued for the solution of the Middle East problem and, more specifically, the problem of the people of Palestine. Some speakers had said that if the political problem was solved, the problem of the Palestine refugees would disappear. Regardless of the status of the political issues, draft resolution A/SPC/L.274, in its final operative paragraph, called for generous support for UNRWA to enable it to fulfil its difficult mandate.

10. The United States of America supported the search for a just and lasting peace in the Middle East. Its activities in recent weeks bore adequate testimony to that. Meanwhile it continued to support, and urged others to do likewise, UNRWA efforts to provide the essential services required by the refugees.

11. His country attached great importance to the principle that the level of voluntary contributions must be determined solely by the country concerned. As long as UNRWA was a voluntary agency, his delegation believed that the members of the Committee and the Governments they represented, would not want it any other way. The United States had always contributed generously to the Agency, on a voluntary basis. It was prepared to consider additional contributions provided others, particularly those with substantial resources, significantly increased their financial support. An appropriation was now before the United States Congress which would authorize an additional \$2 million for the Agency's educational programmes alone. Although his delegation could not guarantee that the appropriation would be approved, it felt that it illustrated his country's deep concern for the problem.

12. Two amendments had been introduced to draft resolution A/SPC/L.274. They called, in an unprecedented fashion, on the United States and the Federal Republic of Germany to consider doubling or increasing their contribution to the Agency. In the view of his delegation, the adoption of the amendment would contribute nothing to a solution of either the political or financial problems of the Palestine refugees. On the contrary, they could only serve to exacerbate the over-all situation and multiply the difficulties faced by UNRWA. They might also jeopardize the whole structure of the voluntary contributions throughout the United Nations system.

13. His delegation therefore requested all delegations to vote against both amendments. In making that request it hoped that each delegation would take fully into account, not only the immediate implications of the amendments, but also the longer range effects of such a dangerous precedent. However, if the amendments were adopted, for the reasons of principle already adduced, his delegation would be unable to vote for draft resolution A/SPC/L.274.

14. Mr. SEITZ (Federal Republic of Germany) recalled that the representative of Saudi Arabia had spoken of the deep interest of the Federal Republic of Germany in the Middle East. While his delegation could confirm that interest, it hoped that the representative of Saudi Arabia would understand that it could not accept his amendments, even in revised form, for two reasons. First, it was an astonishing procedure to single out a particular country in an appeal for voluntary contributions. Secondly, the amendment referred to a country which was and had been one of the main contributors to UNRWA and other United Nations humanitarian programmes. It therefore seemed that in addition to setting an unfortunate precedent, the effects of such a proposal might turn out to be harmful to the Agency. His delegation hoped that the Committee would give thought to that danger and act accordingly. His delegation would vote against the amendment in A/SPC/L.279/Rev.1 as vocally revised.

15. Mrs. DE WALSHE (Honduras) said that all were aware of the delicacy and complexity of the Middle East problem and particularly the question of the future of the Palestine refugees. Nevertheless, the Committee should not evade its responsibilities by considering the economic aspects only and ignoring the political aspects, which were the most crucial ones. To concentrate exclusively on the economic aspect of the problem

without considering the causes which were perpetuating it was to wrong the Palestine refugees. In the view of her delegation, what was urgently needed was a solution to the political and humanitarian aspects of the problem; the parties concerned should make known how they intended to solve the problem of the refugees, what form of State they envisaged in which the displaced population could be incorporated, and how they planned to restore the faith, hope and self-respect of those persons who, through no fault of their own, were living on international charity.

16. Her delegation wished to express its admiration and support for the work of the Agency on which so many depended. Without UNRWA, the refugee population might have been decimated or even totally annihilated. However, UNRWA must not become a permanent institution and contributions to it should continue to be made on a voluntary basis because the greater the amount of material assistance, the less the feeling of urgency to solve the problem and if contributions were made obligatory, the onus would be removed from the parties who bore the major responsibility for providing a solution to the problem.

17. Her delegation believed that there would be peace in the Middle East when decisive and constructive action was taken to dispel the atmosphere of suspicion and recrimination. As a beginning, it believed that General Assembly resolution 194 (III) should be implemented, since the problem of the Palestine refugees seemed to lie at the root of all other conflicts.

18. Consequently, her delegation would support draft resolutions A/SPC/L.273, A/SPC/L.274, A/SPC/L.276/Rev.1 and A/SPC/L.277.

19. Her country would continue to defend Israel's right to exist, although it considered that every State had an obligation to guarantee the human rights of the inhabitants of its territory. The Palestine refugees were natives of that land and, consequently, should not be refused the right to return to it and to be accepted as nationals by birth, naturally within the law, with the same rights and obligations as all other citizens.

20. Mr. DE ZAVALA (Bolivia) said that draft resolutions A/SPC/L.273 and A/SPC/L.274 dealt with matters which could not be viewed with indifference by the international community and therefore presented no problems to his delegation. Draft resolution A/SPC/L.276/Rev.1 was also acceptable to his delegation.

21. However, draft resolution A/SPC/L.277 subordinated humanitarian considerations to political ones and was consequently unacceptable to his delegation. The draft resolution attempted to place new obstacles in the path of negotiation and contained initiatives which were not constructive. Those who were negotiating for peace in the Middle East should be given time to work out a just and lasting settlement.

22. The two new operative paragraphs proposed in the revised amendments A/SPC/L.278/Rev.1 and A/SPC/L.279/Rev.1 proposed by the representative of Saudi Arabia, if adopted, would establish a dangerous precedent, in the view of his delegation.

23. In conclusion, his delegation wished to place on record its support for Security Council resolution 242 (1967) and Security Council resolution 340 (1973),

which expressly condemned any attempt at territorial annexation through the use of arms.

24. Mr. BARJUCH (Colombia) withdrew the amendment contained in document A/SPC/L.275. His delegation still felt that urgent efforts should be made to put an end to UNRWA's precarious financial situation and to rectify once and for all the situation of the Palestine population. He could not agree with the contents of the Note of the Secretary-General concerning the administrative and financial implications of the amendment in A/SPC/L.275 (A/SPC/L.280); his delegation would show in the Fifth Committee that there was still room for further reduction in the administrative budget of the Secretariat.

25. His delegation still felt that the problem of the Palestine refugees was one of the most important aspects of the conflict in the Middle East. It would therefore vote in favour of draft resolutions A/SPC/L.273, A/SPC/L.274, A/SPC/L.276/Rev.1 and A/SPC/L.277. Nevertheless, it rejected any action that did not recognize the legal existence of Israel and felt that it was very important to check the veracity of the assertion made in operative paragraph 2 of draft resolution A/SPC/L.277.

26. Mr. N'DIAYE (Senegal) said that his delegation would vote for draft resolution A/SPC/L.274 because it shared the concern of other delegations that nothing had been done to implement paragraph 2 of General Assembly resolution 513 (VI). Israel's refusal to admit the legitimate claims of the Palestine people made the situation more regrettable. His Government was aware of the special responsibility of the great Powers concerning UNRWA's financial situation but had contributed to the agency out of a sense of solidarity with the refugees. His delegation would vote for draft resolution A/SPC/L.273 for the same reasons.

27. As a sponsor of draft resolutions A/SPC/L.276/Rev.1 and A/SPC/L.277, he wished to draw the attention of members of the Committee to the importance of the Palestinian problem. Peace in the Middle East must include a solution to the Palestine problem in accordance with Security Council resolution 242 (1967) and the principle of self-determination. He expressed his country's full support for the people of Palestine. It had to be pointed out that if the Palestine people had not been displaced there would have been no Palestine problem and perhaps no Middle East problem.

28. Mr. HICKS (Canada) said that his delegation would vote in favour of draft resolution A/SPC/L.274 unless the amendments submitted by Saudi Arabia were adopted, in which case it would abstain.

29. While he appreciated the strong feelings that had led to the submission of draft resolutions A/SPC/L.276/Rev.1 and A/SPC/L.277, he felt that such political declarations were not relevant to UNRWA. The demands made in paragraphs 3 and 4 of draft resolution A/SPC/L.276/Rev.1 might prejudice the outcome of negotiations being held elsewhere. The political nature of draft resolution A/SPC/L.277 could affect the implementation of Security Council resolutions 242 (1967) and 338 (1973). His delegation would abstain in the voting on draft resolutions A/SPC/L.276/Rev.1 and A/SPC/L.277.

30. Mr. ALI (Pakistan) announced that Guyana wished to become a sponsor of draft resolution A/SPC/L.276/Rev.1.

31. Mr. BARROMI (Israel) said his delegation would vote in favour of draft resolutions A/SPC/L.273 and A/SPC/L.286. It would oppose amendments A/SPC/L.278/Rev.1 and A/SPC/L.279/Rev.1 and would vote against draft resolutions A/SPC/L.276/Rev.1 and A/SPC/L.277.

32. The fifth preambular paragraph of draft resolution A/SPC/L.276/Rev.1 deliberately ignored the reality of the situation in the administered territories, a reality widely known by impartial observers and personally confirmed by millions of visitors from every walk of life, including 350,000 Arab visitors from various Middle Eastern countries. That paragraph and part of operative paragraph 4 were based on the technique of introducing unproven allegations as if they were established facts. Draft resolution A/SPC/L.276/Rev.1 used another transparent misrepresentation: it pooled together imaginary offences and real but perfectly legitimate occurrences of everyday life. The destruction of a town would be a grave event indeed and one which had not of course occurred. Construction work, on the other hand, obviously implied changes in the physical structure of the area. Most such changes were the unavoidable positive results of increasing economic activity. But the draft resolution listed anti-Israeli accusations intended to lend some shred of credibility to the other unsubstantiated and groundless charges. Post-war problems could not be dealt with by that kind of draft resolution; they must be solved through contacts between Governments and military authorities. The question of the persons displaced by the 1967 war would be solved in the context of a peace settlement. The draft resolution was an anachronistic, backward-looking document whose partial and polemic approach might only harm future positive developments. It should be rejected.

33. The purported subject matter of draft resolution A/SPC/L.277 was self-determination. Self-determination was mentioned in Article 1, paragraph 2 of the Charter of the United Nations. Unfortunately, the purpose of the draft resolution was not in accordance with the provisions of that Article. It was another step in an anti-Israeli campaign whose final aim was the dismemberment of Israeli territory and the destruction of the Israeli State and nation. Arab leaders had filled volumes with statements to that effect. Some of the Arab representatives in the Committee had echoed the tenets of the terrorist organizations, speaking of "liberation" as meaning the liberation of the land of the Bible from Israel and its inhabitants. Israel was a nation that valued freedom above all else. It was a small nation steeled by suffering and adversities and it would never submit to violence, force or intimidation. It had existed since time immemorial, and had fought for its tiny land against countless foes. It would spare no efforts and would shun no sacrifice to defend itself. Nothing would overcome the dedication of its people to liberty and independence. Draft resolution A/SPC/L.277 was a vain attempt to promote disreputable and illegal aims. Operative paragraph 2 failed to take due account of Israel's sovereignty and was null and void. Operative paragraph 3 was based on distorted quotations of United Nations resolutions and was a characteristic example of how to use the refugee problem as a political tool.

Both paragraphs carefully avoided any mention of the Jewish people or the Israeli nation, or of its rights to self-determination, territorial integrity, security and peace. Although it professed to defend Arab interests, it only served to fan the age-long Arab-Jewish conflict. Its sponsors had taken upon themselves an appalling burden of responsibility.

34. That did not mean that the Arabs of Palestine had no rights and no future. In a statement to the Knesset on 18 July 1973, Mr. Abba Eban, the Minister for Foreign Affairs of Israel, had dwelt extensively on the subject. He had said that the Arab interpretation of the term "legitimate rights" of the Palestinian people was the abolition of Israel's independence and sovereignty and its replacement by a State with an Arab majority. According to that concept, Arab people had the right to total self-determination and the Jewish nation to none. The 1968 Palestinian Covenant based its definition of the rights of the Palestinians on the complete negation of the rights of Jews to be an independent nation in their homeland. Article 20 of the Covenant stated that the claim to a historic link between the Jews and Palestine did not correspond to the historical facts. Article 6 of the Covenant stated that the term "Palestine" must be an Arab concept and that a handful of Jews at most would be permitted to be a minority in the Arab State. Israel, Mr. Eban had continued, would not accept any definition which meant that its national, Jewish identity would be obliterated or altered in favour of another identity. It was impossible to set the Arabs' claims to establish a nineteenth Arab State against the right of the single State of Israel to maintain its independence. Mr. Eban had noted that in 1948, the Arab Government had had an opportunity to determine how they interpreted the term "rights of the Palestine people". Jordan's interpretation had been to annex the West Bank and Egypt's interpretation had been to administer the Gaza Strip under stern military rule. Since 1948, the Palestinians in Jordan had had their Arab State in which they had been a majority. There was no sense in the attempt to portray them as having been denied independent Arab expression of their identity for all those years. It would be difficult, Mr. Eban had said, to predict when meaningful and binding negotiations would take place between Israel and the neighbouring State. In the meantime, it was desirable to examine the rights of the millions of Palestinians under Israeli administration. They had freedom of movement, a freedom of expression transcending by far that customary in Arab countries and freedom to advance to prosperity. The solution of the question of their national and nationality definition depended on the fixing of borders and the establishment of peace. The decision would be made in negotiations. That was the final point he wished to make from Mr. Eban's statement—that absence of negotiations and absence of peace were what prevented the Palestinians from defining their problem and their goals clearly.

35. The recent attempt by the Arab States, seven weeks after the speech by Israel's Foreign Minister, to decide the issue by force had been repulsed. Absence of negotiations and absence of peace had once again led the peoples of the Middle East into the abyss of war. He made a fervent appeal for mutual understanding and frank, open-hearted negotiations.

36. Mr. BAROODY (Saudi Arabia) said that in order to overcome the objections of the United States of

America and to allay its fear that any dangerous precedent would be set if the United States were singled out for special attention, he was submitting a new draft resolution.¹

37. The draft resolution was clear and self-explanatory. The reference to States with a *per capita* income of \$1,500 or more meant that the United States of America and the Federal Republic of Germany were not being singled out. The reference in the preamble to the United States was based on a statement of fact and a promise made in the general debate. The draft resolution did not conflict with the draft resolution submitted by the United States. He appealed to the United States to give his draft resolution priority and requested that the vote, when taken, would be by roll-call. Provided his draft resolution was given priority in the voting, he would withdraw his amendments to the United States draft resolution.

38. Mr. ABDULDJALIL (Indonesia), supported by Mr. PETNICKI (Yugoslavia), proposed that the Committee should vote on draft resolutions A/SPC/L.276/Rev.1 and A/SPC/L.277 before the other draft resolutions because the one proposed by the representative of Saudi Arabia was closely linked with that submitted by the United States (A/SPC/L.274) and it would be preferable to vote on both at the same meeting.

39. Mr. OSMAN (Egypt) endorsed that proposal, especially because draft resolutions A/SPC/L.276/Rev.1 and A/SPC/L.277 were very similar to draft resolutions adopted at the previous sessions.

40. Mr. BAROODY (Saudi Arabia) also supported the proposal. The draft resolution he had just introduced was not intended to conflict with the one submitted by the United States but to amplify it.

41. Mr. SCHAUFLE (United States of America) opposed the proposal for priority because all five draft resolutions before the Committee referred to the same question and, under rule 133 of the rules of procedure of the General Assembly should be voted on in the order in which they had been submitted.

42. Mr. ABDULDJALIL (Indonesia) withdrew his motion, which was re-introduced by Mr. FOUM (United Republic of Tanzania).

43. The CHAIRMAN invited the Committee to vote on the Tanzanian motion of the representative of the United Republic of Tanzania.

The motion was adopted by 75 votes to 10, with 32 abstentions.

44. The CHAIRMAN announced that it would be impossible to vote on draft resolution A/SPC/L.286 at the present meeting because the document on the financial and administrative implications was not yet available. He therefore called for explanations of vote on the other draft resolutions.

45. Mr. VARELA (Costa Rica) said that his delegation's dedication to peace was shown in its Constitution and in its belief in international organizations and dialogue as a solution to conflicts. That explained the position it would adopt on the various draft resolutions before the Committee.

46. It would vote in favour of draft resolutions A/SPC/L.273 and A/SPC/L.274 but against the Colom-

¹ Subsequently issued as document A/SPC/L.287.

bian amendment to the latter (A/SPC/L.275) because it had reservations about the allocation of variable sums, such as the proposed 5 per cent of the regular budget, to specific programmes. That did not mean that it did not believe that substantial resources should be devoted to solving the refugee problem but merely that his country's own experience had proved such a percentage procedure to be unpractical.

47. His delegation would also vote against draft resolutions A/SPC/L.276/Rev.1 and A/SPC/L.277, because they implied the denial of the existence of the State of Israel and intensification of the conflict rather than a search for a solution. Recent events in the Middle East had clearly shown that negotiations were more effective than intransigence. No other Middle East conflict had brought mankind so near to total destruction and any Government which encouraged it would be responsible for the consequences. His country wanted all States in the Middle East, without distinction, to live a peaceful existence which would enable them to attain the maximum economic and social development to which all peoples aspired. The vast sums spent on armaments by the Arab countries and Israel since the creation of the latter State by the United Nations could long since have solved the region's economic problems and enabled the Palestine refugees to be resettled and compensated in accordance with General Assembly resolution 194 (III).

48. Peace had never been brought about by war but by negotiation. His delegation's position on the Middle East conflict was based on considerations of peace and justice and not on any form of interest. As the Costa Rican Foreign Minister had written in 1971, the interventions of the Latin American countries in the debate on the Middle East could be constructive because they had no special interests at stake. They could point out to the countries of that region that the only solution lay in direct negotiation with the full intention of terminating a state of war which had prevented the establishment of logical social and economic co-operation between them, such as existed in other parts of the world. His delegation must therefore vote against any resolutions which would encourage a conflict rather than promoting peace.

49. His delegation would also vote against the amendments to draft resolution A/SPC/L.274 (A/SPC/L.278/Rev.1 and A/SPC/L.279/Rev.1) because his country had no intention of even indirectly violating a country's sovereign right to dispose of its own money.

50. Mr. DE ZAVALA (Bolivia) said that his delegation would abstain on draft resolution A/SPC/L.276/Rev.1 and oppose draft resolution A/SPC/L.277.

51. The CHAIRMAN invited the Committee to vote on draft resolution A/SPC/L.276/Rev.1.

At the request of the representatives of Israel and Kuwait, a recorded vote was taken.

Draft resolution A/SPC/L.276/Rev.1 was adopted by 101 votes to 4 with 14 abstentions.

52. Subsequently, the CHAIRMAN announced that for technical reasons the Committee would have to repeat its vote on that draft resolution.

In the second vote, the results were 100 in favour, 3 against and 13 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Egypt, El Salvador, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Upper Volta, Uruguay, Yemen, Yugoslavia, Zaire, Zambia.

Against: Barbados, Costa Rica, Israel.

Abstaining: Bolivia, Brazil, Burma, Canada, Dominican Republic, Guatemala, Iceland, Khmer Republic, Malawi, Paraguay, Portugal, United States of America, Venezuela.

53. After some discussion on which of the two votes should be recorded in the Committee's report, in which Mr. SAYEGH (Kuwait), Mr. SAHAD (Libyan Arab Republic), Mr. BARROMI (Israel) and Mr. OSMAN (Egypt) took part, the CHAIRMAN suggested that the result of the voting should be taken to be that obtained in the first vote, in the hope that the three delegations, which had taken part in the first vote but had been absent during the repetition of the vote would subsequently confirm their votes to the Secretary of the Committee.²

54. Mr. SAYEGH (Kuwait) endorsed the Chairman's proposal.

55. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee agreed to his proposal.

It was so agreed.

56. Mr. PAGUAGA-FERNANDEZ (Nicaragua) announced that he had been absent during the second vote on the draft resolution but had been present, would have cast a negative vote as he had in the first vote.

57. Mr. MICHEL (Haiti) said that he had also been absent but would have abstained on the draft resolution as he had during the first vote.

58. The CHAIRMAN invited the Committee to vote on draft resolution A/SPC/L.277.

At the request of the representatives of Israel and Kuwait, a recorded vote was taken.

² The Secretary of the Committee was subsequently informed by the delegation of Equatorial Guinea that it had voted in favour of the draft resolution on the first vote, but had been absent during the second. Thus in the light of the statements made by the representatives of Nicaragua and Haiti (see paras. 56 and 57 below) concerning their votes, the results of the recorded vote indicated above correspond exactly with the results announced by the Chairman following the first vote.

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Egypt, Equatorial Guinea, Gabon, German Democratic Republic, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

Against: Barbados, Bolivia, Costa Rica, Israel, Nicaragua, United States of America.

Abstaining: Australia, Austria, Belgium, Botswana, Brazil, Burma, Canada, Denmark, Dominican Republic, El Salvador, Finland, France, Germany (Federal Republic of), Guatemala, Haiti, Iceland, Ireland, Italy, Jamaica, Khmer Republic, Lesotho, Malawi, Mexico, Nepal, Netherlands, New Zealand, Norway, Paraguay, Portugal, Singapore, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

The draft resolution was adopted by 78 votes to 6, with 35 abstentions.

59. Mr. LEWENHAUPT (Sweden) speaking also on behalf of the Finnish delegation, said that the two delegations had sponsored two of the draft resolutions before the Committee and were ready to vote in favour of most of the others. Their abstention on draft resolution A/SPC/L.277 in no way reflected indifference to the plight of the refugees or to the paramount importance of finding a just and lasting political solution to the problems of the Middle East which took account of their interests. They felt, however, that the draft resolution was somewhat out of context in a humanitarian debate and that some of its wording gave the unfortunate impression of questioning the right of Member States to exist.

60. Mr. TÜZEL (Turkey) said that, although his delegation had consistently supported the legitimate right to self-determination of the people of Palestine, it did not deny other legitimate rights. On that understanding, his delegation had voted in favour of draft resolution A/SPC/L.277 even though it differed from that of the previous session in certain respects. It should be borne in mind that the item under discussion was the problem of Palestine refugees and UNRWA. The inadequate reflection of General Assembly resolution 194 (III) in operative paragraph 3 of the draft resolution had aroused misgivings in his delegation, which believed that a solution to the Middle East problem could be found only on the basis of Security Council resolution 242 (1967).

61. Mr. ARVESEN (Norway) said that his delegation had abstained on draft resolution A/SPC/L.277 because, although the Norwegian Government recognized the paramount importance of finding a just and lasting solution to the problem of the Palestine re-

fugees, it could not question the existence of the State of Israel as implied in paragraph 2.

62. Mr. MACRIS (Greece) said that his delegation had voted in favour of the draft resolution, despite its reservations on certain paragraphs, because it recognized the inalienable rights of the Palestinian people. However, during the general debate on the item (881st meeting), his delegation had drawn attention to the need for Member States, and especially all States directly concerned, to show political foresight by fulfilling the obligations they had assumed under the Charter, the Universal Declaration of Human Rights and the relevant General Assembly and Security Council resolutions. They must provide practical help to the refugees and not merely make pious statements. Operative paragraph 2 of the draft resolution repeated the affirmation made in paragraph 1 of General Assembly resolution 2963 E (XXVII) but in too restricted a sense, since it gave only one cause for the Palestinian people's inability to enjoy its inalienable rights which had been so often proclaimed in the United Nations. Those same rights should be enjoyed by all people throughout the world and especially those in the Middle East. With regard to paragraph 3 of the draft resolution he saw no reason why its sponsors had wished to complicate the simple, clear wording of paragraph 3 of the same General Assembly resolution and to give an incomplete version of General Assembly resolution 194 (III), which reflected neither the spirit nor the letter of that resolution, but could give rise to unjustified interpretations of it.

63. Mr. MØLLER (Denmark), speaking on behalf of the nine Governments of the European Economic Community, said that they had been unable to support draft resolution A/SPC/L.277 because they had reservations on its implications. They had always maintained that there could be no doubt of the right of every State in the region to exist as an independent and sovereign State and a full and equal Member of the United Nations.

64. He wished to reiterate, however, the sincere concern of the Governments and peoples of the European Economic Community at the plight of the Palestine refugees and displaced persons, which was clearly reflected in their yearly contributions to the Agency. Those Governments recognized that in the establishment of a just and lasting peace, account must be taken of the legitimate rights of the Palestinians.

65. Miss GARCIA (Argentina) said that although her delegation had voted in favour of draft resolution because it recognized the needs of the Palestinian people, that did not mean that Argentina questioned the existence of the State of Israel.

66. Mr. WYNDHAM (Australia) said that his delegation had voted in favour of the draft resolution A/SPC/L.276/Rev.1 and had abstained on draft resolution A/SPC/L.277. Both those resolutions departed from the delicate structure erected over the years by the United Nations in its efforts to bring a just and lasting peace to the Middle East but the difference in the extent of those departures was reflected in the votes cast by his delegation, whose aim was to do nothing to hinder the search for peace and to show in a practical way Australia's concern for the welfare of refugees in the Middle East.

67. Mr. HOLGER (Chile) said that he had voted for draft resolution A/SPC/L.277 on the understanding that a recognition of the rights of the Palestinians did not mean a denial of Israel's right to exist.

68. The CHAIRMAN invited the Committee to vote on draft resolution A/SPC/L.273.

The draft resolution was adopted by 117 votes to none.

69. Mr. BARAKAT AHMAD (India) said that his delegation felt that, in the final analysis, there was no basic difference between the draft resolution submitted orally by the representative of Saudi Arabia and draft resolution A/SPC/L.274 submitted by the United States representative. Accordingly, it wished to propose to combine the two draft resolutions, with the consent of their sponsors, by changing the beginning of the final operative paragraph to read: "*Calls upon* all Governments, and especially those with \$1,500 and more *per capita* income, as a matter of urgency . . .".

70. Mr. SCHAUFLE (United States of America) said that his delegation could accept the Indian amendment to its draft resolution since it felt that those countries, with a *per capita* income of \$1,500 or more had a special responsibility with regard to voluntary contributions and since the draft resolution still included a call of all Governments to make a generous effort.

71. Mr. BAROODY (Saudi Arabia) said that in submitting his draft resolution he had tried to propitiate the United States and the Federal Republic of Germany. He could not agree to having the idea of an appeal to countries with a *per capita* income of \$1,500 or more grafted on to the United States draft resolution without any reference to the United States commitment or to the Federal Republic of Germany. If his draft resolution raised any difficulties for the United States and the Federal Republic of Germany he would be ready to meet their objections. His draft resolution and the United States draft resolution were not mutually exclusive. If the United States and the Federal Republic of Germany had objections, he would be prepared to withdraw his amendments, but he asked the United

States to agree to postpone the voting on draft resolution A/SPC/L.274 until the next meeting.

72. Mr. SCHAUFLE (United States of America) explained that he had agreed to the incorporation of the amendment proposed by the Indian representative in the hope that the Saudi Arabian draft resolution would be withdrawn. However, since the representative of that country did not agree to combining the two draft resolutions he would prefer his draft resolution to be voted upon without the Indian amendment.

73. Mr. BAROODY (Saudi Arabia) said that, while he appreciated the Indian representative's desire for conciliation, he regretted that he had not been consulted about the removal of part of his own draft resolution and its suggested incorporation into that submitted by the United States. The United States representative had accepted that suggestion so that it could be said that the Saudi Arabian draft resolution was superfluous. He himself always tried to act in the best interests of the Palestine Arabs, whose cause was very close to the heart of the King and people of his country.

74. Mr. SEN (India) expressed regret that he had not had time to consult the Saudi Arabian representative. He would therefore prefer that the vote on both draft resolutions should be postponed until a subsequent meeting.

75. Mr. FOUM (United Republic of Tanzania), speaking on a point of order, expressed appreciation of the Saudi Arabian representative's efforts to assist the Committee but felt that further discussion was unlikely to lead to a decision at the present meeting. He therefore proposed an adjournment of the meeting in accordance with rule 78 of the rules of procedure of the General Assembly.

76. The CHAIRMAN said that in accordance with rule 120 of the rules of procedure, the motion for adjournment of the meeting must immediately be put to the vote.

The motion was adopted by acclamation.

The meeting rose at 7.10 p.m.

890th meeting

Monday, 19 November 1973, at 11.10 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.890

AGENDA ITEM 45

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/9148, A/9237)

GENERAL DEBATE

1. Mr. AMERASINGHE (Sri Lanka), Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, introduced the Committee's report (A/9148), which had been submitted in accordance with paragraph 11 of General Assembly resolution 3005

(XXVII). He observed that recent events had brought the situation in the occupied territories into sharp focus and would, he hoped, galvanize the United Nations into urgent and positive action.

2. The report was the result of continuing scrutiny of reports emanating from Israel concerning the occupied territories. The Special Committee had monitored the situation there to the best of its ability and to the limit of its resources. Its three members had met four times during the past year to examine the information and extract from it a reasonably accurate impression of the situation of the civilian population in the territories and of the radical changes that were taking place.

3. Chapter I of the report contained two new elements, namely sections C and D, which the Committee had added because the information before it indicated that the disposal of property by the occupying Power had assumed sufficient importance to warrant specific comment.

4. The report was self-explanatory. He wished to emphasize, however, that the overriding concern of the Special Committee had not been the range or number of violations committed in the occupied territories but rather the effect of the sum total of those violations, which were the result of a basic policy whose most serious effect was to deny the population on the right to self-determination. The population of the territories was not merely an aggregate of individuals but a community that was entitled to live under the protection of a State of its choice and an administration established through a normal legal process. The effect of the occupation on the demographic composition, physical character and institutional structure of the territories had been the source of the Special Committee's deepest concern. Israel's policy presented a most formidable obstacle to peaceful negotiation and a just solution of the Middle East problem. The population of the occupied territories deserved quick and effective action by the international community aimed at the restoration of their basic rights, particularly that of self-determination.

5. The Special Committee had provided the General Assembly with all the necessary information and it was now incumbent on the latter to take the necessary action to remedy the situation of the civilian population of the occupied territories. The Special Committee saw no purpose in providing more evidence unless major changes in the situation took place. He therefore urged the Special Political Committee to try to find an alternative arrangement for exercising surveillance over the situation until the parties concerned agreed to adhere scrupulously to the provisions of the fourth Geneva Convention relative to the Protection of Civilian Persons in the Time of War, of 12 August 1949, and the other international instruments applicable in the occupied territories. The United Nations was guilty of a grave dereliction of responsibility in failing to provide machinery for supervising implementation of the principles of international law protecting the human rights of the population of the occupied territories. If further deterioration of the situation was to be averted, the General Assembly must pay special attention to the violations of those rights committed since June 1967. It was the unmistakable duty of the United Nations to take effective action to deter Israel from adopting any further measures that would consolidate the occupation and annex the occupied territories.

6. The Special Committee was communicating to the Secretary-General an addendum to its report containing a map showing settlements established by Israel in the occupied territories.

7. A responsible member of the Israeli Government had sought to justify its policy as being founded on the power of right and the right of power. The Special Committee's investigation over the past years had produced incontrovertible evidence that the Government of Israel was pursuing policies and adopting practices in the occupied territories whose deliberate purpose was to transform into permanent sovereignty the temporary

advantage which victory conferred on the victor in the territories of the vanquished. Since the Second World War and the adoption of the Charter of the United Nations and those very instruments of international humanitarian law which the conscience of humanity had fashioned as a memorial to the martyred millions of Jews, there had been only one such instance of the establishment of colonies, both military and civilian, as cultural, administrative and alleged security bulwarks to complete the subjugation of the people of occupied territories. In the present circumstances, that policy might well prove irreversible. It could not lead to the lasting peace, security and justice which all so ardently desired. Only mutual trust, goodwill, tolerance and compassion among the peoples of the area which had cradled three of the great religions of the world, and not unilaterally and arbitrarily drawn boundaries, could ensure the security and tranquillity of that area.

8. The United Nations had defined the boundaries of the State of Israel, and it alone had the legal right to alter them, with the consent of all those concerned. If the United Nations adopted an attitude of supine indifference to the situation, it would deal a mortal blow to all international humanitarian law and thereby suffer an irretrievable loss of prestige. It was the duty of the members of the Special Political Committee to decide whether they wished the Organization to suffer such an ignominious fate. The Special Committee had endeavoured to fulfil a mandate which was painful in its scope, demanding in its discharge and barren in its results.

9. Mr. DORON (Israel) said that the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories had been created by a one-sided General Assembly resolution (2443 (XXIII)) which prejudged the issue and ignored the situation of the oppressed Jewish minority in the Arab countries in disregard of Security Council resolution 237 (1967). The Chairman of the Special Committee had stated in an article¹ in the United Nations *Monthly Chronicle* for May 1973 that the President of the twenty-third session of the General Assembly had been unable to find three delegates willing to undertake what was universally regarded as a difficult and controversial task and that his untimely death before the appointment of the three members had created an awkward constitutional problem. He agreed with that statement but did not agree that the alternative procedure adopted was "unexceptionable". As had often been pointed out by the Israeli and other delegations, that procedure had been highly irregular and of the most doubtful legality, as was the composition of the Committee. For example, the Foreign Minister of Somalia had said that his country was in a state of war with Israel. Despite the statement by the Permanent Representative of Somalia at the preceding session that a statement at a press conference did not constitute a declaration of war, any such statement should disqualify a country from participating in a supposedly impartial committee appointed by the United Nations to investigate the alleged practices of the country with which it said it was in a state of war. The argument put forward by the Chairman of the Special Committee that its members functioned as individuals and not as rep-

¹ H. S. Amerasinghe, "The Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories".

representatives of their States could not be taken seriously, and, in any event, the various statements made by the Permanent Representative of Somalia showed that no objectivity concerning Israel could be expected from him as an individual, either. The same applied to the representative on that Committee of Yugoslavia, a country which had broken off relations with Israel in 1967 and had been in the forefront of every anti-Israeli initiative at the United Nations and elsewhere.

10. A fundamental rule of law said that justice must not only be done but must also be seen to have been done. The Chairman of that Committee always let it be seen that justice was not being done. He missed no opportunity to put forward his highly partisan views and when there was no ready-made opportunity to pursue his argumentation he created one as he had when he had had an article published by the United Nations Office of Public Information (OPI) and even reproduced as a separate pamphlet. The Secretary-General's report (A/9237) stated that that article had been prepared at the invitation of OPI, a statement which had not been confirmed by OPI itself. The publication of such a controversial article by OPI was in any case regrettable.

11. He had discussed at length the composition of the Special Committee because it was high time that an unequivocal statement was made concerning the annual exercise in hypocrisy that found its expression in reports put out at considerable expense which completely misrepresented the truth and served as material for inflammatory Arab propaganda.

12. He agreed with the Chairman of the Special Committee that the fourth Geneva Convention relative to the Protection of Civilian Persons in the Time of War, of 12 August 1949 was being put to the test for the first time. It might, however, occur to him to wonder why that Convention had never been applied in the many wars involving occupation of territories which had occurred in various parts of the world since 1949 and in which terrible sufferings had been inflicted on the populations involved. The reason must be that the case under consideration had been singled out for United Nations attention because it enabled the Arab countries to misuse the machinery of the Organization as part of their propaganda campaign, even though all the accusations raised by the so-called investigation were completely untrue.

13. For the reasons stated on previous occasions, Israel had not admitted the Committee into the areas administered since 1967 but, in order to demonstrate the irresponsible way in which the Committee had been acting, had clearly rebutted the most blatant fabrications of alleged tortures and maltreatment in its delegation's statements in the Special Political Committee. Although in his article the Chairman of the Special Committee had said that the rebuttals were vague and unsubstantiated, they had included photostatic copies of documents from hospitals under Egyptian administration and a letter from an Egyptian professor at Cairo University. The Committee had merely countered by saying that it was continuing its investigation of such cases, without mentioning the attitude of the Egyptian authorities, which preferred to keep silent in order not to provide additional proof that the stories were sordid fabrications.

14. Those allegations, though baseless, bore some relation to human rights, but since the Committee had run out of perjured witnesses and fabricated cases, it had engaged in a series of activities concerning matters which had nothing to do with its original mandate. Three such matters had been added by the General Assembly in resolution 3005 (XXVII), namely, the alleged exploitation and looting of resources, pillaging of the archaeological and cultural heritage and interference in the freedom of worship in the occupied territories. The United Nations General Assembly and its subsidiary organs were ready to pass any resolution at the behest of the Arab delegations and their supporters. They did not consider it enough to discuss the report of the Special Committee in the Special Political Committee and in the General Assembly but demanded a repeat performance in the Commission on Human Rights.

15. In his speech in that Commission on 14 March 1973, the Israeli Ambassador at Geneva had suitably dealt with similar allegations made against Israel and in particular those concerning alleged contravention of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954. The Israeli Government's position on that matter had been made clear to the competent organs of UNESCO, and, since no problems of human rights were involved, it was not a matter for the Commission on Human Rights. The same applied to the Special Committee, which had nevertheless devoted a whole chapter to the matter.

16. Paragraph 126 of the report quoted the Israeli representative's letter to the Secretary-General completely refuting the allegations made by the representative of Jordan that "the wall" in the Al-Aqsa Mosque had collapsed and that Israel was somehow responsible. Despite the refutation and the Committee's references to contacts between UNESCO and Israel—between which there was indeed full co-operation—and despite the mention in paragraph 134 of the lack of agreement on the interpretation of the Hague Convention, the Committee had taken it upon itself to accuse Israel in paragraph 136 of taking measures contrary to the Hague Convention and threatening the cultural heritage of the population of the occupied territories. It was ironical to compare the complete lack of international concern over the deliberate destruction of centuries-old Jewish holy sites in the Old City of Jerusalem during the Jordanian occupation of 1948-1967 with the wild allegations and tendentious resolutions adopted by UNESCO and the United Nations regarding perfectly legitimate scientific work carried out by Israeli experts.

17. Other unfounded allegations which were outside the Committee's original mandate included alleged interference in freedom of worship (A/9148, chapter III, section D). Although in paragraph 110 the Committee purported to take note of the Israeli representative's letter to the Secretary-General rejecting the allegations made by the representative of Jordan concerning the Ibrahimi Mosque at Hebron, the Committee set out at length similar unfounded allegations by the representatives of Syria and Egypt on the same subject, completely ignoring the fact that the arrangements made for Jewish prayers within the precincts of that mosque had been agreed to by the Arab Moslem Mayor of Hebron and other local authorities. The Committee also ignored the historic fact that Jews had resided in Hebron from time

immemorial and had enjoyed rights of worship on the reputed site of the cave containing tombstones of the ancient Hebrew patriarchs. When the fifth-century Christian church built on that site had been transformed into a mosque in the seventh century, the Jews had been allowed to build a synagogue next to it. After the rule of the Crusaders, who had again transformed the mosque and the synagogue into a church, Jews had continued to pray at the site of the holy cave until 1929, when the Jewish population of Hebron, which had lived for centuries in friendship with their Arab neighbours, had been put to the knife by those very same neighbours, incited by hate stories spread by the ex-Mufti of Jerusalem. The resumption of Jewish prayers on a site holy to them since their earliest days did not interfere with the freedom of Moslems to worship in the same place. His delegation totally rejected the finding of the Committee, which was sacrilege to the memories of the Hebron Jewish martyrs of 1929.

18. His delegation had no intention of dealing with each individual allegation, finding an expression of opinion in the report. However, that should not be taken as an indication of any kind of agreement with them or admission of their correctness. It was simply that it would take much too long to go into all those statements in detail in order to demonstrate their absurdity. The Committee had again relied almost entirely on views expressed and stories carried in newspapers, utilizing only quotations which appeared to support its preconceived ideas and theories. The Committee had not been called upon to consider the question of alleged Israeli exploitation of resources, and anyone who had witnessed the economic metamorphosis which had taken place over the last six years in the administered territories, and particularly in the Gaza Strip, would be unable to accept the blatant falsifications produced in the report in the guise of an economic analysis of the situation. To ignore, as the report had done, all the freedoms obtaining in the territories and all the progress achieved in every field of human life and endeavour and to persist in alleging that Israel had exploited territories was a misrepresentation which went beyond the distortions in previous reports and resolutions. His delegation had addressed itself in greater detail to that question in its statement at the 881st meeting and, in order to save time, would refer the Special Political Committee to the relevant statistics mentioned in that statement.

19. In chapter III, section B, entitled "Allegations of ill-treatment of detainees", the Committee had resorted to the technique of falling back on its own previous reports and scrambling and telescoping matters in such a way as to produce the impression of a continuing undesirable state of affairs. His delegation wished once again to stress the malicious and mischievous nature of that technique.

20. In its current report, the Committee had relied on the evidence of Dr. Israel Shahak,² a man known for his strange and, to say the least, unbalanced views. His self-assumed title of Chairman of the Israeli League for Human and Civil Rights had been disputed by members of that organization and was at present the subject of court proceedings in Israel. As a result of Dr. Shahak's irresponsible activities, the League had been suspended from the International League for the Rights of

Man. Under those circumstances, he would not dignify the allegations by Dr. Shahak with any further comments.

21. Turning to chapter III, section B, of the report, he noted the allegation in paragraph 92 that persons under interrogation were not, as far as the Committee had been able to establish, allowed visits by representatives of the International Committee of the Red Cross (ICRC). According to his information, within 18 days of the arrest of a person from the occupied areas suspected of security offences, the Israeli authorities informed the Red Cross delegation in Israel of his name, address and place of detention. At the end of the interrogation period, usually limited to one month after arrest, Red Cross delegates were allowed to visit security cases and to talk to them in private. Paragraph 92 of the report indicated a pre-trial detention period of about one year. Anyone familiar with criminal proceedings in the case of grave crimes, which in many countries carried the death penalty, would agree that there were very few countries indeed where pre-trial detention was shorter than in Israel. In certain neighbouring States, of course, persons accused of similar offences would not have to undergo such a long period of detention before being condemned or acquitted; they would be hanged in a public square within a day or two. In Israel, however, with the exception of the Nazi mass-murderer Adolf Eichmann, the death sentence had never been carried out, even for the most heinous crimes.

22. Contrary to the figures appearing in paragraphs 93 and 94 of the report, as of August 1973, there had been 1,793 prisoners duly convicted of and serving sentences for security offences and there had been only 14 administrative detainees. Complete details of the legal procedures applied by Israel in the administered territories had been submitted by his delegation both in the Special Political Committee and in the Commission on Human Rights, and the true facts could easily be ascertained. The report had repeated its allegation of bad prison conditions, mainly because of overcrowding. However, when the Chairman of the International League for the Rights of Man had visited the Women's Prison in Neve Tirza and the Ramleh security prison in 1972, he had found an enlightened and humane attitude on the part of prison officials and had reported that prisons reflected a high degree of compliance with the Standard Minimum Rules for the Treatment of Prisoners³ adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Overcrowding was common throughout the world, but, again, conditions in Israel in that respect were better than in many other countries.

23. The report also contained allegations of infringements of the fourth Geneva Convention. As was well known, the Government of Israel considered that that Convention did not apply for a number of legal reasons and reserved its position on the applicability of the Convention in the administered areas. Notwithstanding those theoretical and legal reservations, which had been made consistently since 1967 and officially explained to those competent in the matter, Israel, as the ICRC had confirmed many times, continued to take the provisions of the Convention as its standard.

³ *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Report prepared by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

² Document A/AC.145/RT.58.

24. In that connexion, some delegations would unquestionably refer to the resolution on the application of the fourth Geneva Convention in the Middle East adopted on 10 November 1973 at the twenty-second International Conference of the Red Cross in Teheran, which spoke of the alleged immense sufferings of the civilian population of the occupied territories in the Middle East resulting from the non-application of that Convention. However, the same Conference had refused to consider a draft resolution submitted by the delegate of Israel, which would have had the Conference call on the parties to the most recent conflict in the Middle East to supply the ICRC with the names and particulars of all prisoners of war, to allow ICRC delegates to visit all prisoners of war, to enable the prisoners of war to correspond with their relatives and to permit the repatriation forthwith of wounded and sick prisoners of war. All those matters were provided for explicitly in the third Geneva Convention. Yet, despite the well-known fact that two of the countries concerned, neither being Israel, had failed at the time to comply with the obligatory provisions of the Convention, the Conference had supported the proposal of the representative of India—a country which was no doubt expert in the treatment of prisoners of war—to end peremptorily the discussion of the draft resolution submitted by Israel. One therefore had to read the resolution directed at Israel by the Conference in the light of its treatment of urgent and purely humanitarian issues at the same time. In the view of the ICRC, the legal position adopted by Israel regarding the applicability of the fourth Geneva Convention constituted a formal obstacle to the assumption of the role envisaged for the ICRC under that Convention. Yet, after the adoption of the resolution, the President of the ICRC had once again acknowledged Israel's co-operation with the representatives of the Red Cross.

25. The report devoted considerable space to what it called "allegations of a policy of annexation and settlement". His delegation had pointed out on previous occasions that everything in that context was outside the Committee's mandate, and in the view of his delegation the findings, allegations, insinuations and conclusions in the report were baseless, wrong and misleading. The Government of Israel had no sinister designs whatsoever. The report had completely ignored the basic fact that since 1948 Israel had been the object of continuous Arab aggression and had been compelled to take all suitable measures to protect its population and its sovereignty. How right Israel had been in its attitude and in the precautionary measures adopted in that respect had been demonstrated when Egypt and Syria had attacked it on 6 October 1973. The importance and justification of settlements, set up as part of the Israeli defence network, had clearly been vindicated. Since 1967, 42 Israeli settlements, with a combined population of 4,200 persons, had been established in the administered area. They were either Nahal outposts, which were at the same time military stations and farming villages, or settlements of a primarily civilian nature. Settlements could not be established without Government permission, and thus far only 3,150 Israeli citizens had been allowed to take up residence in the administered areas, including former Nahal members who had completed their conscript service. Both types of settlement were essential to maintain Israel's defences. For the most part, they had been built on land

known as State Domain, on land whose owners were unknown or in sparsely populated or completely uninhabited and uncultivated areas. In a few instances, the settlements had been established on private land, owned mainly by absentee landlords. Whenever they could be traced, the owners were paid compensation in cash, in land or in a combination of both.

26. In the Golan Heights, the non-Israeli population consisted of some 8,000 Druses. The 1,100 Israelis, who lived in 15 settlements, had borne the brunt of the Syrian attack on 6 October. Three settlements, with 600 Israeli residents, had been set up in the southern part of the Sinai, whose population of nomadic Bedouins numbered less than 8,000. In the Gaza Strip and northern Sinai, a populous area containing approximately 390,000 Arab residents, five Nahal bases and two civilian settlements had been established. The report had once again misrepresented action taken in the Gaza Strip to put an end to terrorist activities and had painted a distorted picture of the situation. His delegation had already dealt with that matter in its statement on agenda item 43 (881st meeting) and did not consider it necessary to go into it again.

27. Seventeen settlements had been established in Judea and Samaria. Eleven settlements, with 350 Israeli residents, were located in the sparsely populated Jordan Valley border region. In the area near Hebron, 800 Israelis had re-established two former Jewish communities, Kiriath Arba and the Etzion Bloc.

28. His delegation wished to provide the Committee with some comparative figures so as to enable it to view matters in their proper perspective. The Arab population of the administered areas exceeded 1 million, and the 3,150 Israeli Jews who lived there constituted 0.3 per cent of that figure. Since the end of 1968, the Arab population had increased by 87,300, more than 27 times the number of Israeli civilians who had gone to live there during the same period, and since mid-1967 Israel had permitted some 50,000 Arabs to return to the areas as permanent residents.

29. The report also attempted to give the impression that the administered areas were being used to absorb Jewish immigration. That was a deliberate misrepresentation of facts. Since 1968, more than 200,000 immigrants had settled in Israel but only 3,150 Israeli citizens had gone to live in the administered areas.

30. Israel was hoping for peace, and in that expectation it had abstained from changing the political and juridical status of the administered areas and had not closed any options for a negotiated peace. The Special Committee's fears and suspicions were therefore totally misplaced and unfounded as well as outside its mandate. His delegation had already expressed reservations with regard to the mandate of the Special Committee and also had reservations about its composition and its activities in general.

31. He believed that his present statement and that at the 881st meeting showed that the situation in the areas administered by Israel since 1967 was unlike that presented in the report and that the human rights of the population were not only preserved to the fullest extent but also protected against those who wished to disrupt the normalization of life which had been achieved.

32. Mr. ABDEL MEGUID (Egypt) said that the item before the Committee concerned, primarily, the viola-

tion by Israel of the principles and provisions of the Charter of the United Nations. First and foremost, Israel had grossly violated the principle of the inadmissibility of the acquisition of territory by force by its continuing occupation of Arab territories. Foreign occupation in itself was a major violation of the basic rights and fundamental freedoms of peoples. However, the violation his delegation was more concerned with was the policy followed by the Israeli authorities in contravention of the applicable provisions of international law concerning the occupation of foreign territories. That policy, as the letter of transmittal in the Special Committee's report (A/9148) noted, created the basis for future conflict in that it denied the population of the occupied territories their basic rights and fundamental freedoms. The Government of Israel had ignored the repeated requests of the General Assembly and other organs of the United Nations to regulate its policies and practices in the occupied territories in accordance with international law and had not only increased the number of settlements in the occupied territories but also announced definitive plans for future measures designed to settle and annex new areas. It had initiated the destruction of Arab villages and towns and the construction of settlements with the declared purpose of converting them into towns and cities in the future. The Government of Israel had continued to expropriate land in the occupied territories and where necessary had evicted persons whose livelihood depended on such land. The Israeli authorities had continued to prevent the inhabitants of the occupied Arab territories and those who had fled the advancing Israeli army during the aggression of 1967 from returning to their homes and land.

33. As the letter of transmittal had rightly pointed out, international law considered occupation a temporary situation which implied no right whatsoever to dispose of occupied territories. The Israeli authorities were taking measures of a permanent nature and their policy was completely incompatible with their obligation as an occupying Power.

34. Policies and practices in the occupied territories should be governed by and considered within the framework of the fourth Geneva Convention of 12 August 1949 and the Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land, which protected the person and property as well as the identity of the population under occupation. In that regard, the Committee had concluded that the evidence before it proved beyond reasonable doubt that the policies and practices of the Government of Israel in the occupied territories constituted an infringement of those rights, taking into account the justification adduced by the Government of Israel. The latter's policies and practices included the establishment of Israeli settlements in the occupied territories and the transfer into those territories of an alien population, forcibly imported from countries of origin, contrary to the provisions of the Geneva Convention of 1949, and the declared, albeit unlawful and unacceptable, annexation of parts of the territory occupied by Israel since 5 June 1967. They also included changes in the physical character, demographic composition or institutional structure of those territories, including the transfer, eviction, expulsion or deportation of the population thereof and the demolition of houses, villages or towns thereof, the exploitation and looting of the resources of

the occupied territories, the pillaging of the archaeological and cultural heritage of those territories, and interference in the freedom of worship in the holy places of the occupied territories. Such practices were contrary to the fourth Geneva Convention of 1949, the Hague Conventions of 1899 and 1907 and the regulations annexed thereto, the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights (resolution 2200 A (XXI), annex) and the recommendation on international principles applicable to archaeological excavations adopted by the UNESCO General Conference held at New Delhi in 1956.

35. The report offered conclusive evidence that the Government of Israel was following a policy of establishing settlements in the occupied territories, populating them with Israeli nationals, some of whom were new immigrants, and that the Government of Israel had adopted long-range plans for settlements in Hebron (West Bank), Rafah and Sharm el-Sheikh (Sinai), and the Golan Heights. Forty-four settlements had already been established, and an additional 35 were planned for the next five years, with regional centres to be built in the Golan Heights, in the Jordan Valley, in the southern Gaza Strip (Rafah) area and at Sharm el-Sheikh. The regional centres were described as civic centres providing economic and social co-ordination for settlements already established, usually in concentrations that necessitated the creation of such centres in order to function as a cohesive force. That had been the case in the Golan Heights, where 16 settlements had been established. In the West Bank, a concentration of 11 settlements stretched north from the north shore of the Dead Sea to a point half-way up the Jordan Valley. Other settlements in the West Bank included Hebron, one on the western shore of the Dead Sea, one northwest of Jerusalem and another in the Qalqilya-Tukarm area. A concentration of three settlements had been established in the southernmost part of the Gaza Strip, close by the Egyptian frontier. Three other settlements had been established in other areas of the Gaza Strip, and two settlements had been established on the north shore and three on the eastern coast of the Sinai peninsula, including a town which was planned for Sharm el-Sheikh.

36. The Prime Minister of Israel had said in the Knesset in July 1973 that those outposts and settlements were seeds which would develop in the future, growing in population and becoming more firmly rooted. General Dayan had also emphasized the need to accelerate the rate of establishment of settlements in the occupied territories with the aid of State and private funds. The confessions by the Minister of Defence and the Prime Minister, together with the facts already known to the Special Committee, established beyond any doubt the existence and continuation of an Israeli policy of colonizing the occupied territory in violation of the provisions of the Geneva Conventions and of international law. That policy was a confirmation of Israel's expansionist Zionist designs; it would be—and was intended to be—a major hindrance to the achievement of a true and durable peace.

37. The detailed plans indicating the continued implementation of a policy of annexing certain areas of the occupied territories were another major violation of

international law. Such annexation had been prohibited by the Geneva Convention, the Hague Convention and United Nations resolutions. It was totally unacceptable to the Arab Governments, to which every inch of those territories belonged.

38. The expropriation of land and the disposal of property belonging to the lawful inhabitants of the occupied territories was totally prohibited under the terms of several international conventions. The Special Committee was of the opinion that any transactions for the acquisition of land between Israel and the inhabitants of the occupied territories had no legal validity, even when compensation was paid, because the inhabitants of the territories were not acting as free agents. In any State, the disposal of private property was liable to State control in accordance with State policy—a condition that did not obtain in the occupied territories. Israel was taking such action with the declared intent of creating a formidable obstacle to the restoration of the *status quo* prevailing before 5 June 1967. The restoration of that *status quo* and respect for the rights of the peoples involved was an indispensable condition for the establishment of a just and durable peace in the Middle East. He stressed the need for the General Assembly to state unequivocally that such operations were invalid and would establish no rights or obligations whatsoever.

39. There was ample evidence of ill-treatment of the population of the occupied territories and of interference with their freedom of worship, family rights, and manners and customs. He drew the Committee's attention in particular to the case cited in paragraph 122 of the report (A/9148).

40. The Special Committee's mandate to investigate Israel's exploitation and looting of the resources of the occupied territories was based on the principle of a people's sovereignty over its natural wealth and resources, a principle which derived from the right of self-determination. The occupied territories were being exploited economically by the occupying Power, a large proportion of whose needs were covered by the oil reserves of the Sinai. Evidence of that exploitation was to be found in paragraphs 95-106 of the report. It should be noted that the rights of the occupying Power were subject to the limitations imposed by article 55 of the regulations annexed to the Hague Convention.

41. The official pronouncements by Israeli leaders and Government officials and the measures that had been taken in the occupied territories were primarily inspired by the basic Zionist ideology that the whole area rightfully belonged to the Jews because it was the biblical Land of Israel. It was clear to the Special Committee that the Government of Israel regarded its presence in the occupied territories as a "return" to the "Land of Israel" and not as an occupation. That doctrine could not be accepted or even entertained by the United Nations, to which the State of Israel owed its very creation. It was the origin of the threat to peace; it prevented stability and had caused the loss of many lives.

42. The fourth Geneva Convention must be fully applied by the Israeli authorities in the occupied territories. A general propaganda statement was not enough; all the violations must be rectified. The General Assembly was under an obligation to call Israel vigorously to order and demand that it desist forthwith

from pursuing policies and taking measures that were contrary to the provisions of international law and international instruments. The establishment of settlements should be stopped. The annexation was invalid. The evicted Arab inhabitants and those who had fled should be returned and the aliens should be withdrawn from Arab territories. The exploitation of resources should come to an immediate end and the ill-treatment of Arab people should be halted.

43. The twenty-second International Conference of the Red Cross held in Teheran during November 1973 had expressed deep concern at the situation in the territories occupied by Israel resulting from the non-application of the fourth Geneva Convention. It had underlined the responsibility of the States signatory to the Convention to respect and ensure respect for the Convention and had affirmed the applicability of the Convention to all the territories occupied by Israel since June 1967. The applicability of the Convention was the corner-stone for the restoration of the *status quo ante*, which was of cardinal importance for the achievement of peace in the Middle East. The idea that by establishing settlements Israel would be planting seeds which would develop in the future and become more firmly rooted was a notion of fait accompli that his Government totally rejected.

44. He expressed his appreciation to the Special Committee for its work and its excellent report.

45. Mr. SHARAF (Jordan), exercising the right of reply, said that in the Israeli representative's statement he had noted two striking departures from Israel's usual practice: no reference had been made to alleged economic, educational and other areas of progress, and, for the first time, Israel had agreed that it was establishing settlements. Israel had obviously realized that its allegations of progress in the occupied territories had no validity and were immoral. Occupation could not be based on alleged economic progress; Israel's occupation was based on economic exploitation. The difference between the types of settlement mentioned by Israel was a purely semantic one. The settlements could not provide security and were likely to be a source of conflict.

46. The fact that the wall of the Aqsa Mosque had collapsed as a result of frantic excavations by the Israelis was not the main point. Jerusalem was the heart of the occupied territories, and the occupation had been expanded to large areas around Jerusalem. The representative of Israel had not mentioned the expropriations in Jerusalem, nor had he mentioned the new suburbs that had been built.

47. The sentimental and historical attachments that formed the basis for Israel's acts of expropriation could not be regarded as a title deed. Those attachments were the same flimsy ground that underlay Zionist ideology. Israel had no right to establish settlements or to separate a people from its culture and national identity by force. That was the basic human-rights issue involved.

48. Mr. BARAKAT AHMAD (India), exercising the right of reply, said that the statement by the Israeli representative was an object lesson in the new science of Zionist rhetoric. It was full of irrelevant observations. Zionist history showed a subconscious desire to invite attack. He could not understand why the representative of Israel had made specific reference to

India, which had always complied scrupulously with international conventions.

49. Mr. DORON (Israel), exercising the right of reply, said that the representative of Jordan would find references to economic progress and change in several parts of his statement. He had also referred specifically to his statement at the 881st meeting, which also covered that point.

50. His reference to India had been unavoidable, since it had been the Indian delegation that had requested the premature termination of debate on the Israeli draft resolution at the Conference of the Red Cross.

51. Mr. SHARAF (Jordan) said he was satisfied that Israel was at least maintaining a consistent position.

52. Mr. ALI (Pakistan) requested that the full text of the statement by the Chairman of the Special Committee should be circulated to members of the Committee.

53. The CHAIRMAN reminded the Committee that at its 2123rd plenary meeting on 21 September 1973 the General Assembly, acting on the recommendation of the General Committee, had once again authorized the Special Political Committee to have transcriptions of the debates of specific meetings if a request was made to that effect. If he heard no objection, he would take it that the Committee wished to avail itself of that option and that it decided to request the transcription of the statement of the Chairman of the Special Committee.

*It was so decided.*⁴

54. The CHAIRMAN said that, if he heard no objection, the list of speakers on the item under discussion would be closed at the end of the 892nd meeting.

It was so decided.

The meeting rose at 1.10 p.m.

⁴ The statement of the Chairman of the Special Committee was subsequently issued in full as document A/SPC/PV.890.

891st meeting

Tuesday, 20 November 1973, at 11 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.891

AGENDA ITEM 43

United Nations Relief and Works Agency for Palestine Refugees in the Near East (conclude)* (A/SPC/163, A/SPC/164, A/SPC/L.274, A/SPC/L.286, A/SPC/L.287/Rev.1, A/SPC/L.288, A/SPC/L.289):

- (a) Report of the Commissioner-General (A/9013);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9231);
- (c) Report of the United Nations Conciliation Commission for Palestine (A/9187);
- (d) Reports of the Secretary-General (A/9155, A/9156)

CONSIDERATION OF DRAFT RESOLUTIONS (concluded)

1. The CHAIRMAN said that the Committee had already engaged in considerable debate on the remaining draft resolutions before it (A/SPC/L.274, A/SPC/L.286 and A/SPC/L.287/Rev.1). He hoped that it would be possible to proceed to vote on them with as little delay as possible.

2. Mr. BAROODY (Saudi Arabia) introduced the revised draft resolution A/SPC/L.287/Rev.1. He said that changes had been made in an effort to accommodate some of the objections raised to the initial text. He had not mentioned any specific States in the third preambular paragraph, but reminded the Committee that the Arab countries assisted the Palestine refugees both directly and through the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). A number of delegations had indicated that

a reference to States that contributed directly would be welcome.

3. The fourth preambular paragraph had been made more specific by a reference to General Assembly resolution 2961 B (XXVII). The fifth preambular paragraph did not refer to any particular country in the Middle East and did not single out the Federal Republic of Germany as the earlier text had done. The expression of gratitude in paragraph 1 of the draft resolution was the least the General Assembly could do to thank contributors.

4. In producing the revised draft, he had done everything possible to accommodate the United States of America and other countries that had expressed misgivings. He stressed that the United States draft resolution and his draft resolution were not mutually exclusive.

5. Mr. SEN (India) withdrew the amendment contained in document A/SPC/L.289.

6. Mr. ARVESEN (Norway) said the main purpose of considering item 43 was to find a way to alleviate UNRWA's acute financial crisis by increased voluntary contributions. The problem of finding adequate financial resources was the common responsibility of all Member States; the appropriate decision would be the adoption of draft resolution A/SPC/L.274.

7. He understood that Saudi Arabia was concerned by the plight of the Palestine refugees. His delegation was also very concerned about the refugees, as the Norwegian contributions to UNRWA clearly showed. His delegation's sincere and honest assessment of draft resolution A/SPC/L.287/Rev.1 was that it might have a counterproductive effect and could even lead to a reduction in total contributions. That would be a most

* Resumed from the 889th meeting.

unfortunate result. He appealed to the representative of Saudi Arabia to withdraw his draft resolution, failing which he would ask for a separate vote on the third, fourth and fifth preambular paragraphs. Since the Saudi Arabian and United States draft resolutions were complementary, it might be possible to include the operative paragraphs of the Saudi Arabian draft resolution in the United States draft resolution.

8. Mr. BAROODY (Saudi Arabia) said he appreciated the fact that Norway might have certain difficulties with the third, fourth and fifth preambular paragraphs. He also appreciated that country's role in UNRWA, but asked the representative of Norway to consider that the countries of the Middle East might also feel it their duty to reflect their position on UNRWA, illogical as that might seem to a country outside the area.

9. In revising his draft resolution, he had divested it of any political implications and had taken into account a number of other objections. He had refrained from criticizing the United States draft resolution and had not gone into the reasons for contributions. He knew the way that the people of the Middle East thought; any further toning down of his draft resolution would be tantamount to betraying them. The draft resolution before the Committee was the least that his delegation could do for the people in the area. There was no justification for thinking that the draft resolution might lead to any reduction in voluntary contributions. Any countries wishing to make a contribution would do so.

10. He observed that there was a growing feeling among Arab youth against accepting charity and United States money for Palestine refugees. Young people in the Arab countries wanted to see the Palestinians reinstated in their own land. At the time of the Balfour Declaration, 93 per cent of the people of Palestine were non-Jews, and in 1945 non-Jewish Palestinians still accounted for more than two thirds of the population. The Arabs felt that the United Kingdom and the United States had created the refugee problem and that the United States of America was showing its generosity only after presenting the world with a fait accompli. He urged the representative of Norway to withdraw his request for a separate vote on three of the preambular paragraphs in the same spirit that had motivated the representative of India in withdrawing his amendment to the United States draft resolution.

11. Mr. SCHAUFLE (United States of America) said that the Norwegian representative's suggestion was acceptable to his delegation.

12. Mr. BAROODY (Saudi Arabia) pointed out that such grafting of a paragraph from his own draft resolution (A/SPC/L.287/Rev.1) on to the United States draft resolution (A/SPC/L.274) would in fact kill the former, which would lose all meaning if one of its paragraphs was removed. As he had already said, the two draft resolutions were not mutually exclusive, and he would prefer his own draft resolution to be put to the vote unchanged. He realized that it would in fact not affect States' policies concerning their contributions to UNRWA any more than the many appeals made by the United Nations that contributions to assist the Palestine refugees should be made through the Agency had affected the policies of the many States which preferred to give them direct. His draft resolution reflected the sentiments of the young people, and if the United States representative wished to adopt a single paragraph from

it, he would be obliged to ask for a postponement of the vote on both draft resolutions in order that he might redraft his own.

13. Mr. SCHAUFLE (United States of America) explained that he had indicated his delegation's willingness to accept the Norwegian representative's proposal but that that was only possible if the Saudi Arabian representative agreed. Since he did not, both draft resolutions would remain unchanged.

14. Mr. BAROODY (Saudi Arabia) expressed gratitude to the United States representative for respecting his point of view and appealed to the Norwegian representative not to press for a separate vote on the three preambular paragraphs, since that would affect the whole balance of the draft resolution. He would, of course, quite understand if the Norwegian representative then felt unable to vote in favour of the Saudi Arabian draft resolution.

15. Mr. ARVESEN (Norway) said that, although he appreciated the clarifications made by the Saudi Arabian representative, he regretted that he must insist on a separate vote on the three preambular paragraphs because that would afford his delegation the best opportunity to express its position on the draft resolution.

16. The CHAIRMAN said that in the absence of any objection, a separate vote would therefore be taken on the third, fourth and fifth preambular paragraphs of draft resolution A/SPC/L.287/Rev.1.

It was so decided.

17. The CHAIRMAN announced that the Committee would vote on the draft resolutions in the order of their submission and called for explanations of vote before the vote.

18. Mr. FOUM (United Republic of Tanzania) noted that throughout the deliberations on the agenda item under discussion, the overwhelming majority of delegations, including his own, had concentrated on the core of the question and that draft resolution A/SPC/L.274, and in particular paragraphs 1 and 3, had taken note of the factors relevant to the problem.

19. His delegation would vote in favour of draft resolution A/SPC/L.274 in order to reaffirm its belief in the inalienable rights of the Palestine people. Notwithstanding the United Nations decisions upholding those rights, the people of Palestine had been and were being denied the reacquisition and enjoyment of those rights by Israel. That fact was confirmed by the very act which required the Committee to vote on draft resolutions inviting all Governments to make generous contributions to the relief of the people of Palestine in order to enable them to exist on international charity in refugee camps. Although the relief effort was necessary, his delegation felt that it was more urgent to seek means to solve the fundamental problem. His delegation would have preferred paragraph 1 to refer to the "rights" rather than the "situation". Unfortunately, there had been no time for consultations with enough delegations to make it possible for an amendment noting that the rights of the refugees continued to be a matter of concern to be made to one of the Committee's more or less traditional resolutions. He hoped, however, that future resolutions would refer to the rights of the Palestinians.

20. Ironically, the sponsor of draft resolution A/SPC/L.274, the United States of America, had been

the major source of support for Israel and there had been recent reports in the mass media that the United States intended to continue supplying arms to Israel. Such acts were detrimental to efforts to achieve a lasting solution to the plight of the people of Palestine, to end the hostilities in the Middle East and to restore their natural and legitimate rights to the people of Palestine.

21. In lending its support to the draft resolution, his delegation sought to reaffirm its commitment to the rights of the Palestine people, and it hoped that its sponsor would emphatically express its reaffirmation and commitment to the reacquisition and enjoyment of the people of Palestine of their inalienable rights and their homeland.

22. Mr. DIAKITÉ (Mali) that his delegation would vote in favour of the draft resolution because it did not wish to oppose any action to assist the Palestine refugees. However, it had reservations on draft resolution A/SPC/L.274 because, although paragraph 1 noted with regret that repatriation or compensation of the refugees had not been affected, it made no reference to the reason for the persistence of their tragic situation, which was Israel's continued defiance of United Nations decisions.

23. The CHAIRMAN invited the Committee to vote on draft resolution A/SPC/L.274.

The draft resolution was adopted by 112 votes to none, with 1 abstention.

24. Mr. SAYEGH (Kuwait) said that his delegation had voted for the draft resolution because it was not the only one to be adopted by the Committee and the General Assembly on the item under discussion. However, he agreed with the representatives of the United Republic of Tanzania and Mali that it did not reflect the full concern of the Committee, the General Assembly and the United Nations as a whole regarding the question of the Palestine refugees and their inalienable rights which had been recognized by the United Nations over the years. He welcomed its three references to General Assembly resolution 194 (III) but, because of the identity of the sponsor of the draft resolution and that Government's known support of the very régime which had deprived the Palestinians of those rights and because of the ominous statements made by the representatives of that Government, he was afraid that the sponsor's interpretation of that resolution was not the same as his own. His delegation interpreted paragraph 11 of General Assembly resolution 194 (III) as recognizing the inalienable rights of the Palestine refugees to return to their homes and property because that resolution had been based on recommendations made by the United Nations Mediator on Palestine in his progress report¹ which had been dated the very day he had been assassinated by Jews. That report had referred in many places to the refugees' right to return home at the earliest possible date or to be adequately compensated should they choose not to return. It stated that that right should be affirmed by the United Nations, and the repatriation or compensation supervised by the United Nations Conciliation Commission. His delegation's understanding of General Assembly resolution 194 (III) was based on those considerations. That resolution made it clear that the choice between repatriation and compensation must be left to the refugees

themselves and not be taken by any other authority. The refugees must be allowed to return home if they chose—as a right and not under sufferance—and to live as free agents and not second-class citizens. In that connexion, his delegation had supported draft resolutions A/SPC/L.276/Rev.1 and A/SPC/L.277, particularly the final paragraph of the latter.

25. Paragraph 6 of the United States draft resolution (A/SPC/L.274) overlooked the fact that many States preferred to contribute aid directly to the refugees. For instance, the cost to the Government of Kuwait for education and health services provided to Palestinians in that country, who otherwise would have been a burden on the international community, was equal to two thirds of UNRWA's annual budget.

26. Mr. TALEB (Algeria) said that his delegation had voted in favour of draft resolution A/SPC/L.274 although it had reservations on certain parts of it, and especially paragraph 1, which made no reference to the primary responsibility of Israel for the plight of the refugees because of its refusal to implement the United Nations resolutions calling for their repatriation. It also failed to mention the Palestinian people's inalienable right to self-determination. He agreed with the representatives of the United Republic of Tanzania and Kuwait that only if the Palestinians regained their rights, could there be a just solution of the Middle East problem.

27. Mr. ZAHAWIE (Iraq) said that his delegation fully endorsed the statements made by the representatives of Kuwait, Algeria, the United Republic of Tanzania and Mali.

28. Mr. BAROODY (Saudi Arabia) also endorsed those statements.

29. Mr. SHERMAN (Liberia) said that his delegation had voted in favour of the draft resolution because it considered that everything possible should be done to alleviate the suffering of the refugees. He wished to be associated with the views of the previous speakers that every effort should be made to eradicate the fundamental causes of the Middle East problem.

30. Mr. BEAVOGUI (Guinea) said that his country had many times stated its opinion in the United Nations that the Organization bore the entire responsibility for the problems it had created. His country's Foreign Minister had said in the General Assembly on 2 October 1972 (2049th plenary meeting) that, since the refugees were victims of United Nations decisions, it would only be right for that Organization, under the guarantee of the permanent members of the Security Council, to ensure the resettlement and compensation of the Palestinian people, who had been arbitrarily driven from their native land.

31. His delegation had therefore voted in favour of draft resolution A/SPC/L.274, which was aimed at the temporary alleviation of the sufferings of the refugees through humanitarian measures. However, the essential responsibility of the United Nations to the Palestinian people was of a political nature. As it had expatriated the Palestinians due to its creation of Israel, its first duty was to restore to them their homeland. That legitimate demand was reiterated in all their statements and the representatives of the Palestine Arab delegation had recently emphasized once again that if they recovered their land and property, they would no longer

¹ Official Records of the General Assembly, Third Session, Supplement No. 11.

need other forms of assistance. In support of those claims, his delegation had decided to join the sponsors of draft resolutions A/SPC/L.276/Rev.1 and A/SPC/L.277.

32. The CHAIRMAN invited the Committee to vote on draft resolution A/SPC/L.286.

The draft resolution was adopted by 115 votes to none.

33. The CHAIRMAN invited the Committee to vote on draft resolution A/SPC/L.287/Rev.1.

At the request of the representative of Saudi Arabia, a recorded vote was taken on the third preambular paragraph.

In favour: Afghanistan, Algeria, Argentina, Bahrain, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Congo, Czechoslovakia, Dahomey, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, German Democratic Republic, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iraq, Jordan, Kuwait, Lesotho, Libyan Arab Republic, Mali, Mauritania, Mexico, Mongolia, Morocco, Niger, Nigeria, Oman, Pakistan, Poland, Qatar, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

Against: Belgium, Canada, Denmark, Finland, France, Germany (Federal Republic of), Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, Nicaragua, Norway, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Barbados, Bolivia, Brazil, Burma, Cameroon, Costa Rica, Dominican Republic, Ethiopia, Ghana, India, Indonesia, Iran, Ivory Coast, Jamaica, Kenya, Lebanon, Liberia, Madagascar, Malawi, Malaysia, Nepal, New Zealand, Paraguay, Peru, Philippines, Portugal, Singapore, Spain, Sri Lanka, Thailand, Togo, Trinidad and Tobago, Uruguay, Venezuela.

The third preambular paragraph of the draft resolution was adopted by 57 votes to 20, with 36 abstentions.

At the request of the representative of Saudi Arabia, a recorded vote was taken on the fourth preambular paragraph.

In favour: Afghanistan, Algeria, Bahrain, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, German Democratic Republic, Guatemala, Guinea, Honduras, Hungary, Iraq, Jordan, Kuwait, Lesotho, Libyan Arab Republic, Mauritania, Mexico, Mongolia, Morocco, Niger, Oman, Pakistan, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Yemen.

Against: Australia, Austria, Belgium, Bolivia, Canada, Costa Rica, Denmark, Finland, France, Germany (Federal Republic of), Greece, Iceland, Ireland, Israel, Italy, Japan, Liberia, Luxembourg, Nether-

lands, New Zealand, Nicaragua, Norway, Portugal, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Barbados, Brazil, Burma, Cameroon, Chad, Cyprus, Dahomey, Dominican Republic, Ethiopia, Ghana, Guyana, Haiti, India, Indonesia, Iran, Ivory Coast, Jamaica, Kenya, Madagascar, Malawi, Malaysia, Mali, Nepal, Nigeria, Paraguay, Peru, Philippines, Singapore, Spain, Sri Lanka, Thailand, Togo, Trinidad and Tobago, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

The fourth preambular paragraph of the draft resolution was adopted by 46 votes to 27, with 40 abstentions.

At the request of the representative of Saudi Arabia, a recorded vote was taken on the fifth preambular paragraph.

In favour: Bahrain, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Czechoslovakia, Ecuador, Egypt, Equatorial Guinea, German Democratic Republic, Guinea, Hungary, Kuwait, Liberia, Mauritania, Mongolia, Niger, Oman, Poland, Qatar, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Yemen.

Against: Australia, Austria, Belgium, Bolivia, Canada, Costa Rica, Denmark, Finland, France, Germany (Federal Republic of), Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Portugal, Sweden, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Afghanistan, Algeria, Argentina, Barbados, Botswana, Brazil, Burma, Cameroon, Chad, Cyprus, Dahomey, Democratic Yemen, Dominican Republic, Ethiopia, Ghana, Guatemala, Guyana, Haiti, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Kenya, Lesotho, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mexico, Morocco, Nepal, Nigeria, Pakistan, Paraguay, Peru, Philippines, Rwanda, Sierra Leone, Singapore, Spain, Sri Lanka, Thailand, Togo, Trinidad and Tobago, Uganda, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

The fifth preambular paragraph of the draft resolution was adopted by 29 votes to 27, with 54 abstentions.

At the request of the representative of Saudi Arabia, a recorded vote was taken on the draft resolution as a whole.

In favour: Afghanistan, Algeria, Argentina, Bahrain, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Congo, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, German Democratic Republic, Guatemala, Guinea, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Lesotho, Libyan Arab Republic, Madagascar, Malaysia, Mauritania, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist

Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zarnbia.

Against: Israel, Nicaragua, United States of America.

Abstaining: Australia, Austria, Barbados, Belgium, Bolivia, Brazil, Burma, Cameroon, Canada, Costa Rica, Denmark, Dominican Republic, Ethiopia, Finland, France, Germany (Federal Republic of), Ghana, Greece, Haiti, Iceland, Ireland, Italy, Ivory Coast, Japan, Kenya, Kuwait, Lebanon, Liberia, Luxembourg, Malawi, Mali, Netherlands, New Zealand, Norway, Paraguay, Peru, Portugal, Sweden, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Draft resolution A/SPC/L.287/Rev.1 as a whole was adopted by 67 votes to 3, with 43 abstentions.

34. The CHAIRMAN invited those members of the Committee who wished to speak in explanation of their vote to do so.

35. Mr. POPOV (Union of Soviet Socialist Republics) said that the position of the Soviet Union with regard to the Agency remained unchanged. His country had always sided with the Arab peoples who were the victims of Israeli aggression, and it favoured a just settlement to achieve the lawful rights of the Arab people of Palestine. In accordance with its principles, the Soviet Union provided considerable bilateral assistance to the Arab people of Palestine outside the framework of UNRWA. His delegation had voted for the draft resolutions because the Arab countries most deeply concerned had shown a very positive attitude to them. At the same time, his delegation's affirmative vote would in no way change its position regarding contributions to the Agency. It continued to think that they should be voluntary in nature.

36. Mr. SEIGNORET (Trinidad and Tobago) said that, as a member of the Working Group for the Financing of UNRWA, his delegation was ready to participate in the Working Group's future efforts on behalf of the Agency.

37. In the light of the widespread recognition that it was impossible to separate the political from the humanitarian aspects of the Middle East question, his delegation wished to make clear its position on the political elements of the draft resolutions which had been adopted. His delegation had voted in favour of all the resolutions. While recognizing that the situation in the Middle East had changed as a result of the recent hostilities in the area, his delegation remained convinced that the basic elements in Security Council resolution 242 (1967) remained valid. It supported withdrawal by Israel from the territories occupied since the June 1967 war; the termination of all claims or states of belligerency; respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area; and full respect for and realization of the inalienable rights of the people of Palestine.

38. His delegation considered that draft resolution A/SPC/L.277, and more specifically the final paragraph of that draft resolution, was not a call for the dismantling of the State of Israel. It regarded it as a call to the people of the area and to the United Nations to find, in accordance with the principles of the Charter, a way to

enable the Arab people of Palestine to fully enjoy their natural and inalienable rights. His delegation trusted that that was not beyond the capacity of the people of the region and of the United Nations.

39. Mr. SCHAUFEELE (United States of America) noted that the revised draft resolution submitted by the representative of Saudi Arabia in A/SPC/L.287/Rev.1 still singled out certain countries and regions. Paradoxically, it singled out those States and regions which had been most generous in contributing to UNRWA and without which the Agency would have been ineffective. Furthermore, many of those countries had been most active in trying to fill the gap in UNRWA funds. There was no acknowledgement, however, that half of the Agency's funds had been contributed by one country so singled out.

40. With regard to the third preambular paragraph, as much as his delegation deplored the failure of many States to contribute to the Agency, nevertheless, in the spirit of voluntary giving, they had every right not to do so. His delegation hoped, of course, that they would finally be prevailed upon to contribute generously.

41. If the aim of the resolution was to increase contributions to the Agency, his delegation failed to see the logic of singling out the particular countries and regions in question. In fact it was obliged to question the contention that all political factors had been removed from the revised draft and that it was not politically motivated.

42. The resolution would have serious repercussions on the question of voluntary contributions to organs and programmes of the United Nations. The exercise of financing programmes by voluntary contributions would become increasingly difficult if it was accompanied by exhortatory resolutions which explicitly or implicitly singled out the countries which should be primary contributors. Such resolutions would have an inhibiting effect, and the final outcome would not be the one hoped for by the sponsors. For those reasons, and since the objective of his country was to fund the vital operations of the Agency and not to let political factors interfere in its humanitarian work, his delegation had had to vote against the Saudi Arabian revised draft resolution.

43. Mr. BOOH (Cameroon) said that his delegation regretted that the Chairman's appeal to delegations to show a constructive spirit and to refrain from departing from the item under consideration had not been heeded by all and that some delegations had felt that they were best serving the interests of the Palestine people by indulging in outmoded rhetoric.

44. His delegation had voted in favour of all the draft resolutions submitted on agenda item 43, with the exception of that submitted by the representative of Saudi Arabia (A/SPC/L.287/Rev.1), on which it had abstained. His delegation's vote should be interpreted in the sense that the action advocated by the draft resolutions constituted expedients and temporary solutions which were of some use, but which left intact the reality of the Palestinian problem. The Palestinian people were the victims of a vast imperialist plot which had deprived them of their country and their inalienable rights. Such an injustice could not be remedied in terms of calories or dollars. In the view of his delegation, the United Nations should take positive action forthwith to put an

end to the suffering of the people of Palestine and to restore their dignity and their homeland.

45. In conclusion, despite its limited resources, his country, as in the past, had been gratified to make a modest contribution to the funds of the Agency.

46. The CHAIRMAN said that the Committee had concluded its consideration of agenda item 43 on the

United Nations Relief and Works Agency for Palestine Refugees in the Near East.

47. He noted that the annual pledging conference for UNRWA would be held on Friday, 30 November 1973.

The meeting rose at 12.50 p.m.

892nd meeting

Tuesday, 20 November 1973, at 3.35 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.892

AGENDA ITEM 45

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (continued)* (A/9148 and Add.1, A/9237, A/SPC/166)

GENERAL DEBATE (continued)

1. The CHAIRMAN drew the attention of the members of the Committee to the letter dated 25 October 1973 (A/SPC/166) which the representatives of Afghanistan, Indonesia, Pakistan and Saudi Arabia had sent to the Chairman of the Special Political Committee requesting that the Palestine Arab Delegation should be heard by the Committee when it was considering item 45. In that respect, he recalled the decision which the Committee had taken at the present session, at its 882nd meeting, concerning consideration of item 43, and he suggested that the Committee should follow the practice established at sessions since the twentieth session of the General Assembly and agree to the request for a hearing, without there being any implication that it recognized the delegation concerned. If he heard no objection, he would take it that the procedure he had suggested was acceptable to the members of the Committee.

It was so decided.

2. Mr. BARROMI (Israel) recalled the reservations which his delegation had always expressed with regard to the procedure in question, and in particular at the 882nd meeting, and he referred the members of the Committee to the statement which the representative of Israel had made on the subject during the preceding session (835th meeting, paras. 4-9).

3. Mr. SHARAF (Jordan) said that the problem of the rights of the people of the territories under Israeli occupation since June 1967 was closely related to the other aspects of Israeli violations of the rights of human beings whose very existence was an obstacle to Israel's territorial ambitions and ideological fanaticism. The Arabs living under Israeli occupation were the most recent victims of Israel's approach to the "Arab question". The survival and elementary welfare of the inhabitants of the occupied territories were urgent considerations, as was the capacity of the occupied areas to survive physical and demographic mutilation:

in fact, the physical and demographic integrity of the occupied areas was the central issue in safeguarding human rights in the region. However, he wished to reaffirm an essential principle, namely, that if the United Nations was to protect the population against the excesses of the occupying Power, its first duty was to put an end to the occupation.

4. The Holy City of Jerusalem was the first victim of the annexationist policy declared by Israel. Construction work was continuing on confiscated Arab land—more than 20,000 *dunams* so far—and on the ruins of Arab villages; the new quarters would comprise 35,000 housing units capable of accommodating 122,000 new Jewish residents, i.e. almost double the present Arab population of Jerusalem; all kinds of pressure were used in order systematically to displace the Arabs of Jerusalem; the Israelis had taken over the Arab-owned hills surrounding the city, thus cutting off the Arab population of Jerusalem from their compatriots in the other parts of the West Bank of the Jordan, and the limits of Jerusalem had been expanded. Those radical changes in the physical and demographic composition of the Holy City were designed to achieve the gradual obliteration of its Arab identity. As for cultural matters, the Arab educational institutions—30 government schools and 14 private schools—had been placed under Israeli control since the annexation of the Arab part of Jerusalem. Israel had also attacked religious institutions, damaging property, demolishing numerous buildings, especially in the historic quarter of Hai Al-Magharihab, as well as mosques and venerated shrines. Excavations had been undertaken in a spirit of vengeance and provocation in and around Al Aqsa Mosque, damaging one of its interior walls and putting it in danger of collapse. Furthermore, lands belonging to the Greek Orthodox Church had been expropriated. For months the Arab inhabitants of Jerusalem had been protesting vehemently against the measures announced by Israel for the incorporation of the Islamic religious courts in Jerusalem into the Israeli legal structure. The Moslems and Christians of Jerusalem were united in their suffering and they protested against the creeping Judaization of their institutions. The measures taken by the occupying Power with respect to the Ibrahimi Mosque in Hebron were designed to transform that Islamic shrine into a synagogue by gradually obliterating its Islamic character and excluding Moslems from worshipping in it. He emphasized that Jerusalem needed vigor-

* Resumed from the 890th meeting.

ous and urgent help if it was not to undergo an ugly and forcible metamorphosis.

5. In fact, all the occupied areas were in danger of losing their national character. To bring that about, the occupying Power had so far established more than 50 settlements and was using various means to annex the surrounding areas. In Aqraba land had been seized and annexed to Nahal Gittit, Bakut and other settlements. In Gaza, Israeli villages had been built in agricultural areas from which the population had been forcibly removed by the Israeli army; in Rafah, around Jerusalem, in Hebron and in the Jordan Valley the authorities were declaring certain areas "closed", ostensibly for military purposes, in order to establish Israeli settlements in them.

6. By establishing agricultural-industrial-military settlements Israel was systematically transforming the physical and demographic character of the occupied territories; it was a process of national replacement much more fearful than the traditional violations of human rights committed under conventional occupations and it evoked memories of pre-1948 Palestine when a similar invasion had culminated in the collective expulsion of the people of Palestine. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Occupied Territories had certainly placed a clear emphasis on the central issue of the physical and demographic integrity of the occupied areas. Peace could be founded only on the integrity of the West Bank, including the Arab part of Jerusalem, Gaza and the Golan Heights, on the complete liberation of the occupied territories and on the fundamental right of the inhabitants to an individual and collective existence.

7. His delegation denounced the cynicism of the Israeli argument that the occupation and usurpation of the territories could be justified by the alleged economic benefits they brought to the people suffering under foreign occupation. Furthermore that argument was not supported by the facts. He questioned how it was possible to isolate the economic measures taken by Israel in the occupied territories from its over-all policy of annexation, establishment of Israeli settlements, transfer of population and confiscation of agricultural land. The purpose of Israeli policy with regard to the occupied areas was to integrate them systematically into the Israeli economy and to derive the largest possible economic gain from the occupation. Israel was absorbing and exploiting the healthy and prosperous economy of the territories, creating links of dependency between them and Israel: Israeli exports to the West Bank had been five times greater than its imports; industrial and agricultural activity in the occupied territories was directed to meeting the needs of the Israeli economy and no industrial or agricultural product which might compete with Israeli products was allowed to exist; by means of subsidies and tax exemptions the Government was actively encouraging Israeli businessmen and industrialists to invest in the occupied territories. Indeed, as reported in *The Jerusalem Post* of 8 September 1972, the settlements established in the occupied territories had already begun to make a significant contribution to Israel's food production. The Special Committee had stated that it was a policy and a situation which conformed to the classic pattern of colonial economic domination and exploitation.

8. He reminded the Committee that more than half a million Arabs had been forced to flee from the area of hostilities in 1967 and that East Jordan had received some 400,000 displaced persons. Despite repeated appeals by the Security Council and the General Assembly, only 18,188 persons had been able to go back to the West Bank and more than 45,000 people from Gaza were still living in temporary shelters in East Jordan. During the preceding year, the International Committee of the Red Cross had reported on the systematic and massive dispersion of the inhabitants of Gaza, whose dwellings had been bulldozed and whose area of residence had been progressively integrated into Israel. The position was the same in the other territories. Immediately after June 1967, entire villages had been razed to the ground and many houses had been destroyed in Jerusalem on grounds of "security" or the "beautification" of the city. The methods currently employed were more subtle: the Israeli authorities induced the inhabitants to emigrate by issuing them with exit permits, under threats, without an authorization for re-entry, and systematically harassing them in order to force them to leave.

9. The result had been a radical dislocation of the natural demographic conditions in the areas. It was clear that human rights were being violated and, what was worse, that the national identity and the natural historic character of the region and of the people who had inhabited it for centuries were being threatened. The process of economic, physical, political and human absorption of the territories occupied by Israel had to be arrested. Thereafter, termination of the occupation would be the best guarantee of the advancement of human rights and peace.

10. Mr. MOUSSA (Egypt), speaking in exercise of the right of reply, reminded the Committee that the Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories when introducing the Special Committee's report at the 890th meeting, had stressed the fact that the fourth Geneva Convention relative to the Protection of Civilian Persons in the Time of War, of 12 August 1949¹, contrary to the assertions of the Israeli representative, applied to all the protagonists in the situation in the Middle East, which was in fact the first situation which had come under the terms of the fourth Geneva Convention since its adoption. The Israeli representative had inquired why the United Nations had not invoked that Convention in connexion with other situations and he had suggested that it had been a case of allowing the Arab countries to make use, for propaganda purposes, of a machinery established by the United Nations.

11. In point of fact, the occupation of Arab territories by Israel had been the first example since the Second World War of invasion and subsequent occupation of the territory of one State by the armed forces of another State. The application of the fourth Geneva Convention therefore marked a basic advance in international relations. It might be inquired whether the Israeli authorities had familiarized themselves with the fourth Geneva Convention since they declared that it did not apply to the situation in the Middle East but carefully refrained from explaining why it did not.

¹ United Nations, *Treaty Series*, vol. 75, 1950, No. 973.

12. The first paragraph of article 49 of the Convention expressly forbade the deportation of populations from occupied territories. The final paragraph of the article forbade the occupying Power to transfer its own civilian population into the territories it occupied. Article 53 forbade any destruction of public or private property in occupied territories. But Israel was committing all those acts. The truth was that the Zionist régime was bent on transforming the physical and human geography of the territories it was occupying. Article 2 of the Convention stipulated that it would apply to all cases of armed conflict which might arise between contracting parties, as well as to all cases where a contracting party had occupied the territory of another contracting party. He asked whether that was not the case in the Middle East.

13. Israel preferred to defy the international community rather than to apply the rules the latter had enunciated. Such an attitude was consistent with the boundless arrogance which characterized Israel or, rather, which had characterized it until the recent conflict when it had had to pay dearly for that attitude.

14. Although the Israeli Government refused to admit that the situation in the Middle East came under the fourth Geneva Convention, it was the first to demand observance of the third Geneva Convention relative to

the Treatment of Prisoners of War, of 12 August 1949, which was in its interest. But the four Conventions were indissolubly linked. It was not possible to be selective in the observance of international law. All United Nations bodies had confirmed the applicability of the fourth Geneva Convention, and the Egyptian Government could not accept the *de facto* situation established by the occupying Power.

15. The Israeli representative had described the accusations made against his country in the Special Committee's report as false and despicable. But whether it was the installation of Israeli settlers in the occupied territories, the length of time persons arrested by the Israeli authorities were kept in preventive detention, or other facts reported by the Special Committee, the Israeli representative had confirmed them all in his statement.

16. Mr. EL-FATTAL (Syrian Arab Republic) said that he was waiting for the Israeli representative's reply to the specific question put to him by the Egyptian representative as to the reasons why his country did not observe the fourth Geneva Convention.

17. The CHAIRMAN reminded the Committee of the decision taken at its 890th meeting and closed the list of speakers on the item under consideration.

The meeting rose at 4.20 p.m.

893rd meeting

Wednesday, 21 November 1973, at 10.55 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.893

AGENDA ITEM 45

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (continued) (A/9148 and Add.1, A/9237, A/SPC/166)

GENERAL DEBATE (continued)

1. Mr. HADDAD (Lebanon) said that the principles of law proclaimed in the fourth Geneva Convention relative to the Protection of Civilian Persons in the Time of War of 12 August 1949, the Hague Conventions of 1899 and 1907 and the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954, required a Power occupying a foreign territory to observe a code of conduct, discipline and ethics; they had been brought to the attention of Israel in a series of recommendations and resolutions of United Nations organs. The fourth Geneva Convention was based on the premise that occupation was a temporary, *de facto* situation and gave no right whatsoever to dispose of occupied territory and, accordingly it prohibited the appropriation, annexation or acquisition of occupied territory and any physical transformations which would change its physical, moral and cultural infrastructure.

2. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of

Occupied Territories was to be commended on its report (A/9148 and Add.1), which had been prepared in particularly difficult circumstances owing to the Israeli authorities' refusal to co-operate by allowing the Special Committee to carry out first-hand investigations. Israeli practices and intentions were, in any case, no longer a secret, since the Israeli leaders themselves had disclosed their deliberate policy of establishing settlements in the occupied territories. Other statements had clearly indicated that the policy of annexation was being implemented systematically and openly and new immigrants were reinforcing the settlers already established in a number of occupied regions.

3. The exploitation of the resources of the occupied territories was a further instance of the abuse of rights by Israel. In its report the Special Committee expressed the view that such a policy, if given free rein, would reduce the economy of occupied territories to a position of almost entire dependence on the economy of the occupying Power. The exploitation of the Sinai oil deposits was entirely illegal: under international law, the rights of the occupying Power were those of a usufructuary and extended only to those resources that might be characterized as being renewable.

4. The fate of Jerusalem was an issue of great importance for Lebanon whose Christian and Moslem communities had for centuries maintained effective spiritual links with the Holy City. The policy of the

Israeli Government to "Judaize" the Arab sectors, in which the Holy Places were situated, was a source of deep concern to his country. The Security Council and the General Assembly had adopted resolutions calling on Israel not to change the status and character of the old city, but Israel had persisted in its policy. A similar policy was being pursued elsewhere in the territories, as Israel's recent measures with regard to the Ibrahimi Mosque in Hebron indicated. Jerusalem was a city of peace for all, and any disfigurement of its Holy Places was a sacrilege. The prerequisite for Israel's admission to the region was respect for its holy places and religious traditions.

5. Paradoxically enough, the salvation of Israel depended on its relations with its own victims. By abandoning its policy of humiliation, intimidation and spoliation, and by respecting the rules of international law, Israel could open the door to the possibility of a lasting settlement of the Middle East question.

6. Mr. LECLERQ (France) said that his delegation's position concerning the question of the Arab territories occupied by Israel since 1967 was well known. It was based, first of all, on the provisions of Security Council resolution 242 (1967), according to which those territories should be restored by the occupying Power and was confirmed by the Joint Declaration of the nine members of the European Economic Community on 6 November 1973 (A/9288) on the inadmissibility of the acquisition of territory by force and the need for Israel to put an end to the territorial occupation which had continued since the 1967 hostilities.

7. His delegation had voted in favour of General Assembly resolution 3005 (XXVII) which had reaffirmed that the changes made by Israel in the occupied territories, in contravention of the fourth Geneva Convention were null and void and called upon Israel to rescind forthwith and desist from all policies and practices which changed the geographic or demographic character of the occupied Arab territories. France had also undertaken not to recognize such changes and measures taken by Israel and to take no action which might constitute recognition of the occupation.

8. With regard to Jerusalem, where the Israeli authorities had implemented a policy aimed at incorporating the Arab city under a single unified administration, his delegation had consistently denounced the violation of Security Council resolutions condemning such measures. Moreover, it shared the deep concern of the representatives of countries whose territory was occupied, with respect to the establishment of Israeli settlements in those territories. The implementation and expansion of such a policy were clearly contrary to the obligations imposed upon an occupying Power by international law.

9. With regard to the humanitarian aspects, his delegation had stressed on many occasions that, until a just and durable peace was established on the basis of the implementation of Security Council resolution 242 (1967), the Geneva Conventions must be applied scrupulously. For that reason, any assessment of the facts should be based on sources of information which were irreproachable. The competence and qualifications of certain organs were unanimously recognized; some of them, like the International Committee of the Red Cross, had long experiences of situations of that kind and others, like the United Nations Relief and

Works Agency for Palestine Refugees in the Near East (UNRWA), had first-hand daily knowledge of the fate of the refugees in the occupied territories. The reports of those organs indicated the regrettable and, in some cases, illegal nature of some of the activities of the Israeli authorities.

10. His delegation, however, continued to have serious reservations regarding the Special Committee, which had been set up under General Assembly resolution 2443 (XXIII), at a time when the Security Council had already entrusted to a special representative of the Secretary-General a mission similar to that of the Special Committee. Since the Special Committee itself had acknowledged that it faced obstacles outside its control in carrying out its work, the same credence could not be attached to its conclusions as to those of the organizations which he had named. Moreover, the wisdom of increasing the number of investigating missions was doubtful. In so far as not all were equally qualified and objective, an increase in their number might be harmful to the very cause they were intended to serve.

11. His delegation would be guided in voting on the draft resolution, by that consideration and by its desire to find the most appropriate means of assuring respect for the rights for the populations of the occupied territories.

At the invitation of the Chairman, Mr. Issa Nakleh (Palestine Arab Delegation) took a place at the Committee table.

12. Mr. NAKHLEH¹ (Palestine Arab Delegation) expressed the gratitude of the Palestine people to the Chairman, members and Secretary of the Special Committee.

13. The report of the Special Committee (A/9148 and Add.1) admirably summarized the principles of international law regarding military occupation and the rights of the population in the occupied territories. It reproduced the relevant provisions of the fourth Geneva Convention, the Hague Conventions and other international conventions on those subjects. However, his delegation hoped that the Special Committee would include in its future reports the Charter of the International Military Tribunal, Nürnberg, and the General Assembly resolutions approving the principles thereof, the principles of international law relating to war crimes, crimes against humanity and the crime of genocide, because the acts described in the report of the Special Committee were not "practices" but war crimes, crimes against humanity and the crime of genocide.

14. The Special Committee had earned the respect and admiration of the overwhelming majority of Members of the General Assembly. In his statement at the 890th meeting, the representative of Israel had made an unjustifiable and irresponsible attack on the Chairman and members of the Special Committee. That attack was not directed against them alone, but against the 60 members of the Special Political Committee who, in voting in favour of resolution 3005 (XXVII) in December 1972, had commended the Special Committee for its efforts in performing the tasks assigned to it.

¹ Mr. Nakhleh took the floor in accordance with the decisions taken by the Committee at its 892nd meeting to authorize members of the Palestine Arab Delegation to address the Committee without such authorization implying recognition of that organization.

15. In his statement, the representative of Israel had attacked the report on the grounds that the Special Committee had been created by a one-sided resolution, that the members of the Committee lacked objectivity and that its findings were fabrications. With regard to the one-sided nature of the resolution which had created the Special Committee, it was sufficient to state that the resolutions of the General Assembly and the Security Council were all directed towards the protection of the rights of the civilian population in the areas occupied after the war of 1967. They did not deal with or take account of false allegations regarding the treatment of Jews in certain Arab countries.

16. The arguments of the Israeli representative regarding the objectivity of members of the Special Committee were unfounded. The three members were well-known in the United Nations for their high standing, intellectual integrity and humanity. The mere fact that defamatory statements were made against them by the Israeli representative was a certificate of their integrity. The Israeli representative was a Khazar Jew, born in Russia, an illegal immigrant and an invader, an international adventurer who had changed his nationality and loyalty without a qualm, and was well known to the members of the Special Political Committee for his lies and fabrications. It was an affront to the United Nations, its Charter and the Universal Declaration of Human Rights to permit him to justify war crimes, crimes against humanity and the crime of genocide.

17. That representative wanted the Special Political Committee to accept his lies and fabrications instead of the well-documented evidence in the report, some of which—the establishment of 42 Jewish settlements in the occupied area—he had acknowledged to be true. He had discredited the evidence of Dr. Israel Shahak, stating that he was known for his strange and unbalanced views. Dr. Shahak, a senior lecturer in organic chemistry at the Hebrew University of Jerusalem, was a distinguished humanitarian intellectual. Like many other intellectual humanitarian Jews, he had risked his life in defence of the truth and humanitarian principles, and was being persecuted by the racist régime of international Zionist gangsters and war criminals. Instead of feeling shame and guilt for the acts committed against the Christian and Moslem population of the occupied Arab areas, the representative of Israel had maligned Dr. Shahak, the members of the Special Committee and the members of the Special Political Committee, who spoke the truth and defended justice and the human rights of that population. That was typical of the Zionist arrogance and audacity.

18. The other arguments of the Israeli representative were a reiteration of views previously submitted to and rejected by the Special Political Committee, and his delegation did not feel that it was necessary to dignify them with a reply.

19. The evidence submitted by the Special Committee in its report should be considered as a supplement to its other reports; it contained substantiated evidence of war crimes, crimes against humanity and the crime of genocide committed by the Zionist invaders. The current report proved beyond doubt that they had usurped Arab land in the occupied areas and established Jewish settlements therein, built complexes of apartment houses for Jewish settlers in urban areas, ill-treated detainees by using the most inhuman measures of tor-

ture, exploited the resources of the occupied territories and violated the religious rights of the population in the occupied territories.

20. The Special Committee had found conclusive evidence that the Government of Israel was following a policy of establishing settlements in the occupied territories. Mr. Doron lacked the intellectual integrity to give the correct number of settlements: according to a report in *The Jerusalem Post Weekly* of 5 September 1972, the number was 47 and not 42. Mr. Doron had likewise failed to tell the Committee that his counterfeit Government had recently approved a four-year plan to annex all the occupied areas and to establish another 35 settlements there; he could hardly claim that he did not know about the plan. That was the kind of fraud the Zionist representatives constantly practised in United Nations bodies. Israeli press sources had recently carried reports of statements by Moshe Dayan emphasizing the need to accelerate the rate of establishing settlements in the occupied territories and claiming that Israel had always intended to have the Arab territories it currently occupied and had accepted the principle of partition only as an expedient. Another prominent Government figure, Yigal Allon, had told American reporters that the national mood in Israel's twenty-fifth anniversary year was to keep the land but not the Arabs. No stronger proof was needed of the criminal Zionist conspiracy against the Palestinians and the neighbouring Arab peoples; no stronger evidence could be submitted to prove that the Zionist invaders were guilty of the crime of genocide, of war crimes and of crimes against humanity.

21. In its report, the Special Committee had dealt very briefly with the ill-treatment of detainees and the inhuman methods of torture practised by the Zionist authorities. The evidence submitted should be taken in conjunction with that submitted in previous reports by the Special Committee. He drew the Committee's attention to passages from the document² which contained important testimony by Dr. Israel Shahak, Chairman of the Israeli League for Human and Civil Rights. That testimony described shocking and inhuman crimes that exceeded the most barbaric methods used by the Nazi war criminals in Europe. The Zionist representatives should be ashamed to mention Nazi crimes against the Jews. They had excelled their persecutors in their barbaric methods of torture and inhuman treatment. The Special Committee had concluded that the occupation was causing undue interference in the economic life of the occupied territories and that the situation could in the long run prove irreversible and, therefore, prove detrimental to the economic future of those territories. It had also found evidence that the occupying power was exploiting both the labour resources and the natural resources of the territories. Chapter IV of the report summarized admirably the evidence considered by the Special Committee.

22. The Jewish authorities had violated five General Assembly resolutions and three Security Council resolutions calling upon them to rescind all measures taken since 1967 to change the status of the Holy City of Jerusalem. They had violated Moslem and Christian religious rites, and desecrated Moslem and Christian holy places. During the first three months of 1973, the Jewish authorities had ordered the owners of 100

² Document A/AC.145/RT.58.

houses and the owners and occupants of 100 businesses in the Sisleh Gate area to leave within 30 days. Those who did not leave had been forcibly evicted and the Jewish war criminals had destroyed their homes and businesses. Rumours were spreading in Jerusalem that the Jewish authorities were planning to do the same elsewhere in the city, thereby displacing and making refugees of another 200 Arab families. The criminal plan of Golda Meir and her cohorts was to isolate the area of Haram Alsharif and Al Aqsa Mosque from all Moslem neighbourhoods as a prelude to destroying it and building a Jewish temple on its holy site. The mosque had been endangered by excavations by the Jewish authorities; one of its walls had collapsed as the result of arson committed in 1969 and of the excavations.

23. The Jewish authorities had forbidden the Moslem Sharia Court in Jerusalem, the highest Moslem religious court in Palestine, from exercising its jurisdiction. Moslems had been directed to transfer their cases to the Moslem court in Jaffa. That illegal measure had been taken in revenge against Moslem religious leaders in Jerusalem who had protested against the desecration of Al Aqsa Mosque and the violation of Moslem rites in Hebron. In order to evict more Arabs from Jerusalem, the Jewish authorities had forcibly closed several Arab health and social service departments and had moved some of them out of the city. They had also forced the Arab Medical Union and the Arab Labour Union to move their offices from Jerusalem and had ordered the remaining 21 Arab social and religious organizations in Jerusalem to move their offices to Ramallah, failing which they would be evicted by force.

24. Besides the crimes committed against the Arab residents of Jerusalem, the Jewish authorities had intensified their usurpation of Arab lands around the Holy City. They had built hundreds of apartment houses in the outskirts of Jerusalem for Jewish immigrants from all over the world. According to a report in the *New York Post* of 7 September 1973, the Israeli Government planned to increase the Jewish population of the city by 51,000 by 1977; about 27 per cent of the new residents were to be immigrants, mainly from the Soviet Union.

25. Criminal aggression by the Jewish authorities against the Holy Mosque in Hebron had been intensified during 1973. The Jewish authorities had violated Moslem rites by restricting Moslems to praying in the Mosque on Fridays only. Jewish tourists had desecrated the Holy Mosque and often embarrassed and ridiculed Moslems at prayer. In violation of Moslem rights, Jews had encroached on the Mosque and were using part of it for Jewish prayers. Despite protest by the Moslems, hundreds of benches had been placed in the Mosque, part of which had been converted into a Jewish synagogue—a first step towards converting the entire Mosque into a Jewish temple. The Jews had built a small town on the outskirts of Hebron with the object of converting the whole area into a Jewish town.

26. Jewish hooligans committed daily acts of vandalism and desecration of Christian Holy places. Christians were persecuted and Christian authorities subjected to all kinds of indignities. He had been asked by the Grand Mufti of Palestine to transmit a fervent appeal through the Committee to all the Moslems and Christians of the world, respectfully urging them to express their solidarity with the Moslems and Christ-

ians of Jerusalem and with the Moslem and Christian Palestine people. The Grand Mufti appealed for concern about the safety of holy places and for condemnation of the war crimes and crimes against humanity committed by the Jewish authorities against the Moslem and Christian people of the Holy Land. He appealed to the Christians of Europe and the Americas to stop assisting the Zionist war criminals against the people of Palestine and the neighbouring States.

27. The reports submitted by the Special Committee had identified the following war crimes and crimes against humanity committed by the Zionist invaders against the civilian populations of the occupied territories: collective and area punishment, deportation and expulsion, ill-treatment of prisoners and detainees, ill-treatment of civilians, destruction and demolition of houses and buildings, confiscation and expropriation of property, looting and pillage, annexation and settlement of parts of the occupied territories, denial of the right of the Palestinians to return, exploitation of the resources of the occupied territories, and violation of the religious rites of the population in the occupied territories. Article 6 of the 1945 Charter of the International Military Tribunal defined war crimes and crimes against humanity, and the General Assembly, in resolution 95 (I), had affirmed the principles of international law recognized by that Charter and the judgement of the Tribunal. The courts that had tried war criminals in Europe had sentenced many war criminals for crimes less serious than those committed by the Zionist invaders in the occupied Arab territories. Those criminal acts, committed in Europe, had been held to be war crimes, crimes against humanity, and genocide; when the same criminal acts were committed by Jews against Palestinians, Syrians and Egyptians, the United Nations called them "Israeli practices". That was indicative of a shameful double standard. United Nations resolutions should refer to those crimes as war crimes and crimes against humanity. It seemed that the international community did not consider the Palestinians to be human beings and that the Palestinians had no rights.

28. The Special Committee was fully justified in calling upon the United Nations in its report to discharge its responsibility for ensuring universal respect for, and adherence to, international law and to take prompt and effective measures to restore to the population of the occupied territories their rights and to deter Israel from consolidating the occupation and annexing the occupied territories. The United Nations had done little to fulfil its obligations under Articles 1, 55 and 56 of the Charter to protect and promote respect for the human rights and fundamental freedoms of the civilian population of the occupied Arab areas. If the United Nations would not take effective measures to protect the civilian population in the occupied areas and save them from the war crimes, crimes against humanity and the crime of genocide committed daily against them by the Zionist invaders, it would be more honourable for it to renounce any involvement in the Middle East problem.

29. The 10 votes cast against the resolution on the item under discussion adopted by the Special Political Committee at the preceding session included those of Canada and the United States. It was difficult to understand how Canada, a peace-loving and democratic nation, could vote in four of the crimes committed by Israel and thus encourage the Zionist invaders to commit further such crimes against the Arab people. The

United States had voted against the resolution because its Congress and administration were subservient to the counterfeit State of Israel. The new United States Secretary of State had recently visited Arab capitals to impress Arab leaders with his sincerity regarding peace and justice. It would be interesting to see whether his country would vote for justice, for the protection of human rights and fundamental freedoms of the civilian population of the occupied territories or for war crimes, crimes against humanity and crimes of genocide. Although many Arab leaders seemed to have been impressed with the Secretary of State's sincerity, the Palestinians remembered that he had been since 1968 the architect of the one-sided United States policy in support of the Zionist invaders and that he was largely responsible for introducing Zionist arguments into the thinking of United States policy-makers. His efforts, within or outside the United Nations would therefore serve only the Zionist invaders, at the expense of the inalienable rights of the Palestinians, to the humiliation of many Arab countries.

30. The Palestine Arabs had also been dismayed to find that all the Western European countries had abstained on the resolution—an indifference to Zionist crimes tantamount to telling the invaders that they could do as they wished in the occupied areas. He hoped that the representatives of those countries would examine their consciences and, at the current session, condemn those crimes against the Arab peoples. Reservations about the creation of the Special Committee or its terms of reference did not justify indifference to events in the occupied Arab areas about which all Governments were fully informed. When he had visited the Foreign Ministries of several European countries in 1966 to explain the justice of the Arab cause, he had often been told that the people of Europe could not forget the sight of the Jews being arrested by Nazi invaders. The crimes committed by the Nazis against the Jews were dark pages of Europe's history but they belonged to the past. The supposed remnants of the Jews of Europe were committing the same crimes against the Arabs in 1973. There was no justification for double standards of justice and morality, and every vote cast against any resolution condemning those crimes would make the voters accessories to them.

31. The Palestine Arab Delegation was grateful to the 60 nations of Asia, Africa, Europe and Latin America which had condemned those violations of the human rights of the Arab peoples at the preceding session and implored them, at the current session, to bring home to the Zionist war criminals their complete isolation from the civilized world. It would be useless to adopt a

resolution on the same lines as that adopted at the preceding session unless the United Nations was willing to take effective measures to deter the Zionist invaders from continuing their crimes and the illegal occupation of Arab lands. His delegation therefore urged the General Assembly, first, to condemn the illegal, racist, Zionist régime, known as the counterfeit State of Israel for war crimes, crimes against humanity and the crime of genocide and to expel it from the United Nations; secondly, to call upon all Members of the United Nations to sever diplomatic relations with the said counterfeit State; thirdly, to call upon all States Members of the United Nations, and particularly upon the United States of America, to stop all military, economic, financial and political aid to that State; fourthly, having recognized the right to self-determination of the Palestinians, to take appropriate measures to assist the indigenous people of Palestine to establish a democratic State and restore Palestine as the Holy Land of peace for all faiths.

32. Mr. EL-FATTAL (Syrian Arab Republic) reminded the Committee that at the previous meeting, the Egyptian representative had quoted a passage from the Israeli representative's recent statement to the effect that his Government considered that the fourth Geneva Convention did not apply in the occupied territories, and has asked the Israeli representative to explain the reasons for that view. There was no provision in that Convention which gave the occupying Power the right to say that it was not applicable in certain cases. He, too, would welcome a straightforward answer from the Israeli representative as to whether his Government was denouncing a Convention it had signed and ratified.

33. He was also curious about the legal reasons on which Israel's decision not to apply the Convention was based. A practical reason might be the plan reported in *The Jerusalem Post* on 13 November 1973 to double the population of the Golan Heights by establishing a regional centre and four new settlements; the plan was to be discussed by the Israeli Ministerial Committee for Settlement in the Administered Territories. The news item also reported that the Committee was to discuss the problem of water supplies for existing settlements on the Golan Heights and ways of preventing any future evacuation of the civilian population.

34. The Israeli representative had also stated that the reasons for not applying the Geneva Convention to the occupied territories had been officially explained to those competent in the matter. He asked who those persons were.

The meeting rose at 12.35 p.m.

894th meeting

Thursday, 22 November 1973, at 10.50 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.894

AGENDA ITEM 45

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (*continued*) (A/9148 and Add.1, A/9237, A/SPC/166, A/SPC/L.290, A/SPC/L.291)

GENERAL DEBATE (*continued*)

1. Mr. ZÁDOR (Hungary) said that occupation by force of territories belonging to other States was regarded as a continuing act of aggression by international law. Since it was also an absolute denial of all the human rights of the peoples of the occupied lands, it was obvious that only the end of foreign occupation could enable the citizens of the three Arab countries concerned to enjoy those rights. The situation was made even more difficult when the occupying Power continued not only to violate the provisions of international law regarding such occupation but also to disregard the relevant international instruments, such as the fourth Geneva Convention relative to the Protection of Civilian Persons in the Time of War, of 12 August 1949 and the Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land.
2. Although the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories had been severely handicapped in discharging its duties under the relevant General Assembly resolutions by being systematically refused admission to the occupied territories, it had been slanderously accused by Israel of not giving the General Assembly a true picture of the situation there. The three Member States concerned needed no defence against a State with the record of Israel. The Charter of the United Nations demanded no impartiality between aggressor and victim. For example, the Nürnberg International Military Tribunal was certainly not impartial with regard to Nazi crimes against humanity.
3. The Israeli representative had said at the 890th meeting in his statement that in his Government's view the fourth Geneva Convention did not apply in the present case for a number of legal reasons. Since he had not stated what those reasons were, it must be deduced that the Convention was not applicable when it would imply obligations for Israel as one of its signatories. However, the Israeli representative had said that, notwithstanding that reservation, Israel continued to take the provisions of the Convention as its standard. Yet, it had not refuted the statement in General Assembly resolution 3005 (XXVII) that the establishment of Israeli settlements in the occupied territories and the moving into those territories of an alien population were contrary to the fourth Geneva Convention. He had only explained that there were not many such settlements. Surely he could not seriously argue that violations of international instruments were to be judged in quantitative terms.
4. Nowhere in his statement did he refer to the expulsion of the inhabitants of the occupied Arab lands but merely to the alleged defence needs of Israel, an absolutely irrelevant argument. As Europe well remembered, all aggressors justified violations of international instruments by referring to their defence interests.
5. A curious blindness apparently prevented Israel from distinguishing between what belonged to it and what did not. The Israeli representative's statement, not substantiated in the Special Committee's report (A/9148 and Add.1), that pre-trial detention was considerably longer in many other countries than in the occupied territories seemed to indicate that he felt that those who fought to liberate their homelands from the foreign yoke were committing crimes. Israel had no legal title to those lands and if the security and defence needs of anyone should be considered, it was those of Egypt, Syria and Jordan rather than those of Israel, which had occupied territories six times larger than its own country.
6. The Israeli statement did not mention the annexation of territories, which was prohibited by the relevant international instruments, but made references to Judea and Samaria in an attempt to provide a historic title to foreign lands on the strength of spurious biblical claims. His delegation wondered what would be the fate of many international boundaries if claims arising from ancient history were to be pressed everywhere.
7. Those few examples showed that Israel's self-set standards were not honoured when territorial changes were made in violation of the relevant conventions or with regard to the illegal expropriation of Arab lands. The Special Committee's report also gave a detailed picture of the exploitation of the natural and human resources of the occupied Arab lands, but the Israeli representative had passed over in silence everything relevant to the pervasive racism of Israel's occupation policies, which were inseparable from the racist character of its society as a whole.
8. The current efforts aimed at ensuring the implementation of Security Council resolutions 242 (1967) and 338 (1973) must lead to an early termination of Israeli occupation of Arab lands, which was a basic negation of the right of self-determination. Israel, as a signatory of the relevant international instruments, must respect all their provisions, and Members of the United Nations must demand that practices which violated the human rights of the population of the occupied territories should be halted forthwith. Until that was done, the General Assembly must continue to keep a watchful eye on all illegal Israeli practices and reaffirm the relevant provisions of those instruments.
9. Mr. BARAKAT AHMAD (India) said that he understood from experience the difficulty of writing a report on a situation without any co-operation from the party most deeply involved. The new settlements established in the occupied territories, the large-scale projects undertaken by the Israeli Government in the

occupied part of Jerusalem, the development of the agricultural potential of the occupied territories for the exclusive use of the Israeli settlements in those territories and the continued refusal of the Israeli Government to repatriate those who had fled or had been expelled during and after the June 1967 hostilities were, as the Special Committee had said, not only a grave infringement of the rights of the civilian population of those territories but also a formidable obstacle to peaceful negotiation and to a just settlement of the Middle East problem.

10. The Special Committee had substantiated all those charges by quoting primary and essentially Israeli sources. One instance was the quotation of a statement by the Israeli Prime Minister (A/9148, para. 50), reported in *The Jerusalem Post* on 26 July 1973, which spelled out the Israeli Government's "achievements in settlement" and stated that the purpose of that activity was to deepen Israeli roots in the land and strengthen the foundations of the State and that plans were under way for the continuation of rural and urban settlement. Perhaps to emphasize the Israelis' interpretation of the law, since they had a long tradition as law-givers, the Israeli Defence Minister, in a speech to the Lawyers' Guild in Tel Aviv, had urged the Government to implement its declared policy of large-scale urban and rural settlement in the occupied territories. Yet, the Israeli representative had said that all the findings, allegations, insinuations and conclusions in the Special Committee's report were baseless, wrong and misleading. He was perhaps the only delegate who denied statements made by the Prime Minister and Defence Minister of his own Government. The Israeli representative might consult the many books written by Jewish commentators on the authenticity of oral law and then see if he was still able to make the same statement.

11. Paragraphs 88 to 94 of the report and the record of testimony taken at the 83rd meeting of the Special Committee¹ were very reminiscent of the report he himself had submitted during the preceding session on the maltreatment and torture of prisoners in South Africa. The Israeli representative had naturally dismissed the witness, Mr. Israel Shahak, as having "strange and, to say the least, unbalanced views" (890th meeting, para. 20).

12. The Indian Government would continue to reject all Israeli excuses for not withdrawing from the Arab territories occupied by Israel since 1967.

13. Mr. SOKALSKI (Poland) pointed out that had the subject before the Committee been purely a question of human rights, it would probably have been allocated to the Third Committee. However, since it was above all a political issue of world-wide implications, it was included among the important political subjects assigned to the Special Political Committee. Its nature was at least three-dimensional: first, it must be viewed in the context of the 1967 Israeli aggression against the Arab countries and acquisition of land by force in violation of the Charter of the United Nations; secondly, the six-year Israeli occupation of the Arab territories in defiance of United Nations resolutions was contrary to the basic rules of international law; thirdly, the treatment of the Arab population of those territories, in contravention of applicable international law concerning occupation, was a violation of their human rights,

guaranteed by universally accepted and binding instruments of international jurisprudence, and was totally incompatible with Israel's obligations as an occupying Power.

14. Any consideration of the item must therefore proceed from those three important premises, which had been widely recognized by an overwhelming majority of States. The resolution on the Middle East situation adopted by the Fourth Conference of Heads of State or Government of Non-Aligned Countries held in Algiers in September 1973 condemned Israel's actions in the occupied territories as war crimes and an affront to humanity (see A/9330, pages 34 and 35). It contradicted the groundless allegation made by the Israeli representative that the validity of the Special Committee's report was doubtful. That report defined the core of the problem as described in the Algiers resolution, and it was not difficult to decide which was more trustworthy, a report compiled by distinguished diplomats or statements by an occupying Power.

15. One of the arguments used by the Israeli representative to question the legality of the Special Committee was that the three States represented on it had severed diplomatic relations with Israel. It was Israel itself, however, and not the States concerned, which bore full responsibility for the fact that at least one third of States Members of the United Nations, including almost all African countries, had taken such a step. If Israel continued to violate international law and defy United Nations resolutions, that form of international protest would gain momentum. All States were free to assist in finding a long-overdue solution to the situation in the Middle East. As the Political Bureau of the Polish United Workers' Party and the Government of Poland had recently reaffirmed, a political settlement of that conflict, based on Israel's withdrawal from the Arab territories occupied since 1967 and guarantees of the security and integrity of all States of the region as well as a solution of the Palestine issue in keeping with the relevant United Nations resolutions, was in the interests of the countries of the region and in the interests of peace.

16. The item under discussion concerned the present and future of over 2.5 million innocent people, who were being subjected to humiliating practices. It was ironical that many of those once condemned by Hitler to extinction should now apply some of his methods against others. The findings outlined in the Special Committee's report spoke for themselves. His delegation therefore shared the conclusion arrived at by the Committee and believed that still greater awareness of the true situation among the international community would help to ease the lot of 1 million rightful Arab owners of land which was under foreign occupation. His delegation would vote in favour of a resolution which would help to remove the most formidable obstacle to peaceful negotiations and to a just settlement of the Middle East question.

17. Mr. TÜZEL (Turkey) said his delegation noted with regret that the situation in the occupied territories had not improved and that the Special Committee continued to face obstacles in investigating alleged violations of human rights in those territories.

18. In its report, the Special Committee had concluded that the available evidence pointed to the existence of an Israeli policy which was contrary to the provisions of the applicable international law concern-

¹ Document A/AC.145/RT.58.

ing occupation. Under contemporary international law, occupation could only be a temporary situation and did not permit the occupying Power to take measures of a permanent nature. In the face of the evidence presented by the Special Committee, which was also corroborated from other sources, it was all the more imperative that Israel should permit investigations of the allegations that had been made. It was also imperative that the international community should find alternative ways and means, acceptable to the parties concerned, of safeguarding the human rights of the inhabitants of the occupied territories pending an over-all settlement of the Middle East question which would terminate the occupation itself. The Special Committee had proposed the Protecting Power formula envisaged under the Geneva Conventions, and his delegation hoped that that formula, with the International Committee of the Red Cross as Protecting Power, or some other formula would be acceptable to the parties concerned.

19. His delegation had consistently opposed the establishment of Israeli settlements in occupied territory in Egypt, Jordan and Syria, the expropriation of property in the occupied lands, measures which changed the physical and demographic structure of those areas and Israel's persistent failure to observe the status of Jerusalem. The Special Committee had reported that such measures were being intensified, and paragraph 42 of its report concluded that the Government of Israel had adopted long-range plans for settlement with regard to certain parts of the occupied territories. Furthermore, the Government of Israel was continuing its policy of unilateral annexation of the occupied part of Jerusalem and enlargement of the municipal boundaries of the city by the incorporation of considerable areas of land forming part of the occupied West Bank, in defiance of General Assembly and Security Council resolutions.

20. His delegation regarded foreign occupation in itself as a flagrant violation of the principles of international law and of the Charter of the United Nations. Since 1967, his delegation had repeatedly stated that the Turkish Government could not accept the acquisition of territory by the use of force. The termination of the Israeli occupation in accordance with Security Council resolution 242 (1967) constituted the only satisfactory solution to the problem, and in that connexion his delegation welcomed Security Council resolution 338 (1973) which called for the immediate implementation of the earlier resolution.

21. In conclusion, he recalled that the Turkish Minister for Foreign Affairs had commented recently that the statement issued by the European Economic Community on 6 November 1973 was particularly useful because it took Security Council resolution 242 (1967) as the basis for peace in the Middle East and emphasized the need to ensure the inadmissibility of the acquisition of territory by force, to end the territorial occupation maintained by Israel since the 1967 conflict, to take account of the legitimate rights of the Palestinians and to bring about an international system of guarantees in the Middle East.

22. Mr. ZENKYAVICHUS (Union of Soviet Socialist Republics) said that Israel was continuing to flout the many resolutions by United Nations bodies condemning its excesses in the occupied territories and demanding the application of the fourth Geneva Con-

vention. The Soviet Union strongly condemned Israel's continuing aggression against neighbouring Arab countries and was continuing its efforts to bring about a just settlement in the Middle East based on a withdrawal of Israeli troops from all the territories occupied since 1967 and a guarantee of the rights of the Arab peoples.

23. The fundamental violation of human rights was the occupation itself. Israel was refusing to withdraw from the occupied territories, was making absurd demands for their annexation and was taking steps to consolidate its position in them. It was employing wholesale terror against the Arabs, persecuting them, destroying their homes, camps and cultural and historical heritage, and plundering the natural resources of the occupied territories.

24. In defiance of numerous United Nations decisions, Israel continued to deny the Special Committee access to the occupied territories. The Special Committee had, nevertheless, been able to collect in its report convincing proof of Israel's violations of international law in those territories. The report analysed thoroughly the basic aspects of Israel's general policy towards the occupied territories and its actions in pursuance of that policy. It showed that Israel was trying to turn the territories into a colony and was exploiting their human and natural resources to the detriment of the civilian population. It correctly concluded that Israel's practices in the occupied territories presented a formidable obstacle to a just settlement of the Middle East problem. The report was an indictment that revealed to the whole world Israel's aggressive and annexationist policies in the occupied Arab territories.

25. His delegation was also concerned at the fact that, as was shown by recent letters from the Governments of Egypt and Syria, Israel was extending its criminal practices to the Egyptian and Syrian territories seized by the Israeli aggressors in October 1973.

26. Israel's violations of the human rights of the population of the occupied territories must be seen in the context of the Middle East situation, which presented an extreme threat to world peace. Since the very beginning of the conflict in the Middle East, the Soviet Union had strongly condemned Israel's aggression and had demanded that Israel should cease its military operations against the Arab countries and withdraw its troops from all the occupied territories. It had always stressed that a lasting peace in the Middle East could be achieved only if all the occupied territories were liberated and if the legitimate rights of the Arab people of Palestine were guaranteed. That was the essence of the problem. The Soviet Union firmly supported all Security Council resolutions, particularly resolution 242 (1967), and General Assembly resolutions intended to bring about a speedy, peaceful and just settlement of the Middle East conflict.

27. The demand by the United Nations that Israel should withdraw its troops from the occupied territories was to be found in many resolutions; it had been supported and reaffirmed at the tenth anniversary session of the Organization of African Unity at Addis Ababa in May 1973 and the Fourth Conference of Heads of State or Government of Non-Aligned Countries in Algiers in September 1973. Israel's aggression against and policies towards the Arab countries had

been strongly condemned at the World Congress of Peace Forces in Moscow from 2 to 7 October 1973.

28. Effective measures must be taken to make the aggressor halt his acts of gangsterism against neighbouring countries and peoples and withdraw his troops from all the occupied Arab territories. Until that happened, the crimes of the Israeli authorities in the occupied Arab territories must continue to be exposed. The Soviet Union had frequently called on the Security Council to apply sanctions against Israel in accordance with Chapter VII of the Charter of the United Nations and had stated that it would be prepared to participate in carrying out such sanctions.

29. The Soviet Union strongly supported the legitimate and sacred liberation struggle of the Arab peoples against imperialist aggression. It had always called for the speedy elimination of the consequences of Israel's aggression in the Middle East, for an end to the excesses of the Israeli occupation authorities and for the withdrawal of Israeli troops from all the Arab territories occupied in June 1967. As part of efforts to oppose Israel's imperialist tyranny, to eliminate the consequences of Israel's aggression and to ensure the establishment of a just and lasting peace in the Middle East, the Soviet Union was providing and would continue to provide effective political and economic assistance to the Arab countries which had been the victims of Israeli aggression and was contributing to the strengthening of their defence potential. It was also supporting the just struggle of the Arab people of Palestine for their inalienable rights. As a first step, it had supported Security Council resolution 237 (1967). A Soviet initiative had been responsible for the convening of the fifth emergency special session of the General Assembly in June 1967 at which resolution 2252 (ES-V) had been adopted in support of Security Council resolution 237 (1967). The Soviet Union would continue to support Security Council and General Assembly decisions and efforts by the Secretary-General of the United Nations to guarantee the security and rights of the inhabitants of the territories under Israel's military occupation.

30. Radio, television and newspapers in the Soviet Union regularly carried material exposing the criminal policy of terror and persecution pursued by the ruling circles of Israel in the occupied territories. In accordance with resolutions adopted by the Commission of Human Rights, Israel's violations of the provisions of the fourth Geneva Convention were presented as war crimes and as acts of defiance against mankind. The Government and people of the Soviet Union were convinced that Israel's criminal acts in the occupied territories could only end in total failure. The legitimate rights of the Arab peoples would triumph. That was the only possible basis for a just and lasting peace in the Middle East as envisaged by the Security Council and General Assembly decisions.

31. In a statement to the World Congress of Peace Forces in Moscow, the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Mr. Brezhnev, had exposed the shortsightedness and futility of Israel's aggressive policy. He had stressed that such a policy would only result in greater international isolation of Israel and earn it the hatred of neighbouring peoples. The Arabs' valiant struggle and the growing solidarity of the Arab States offered convincing evidence that they would never resign them-

selves to Israeli aggression and would never renounce their legitimate rights.

32. In keeping with the principle of solidarity with the struggle against aggression and for the independence and rights of peoples, the Soviet Union was providing and would continue to provide assistance and support to the Arab States that were victims of Israeli aggression.

33. One of the most important current tasks was to stamp out the hotbed of war in the Middle East, eliminate the consequences of Israeli aggression and restore in full the legitimate rights of the Arab peoples by speedily and fully implementing Security Council resolution 242 (1967). That was the only basis for a just and lasting political settlement of the conflict.

34. Events in the Middle East completely confirmed the irrefutable truth that the removal of a centre of constant tension and the establishment of a durable and guaranteed peace for all States and peoples of the region was inconceivable without the total liberation of all the Arab territories occupied by Israel and the guaranteeing of the legitimate rights of the Arab people of Palestine.

35. Mr. ALSHAKAR (Bahrain) said that his delegation's reaction to the statement by the Chairman of the Special Committee (890th meeting) had been one of deep concern. Although the Zionist authorities had denied the Special Committee entry to the occupied Arab territories, the Committee had nevertheless done a remarkable job in producing a revealing and objective account of Israeli practices. The Committee's findings (A/9148, paras. 137-150) were explicit and well-documented, and Israel's refusal to grant entry to it was in itself an admission of guilt.

36. The Chairman's statement and the report of the Special Committee revealed the existence of a dangerous situation in the occupied territories. His delegation could not but endorse the conclusions of the Special Committee, especially that the fourth Geneva Convention was applicable to the occupied territories. His Government, guided by the principles of international law and of the Charter of the United Nations, could not accept the acquisition of territory by force. It firmly believed that all States Members of the United Nations were duty-bound to respect the Charter and the Universal Declaration of Human Rights.

37. His delegation was deeply concerned about Israeli violations of human rights in the occupied territories, as revealed in the report of the Special Committee. The most important violation was the policy of systematically establishing Israeli settlements in those territories, which was incompatible with international law as well as with the Charter of the United Nations and United Nations resolutions. Despite repeated calls by the General Assembly and other international bodies, Israel was continuing its ugly and barbaric policy of changing the status and character of Arab towns, particularly the Holy City, and of religious, archaeological and historical sites. Israel's actions were in violation of the fundamental human rights of the Arab population in the territories, and his delegation noted that, despite calls by the General Assembly, the vast majority of the refugees and other persons displaced during Israel's invasion of Arab territories in 1967 had not yet been permitted by the Zionist authorities to return.

38. Since June 1967, as part of Israel's policies of aggression and expansion, 44 settlements had been established in the occupied territories. Israel's policy of Judaizing those territories, destroying the identity of the inhabitants, and expelling them and replacing them by Zionist settlers was the worst form of colonialism. The policy of deportation, demolition, annexation, confiscation and destruction of property, the establishment of Zionist settlements and the torture of detainees was a violation of the fundamental rights of the Palestinian people and of the inhabitants of the occupied territories. The basic violation was the occupation itself, and the establishment of settlements was in contravention of international law and especially of the principle of the inadmissibility of the acquisition of territory by the use of force. It was also evident that the Israeli occupation of the territories was not a temporary measure and that Israel intended its occupation to continue and to be perpetuated.

39. His delegation believed that it was the moral duty of all States Members of the United Nations and parties to the fourth Geneva Convention of 1949 not to recognize Israeli attempts to change the status of the occupied territories. The Palestinian people would resist until they regained their rights in their usurped homeland. His delegation believed that all Member States must act jointly to ensure that Israel complied with United Nations decisions and to put an end to the existing threat to international peace and security.

40. Mr. NEUGEBAUER (German Democratic Republic) said that his delegation believed that efforts should be intensified to press for respect for fundamental human rights in the territories occupied by Israel, particularly in the context of the twenty-fifth anniversary of the adoption of the Universal Declaration of Human Rights.

41. His delegation felt that any attempt to discredit the Special Committee or its members in any way was motivated solely by a desire to divert the Special Political Committee from discussing effective measures to overcome Israel's policy of annexation in the occupied Arab territories. The German Democratic Republic fully supported the mandate of the Special Committee, as laid down in General Assembly resolution 3005 (XXVII), and believed that its members had done everything in their power to fulfil their important, necessary and complicated task. It felt that the report of the Special Committee offered incontrovertible proof that Israel's policy of annexation affected human rights in the occupied territories. That policy was contrary to the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the Hague Conventions of 1899 and 1907 and the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. He noted that Israel did not apply the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War but in other cases insisted on the observance of the Geneva Conventions. The German Democratic Republic condemned Israel's policy and considered that as a party to the Conventions that country had to bear the responsibility of violating them.

42. His delegation supported the conclusions presented by the Special Committee in its report and was

prepared to support resolutions which aimed at ending Israeli practices affecting the human rights of the population of the occupied territories. It believed that negotiations were necessary, as a matter of urgency, to guarantee a just peace in the Middle East on the basis of Security Council resolutions 242 (1967), 338 (1973) and 340 (1973). Any settlement would require the withdrawal of Israeli forces from all occupied territories, respect for the legitimate right of every State in the region to an independent existence in accordance with the Charter of the United Nations, and guarantees of the rights of the Arab people of Palestine.

43. In conclusion, his delegation shared the view expressed by many previous speakers that the cessation of practices affecting the human rights of the population of the occupied territories by Israel would considerably facilitate a political solution of the Middle East conflict.

44. Mr. PETNICKI (Yugoslavia) said that his delegation wished to exercise the right to reply to some of the remarks made by the representative of Israel at the 890th meeting of the Special Political Committee.

45. The report of the Special Committee was based on solid facts, many of which had been culled from the Israeli press. Moreover, the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/9013) as well as that of the Secretary-General under General Assembly resolution 2963 C (XXVII) (A/9155) contained ample evidence of Israel's unacceptable behaviour in the occupied territories and noted the protests which the Secretary-General, through his representatives, and the Commissioner-General had made to the Israeli authorities.

46. As far as the concept of "impartiality" was concerned, there was, and there could be, no impartiality between occupation and territorial integrity, between *Diktat* and sovereignty. The United Nations was not impartial with regard to such issues as the inadmissibility of the acquisition of territory by force and its retention by force, which compelled States and peoples to fight in order to liberate themselves and their territory.

47. Many occupying Powers had, in the past, tried to present occupation as a "boon" to those who were "happy" enough to be subjected to it. In fact, almost every occupation tried to project itself as a "civilizing mission". The Yugoslav people were well aware of that from their own experience and, consequently, were very clear about the issue.

48. In conclusion, his delegation wished to reiterate its basic position, namely, that only the withdrawal of Israel from all the occupied territories could bring a just and durable peace to all States and peoples in the Middle East.

49. Mr. SALJUQI (Afghanistan) said he wished to inform the Committee that the delegations of Afghanistan, Argentina, Guinea, Mauritania, Pakistan, Senegal and Uganda were sponsors of draft resolution A/SPC/L.290 and that the delegations of Afghanistan, Guinea, Mauritania, Pakistan, Senegal and Uganda were sponsors of draft resolution A/SPC/L.291.

The meeting rose at 12.10 p.m.

895th meeting

Friday, 23 November 1973, at 3.10 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.895

In the absence of the President, Mr. ŠMÍD (Czechoslovakia), Vice-President, took the Chair.

AGENDA ITEM 45

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (*continued*) (A/9148 and Add.1, A/9237, A/SPC/166, A/SPC/L.290, A/SPC/L.291, A/SPC/L.292)

GENERAL DEBATE (*continued*)

1. The CHAIRMAN drew the attention of the members of the Committee to the Secretary-General's Note relating to the administrative and financial consequences of A/SPC/L.291 (A/SPC/L.292) and reminded them that the closure of the general debate on the item under consideration and the vote on the relevant draft resolutions had been set for the morning meeting on Monday, 26 November. At the afternoon meeting on that day the Committee would begin consideration of agenda item 44 on comprehensive review of the whole question of peace-keeping operations in all their aspects.

2. Mr. AL-SAID (Oman) expressed his delegation's admiration of, and gratitude to, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories for the extensive and lucid report (A/9148 and Add.1) which it had submitted. The item under consideration was of utmost importance both for the United Nations and for the Palestinian people because it concerned the efficacy of the Organization and of international law and also harmonious relations among States. If the United Nations failed to take a just position and effective measures, the consequences would be tragic. If it did not abide by the Charter, it would compromise the effectiveness of its principles. If it failed in its duties in the Middle East, it would encourage potential aggressors and cause peace-loving countries to fear that there was no recourse against aggression and expansionism. The results of the aggression committed by the Zionists in 1967 against three neighbouring States had persisted for more than six years without the United Nations taking effective measures to restore justice and apply law. The United Nations must take immediate action to ensure that the legal, social, cultural and economic character of the occupied territories was not irreversibly altered. It must ensure that the Zionists stopped making harmful changes in the demographic character of the territories, and it should even restore the demography existing before the Zionist aggression of 1967. The expelled Palestinians must be allowed to return to their homes and repossess their property; measures must be taken to prevent the Zionists from settling alien elements in the territories. There must also be provision for the restitution of political and religious rights to the indigenous inhabitants of the territories. Pressure

must be brought to bear on the Members of the Organization which had thwarted United Nations action and they must be compelled to comply with the will of the international community. Finally, the Zionists must be compelled to apply the Geneva Conventions. Otherwise, peace and international harmony would suffer grave and irreversible damage.

3. Mr. ALI (Pakistan) noted with alarm the continued occupation of Arab territories by Israel. By asserting that the inhabitants of the territories benefited from the occupation, Israel was merely conforming with the practice of the imperialists, who had always made the same claim. But the inhabitants of the occupied territories were the only ones who could decide whether the alleged economic and other benefits were worth the renunciation of civil and religious liberties. The report of the Special Committee showed moreover how false and baseless the Israeli claims were. Israel's behaviour was totally incompatible with international law and its obligations as an occupying Power. His country, like the United Nations, rejected any attempt to justify the Israeli occupation which, until it was ended, would present a challenge to the conscience of mankind.

4. The Israeli delegation had stated that the report of the Special Committee was biased. However, the members of the Special Committee, whose integrity, impartiality and objectivity were beyond question, could do nothing else but base their findings on official Israeli statements published in the Israeli press or on the statements of certain honourable Jewish intellectuals. Israel's rejection of the report of the Special Committee was therefore unacceptable and it would jeopardize the quest for peace.

5. His delegation found it incomprehensible that the Jews, who had suffered persecution by Hitler, should so soon forget the lessons of their own history. Yet the report of the Special Committee showed that Israel was inflicting on the indigenous inhabitants of the occupied territories a persecution similar to that which it had itself suffered. The United Nations, to which Israel owed its statehood, had a duty to put an end to that situation. His delegation could not condemn too strongly the Israeli practices in the occupied territories.

6. Israel was flagrantly violating the basic tenets of international law by perpetuating its occupation of Arab lands; equally it was violating the basic human rights of the inhabitants of the territories. The report under consideration showed that Israel intended to make the occupation permanent: it was preventing the inhabitants who had fled during the hostilities from returning to their homes, it was establishing Jewish settlements, appropriating Arab property, enriching itself on the resources of the occupied territories and changing their physical character and demographic composition as well as pillaging their archaeological and cultural heritage. His delegation had been alarmed to learn that the Israeli authorities had taken measures to transform the Ibrahimi Mosque at Hebron into a

synagogue. By that action the Israeli authorities were violating the provisions of article 27 of the fourth Geneva Convention relative to the Treatment of Civilian Persons in the Time of War, of 12 August 1949,¹ and article 46 of the regulations annexed to the Hague Conventions.

7. The Judaization of Jerusalem aroused revulsion in the Moslem world. The permanent annexation of Jerusalem was totally unacceptable to his Government, which considered that any change made by Israel in the status of the Holy City of Jerusalem had no validity in law.

8. Israel did not contest the fact that a number of Israeli settlements had been established in the occupied territories. In appropriating property in those territories Israel was relying on an untenable distinction between private and public property. Such transactions had no legal validity and could not change the titles of ownership.

9. The Special Committee confirmed that new measures had been taken in the Gaza Strip to perpetuate the exile of thousands of civilians. His delegation held the view that Israel's pretext of the security and welfare of the civilian population could not justify measures which had rendered thousands homeless and had driven them into exile. There was no room for doubt that the occupying Power was flouting the rules of international law.

10. His delegation agreed with the Special Committee that the measures taken by Israel were not only an infringement of the rights of the civilian population of the occupied territories but also presented an obstacle to a just settlement of the Middle East problem. The repeated wars, the occupation of territory and the suffering which it brought stemmed from two basic factors: the aggressive, expansionist policy of Israel and the denial of fundamental rights to the inhabitants of the occupied territories. The most essential of those rights, where the problem of the Middle East was concerned, was the right to self-determination. His delegation hoped that the diplomatic efforts set in motion by the war of October 1973 would put an end to the Israeli occupation and enable the people concerned to exercise their right to self-determination.

11. His country had identified itself with the cause of the peoples struggling against injustice and discrimination in all its forms. It had always supported international action to enhance respect for human rights and fundamental freedoms. It would support every move aimed at ensuring that the inhabitants of the territories occupied by Israel could exercise their human rights, particularly their right to self-determination.

12. Pakistan was a sponsor of draft resolutions A/SPC/L.290 and A/SPC/L.291. With regard to draft resolution A/SPC/L.290, the Committee would recall that Israel had not answered the question put by the representative of the Syrian Arab Republic at the 893rd meeting to the representative of Israel as to the reasons why Israel had not applied the Geneva Convention relative to the Protection of Civilian Persons. Consequently his delegation hoped that the Committee would support the appeal contained in the operative part of the draft.

13. His delegation would not wish to conclude without expressing its appreciation of the useful work car-

ried out by the Special Committee despite the lack of co-operation on the part of the occupying Power.

14. Mr. WANG Jun-sheng (China) said that the report of the Special Committee and the statements by many representatives of the Arab States had exposed the atrocities committed by the Israeli Zionists in forcing the Arabs to move out of the occupied territories, plundering the resources of those territories and infringing the human rights of their inhabitants, in violation of the 1949 Geneva Convention. His delegation appreciated the efforts made by the Special Committee: it supported the Arab countries and the other countries imbued with a spirit of justice in condemning Israeli aggression and expansion.

15. The Israeli Zionists had also in recent years been pursuing a policy of zionization designed to change the demographic structure of the occupied territories so as to make the occupation permanent. In 1971 Moshe Dayan had stated that Israel would not give up the settlements which it had established, and in 1972 the Israeli Prime Minister had told the Jewish immigrants in the Golan Heights that the frontier was where Jews were living.

16. The Israeli Zionists could dare to be so truculent because they had the support and connivance of the two super-Powers. One of them had provided Israel with massive military and economic aid, while the other had supplied Israel with the manpower it needed.

17. It must be pointed out that the ceaseless supply of manpower by the Soviet Union to Israel had won the acclamation of the Israeli Zionists, as was shown in paragraph 51 of the Special Committee's report (A/9148 and Add.1). It had, on the other hand, evoked the indignation of the Arab countries. The League of Arab States had pointed out that the emigration of Jews from the Soviet Union to Israel had strengthened the Israeli aggressors. The Fourth Conference of Heads of State or Government of Non-Aligned Countries held in Algiers in September 1973 had adopted a resolution demanding that all States refuse to allow Israelis to emigrate to the occupied territories (see A/9330, p. 34). However, despite criticism, the Soviet Union had speeded up the emigration of Jews to Israel after war had broken out in the Middle East in October. The Arab peoples and the people of the whole world would draw the inescapable conclusions from those facts.

18. The question of human rights in the occupied territories was an integral part of the Middle East question. The solution to the problem lay in the restoration of the national rights of the Palestinian people and in the complete and unconditional withdrawal of the Israeli Zionists from the occupied Arab territories. Without that, there could be no genuine solutions of the Middle East question.

19. The Chinese Government and people supported the struggle of the Arab people against aggression. The struggle of the Palestinians and the other Arab peoples was part and parcel of the general struggle of peoples throughout the world against aggression, expansion and hegemony. That struggle was just and whatever the vicissitudes of fortune, it was bound to lead to final victory. As for the super-Powers and the Israeli Zionists engaged in aggression and expansion, they would not escape defeat; that was the law of history.

¹ United Nations, *Treaty Series*, vol. 75 (1950), No. 973.

20. Mr. BENHIMA (Morocco) said that the Israeli delegation's statement at the 890th meeting confirmed the contempt with which the Zionist leaders treated United Nations decisions. It also revealed that Israel intended to keep the Arab territories under its domination and to pursue its current policy there. Whereas the Israeli representative had had the effrontery to question the impartiality of the Special Committee, the Moroccan delegation, by contrast, had taken note of the Committee's integrity, and congratulated it on that score.

21. His delegation wished to point out that to occupy territories by force, as Israel was doing, was a violation of one of the fundamental principles of international relations that the measures applied by the Israeli Government in the occupied territories (settlement of immigrants, Judaization as a preliminary to annexation) were contrary to the provisions of international law and violated the human rights of the population of the occupied territories and that exploitation of the human, agricultural, tourist, and mining resources, the pillage of the cultural and archaeological inheritance and the restrictions on religious freedom violated international conventions.

22. Repression, oppression, ostracism, expropriation, imprisonment and exile—such were the forms of servitude imposed by foreign occupation which the apathy and indifference of the international community allowed the Arab people of the occupied territories to suffer. Israel's refusal to co-operate with the United Nations discredited that Organization. It was to be hoped that the United Nations would fulfil its mission when it had again become alive to its ideals and objectives. If the United Nations abdicated its authority, the Arabs would stop amassing resolutions, but Israel would continue with impunity to amass crimes.

23. Mr. WESTON (United Kingdom) said that his country had on many occasions voiced its concern about the human rights of the inhabitants of the occupied territories. They deplored profoundly any violation of those rights that might have taken place and had expressed disquiet publicly about those instances in which there was evidence of contraventions of the fourth Geneva Convention. He recalled that the United Kingdom had abstained in the vote on General Assembly resolution 2443 (XXIII), under which the Special Committee had been established, because the sponsors of the resolution had asserted in the preamble as an established fact that Israel had committed violations of human rights in the occupied territories, thus putting the impartiality of the Special Committee in question from the beginning.

24. From a perusal of the Special Committee's latest report (A/9148 and Add.1) and from previous reports, his delegation noted that such doubts had been justified. Through no fault of its members, the Special Committee had had from the beginning to obtain indirectly the information needed for its investigations; as its Chairman had himself admitted, it was therefore impossible to regard its inquiries as conclusive. Given the circumstances under which the Special Committee had been established, it was unlikely that those difficulties would be resolved.

25. His delegation had therefore always believed that as soon as the difficulties confronting the Special Committee had become apparent, the General Assem-

bly should have sought another way of conducting the inquiry. His delegation had accordingly welcomed the suggestion of the Chairman of the Special Committee that an alternative solution should be found. He reminded the Committee that his delegation had put forward certain ideas on the subject during the preceding session at the 850th meeting. Furthermore, they were ready to participate in the informal discussions on the subject with the Chairman of the Special Committee and others, which the Secretary-General had suggested earlier in the year. He regretted that such discussions had not yet taken place.

26. The idea which the Chairman of the Special Committee had put forward in an article in the May 1973 issue of the United Nations *Monthly Chronicle*,² namely, a proposal for the establishment of a panel of special commissioners, who might be appointed, for example, by the International Court of Justice merited consideration, though it presented certain difficulties. Another idea would be to establish a new Committee the members of which were acceptable both to the occupying Power and to the Arab States concerned.

27. It was clear, however, that the best way of securing respect for the human rights of the inhabitants of the occupied territories was to put an end to the situation which caused the continued occupation. The United Kingdom Government welcomed the recent steps which had been made in that direction and in particular the agreement between the Egyptian and Israeli authorities, involving *inter alia* exchange of prisoners of war. His delegation hoped that further progress would be made towards a settlement in the coming months and thus cure the disease for which the Special Committee could at best only have been a palliative.

28. Mr. EL-FATTAL (Syrian Arab Republic) stressed the essential part played by the Special Committee's reports in keeping the General Assembly informed of what was happening in the occupied territories and of enabling it to adopt resolutions on the matter. No delegation, except the Israeli delegation and those of two other countries, had called into question the accuracy and objectivity of the report. Israel challenged the composition of the Special Committee, but it had had recourse to the same arguments in 1968 in refusing to receive the second mission of the Special Representative whom the Secretary-General had sent to the occupied territories in pursuance of Security Council resolution 259 (1968). In the same way, Israel had refused to co-operate with the special Working Group of Experts appointed by the Commission on Human Rights to inquire into the violations of the fourth Geneva Convention, although the members of that group had been nationals of countries friendly to Israel. It had also refused to co-operate with the mission established in pursuance of Security Council resolution 298 (1971) relating to Jerusalem, the members of which had represented countries friendly to Israel at that time on the Security Council.

29. It was ironic to observe that Israel, which owed its existence to the United Nations, refused to co-operate with it. But that refusal was consistent with Zionism. Had not Israel been responsible for the assassination of the United Nations Mediator on Palestine? Had it not

² H. S. Amerasinghe, "The Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories."

obstructed the functioning of the Conciliation Commission which had had and which continued to have a mandate to ensure the application of paragraph 11 of General Assembly resolution 194 (III) which provided for the return of the refugees? Had not Israel been boycotting for years the Syrian-Israeli Mixed Armistice Commission? The fact was that Israel, which considered itself to be above international law, wanted to belong to the United Nations, but on its own terms. The Special Committee must therefore continue with its task, and if its next report was not radically different from the current report, the international community might then become concerned about the future of world peace and security.

30. In its report, the Special Committee recorded as in a diary the outward signs of Israel's policy of absorption; it summarized them in paragraph 141. In 1972, the twenty-eighth Zionist Congress had reaffirmed the inalienable right of the Jews of the entire world to the land of Israel, which amounted to saying that the Arabs were not regarded as residents in their own country and that any Jew, even if he was not physically present, was regarded as a resident. Since the establishment in the 17th century of a system of nation States, many wars had taken place without threatening the survival of States. But Israel menaced both the existence of individuals and of States in the Middle East. The methods which it applied were more archaic than 18th century colonialism. Israel, which bore the responsibility for the current crisis because of the efforts it was making to put an end to the rule of law in one part of the world, was at the same time appealing to the same rule of law to protect its own interests. That contradiction was inherent in Zionism which, as the report stressed, confounded the force of law with the law of force. In paragraph 56 of the report, there was an admission of Israel's policy of annexation. It must also be said, as was mentioned in the report, that Israel was encouraged by the apathy and lack of interest manifested by the international community.

31. At the Committee's 890th meeting the representative of Israel had praised the Israeli occupation of Arab territories, asserting that Israel had improved economic and social conditions there. The truth was that Israel needed a cheap labour force to shore up its shaky economy and was trying to turn the occupied territories into a vast manpower pool. In order to achieve its ends, Israel was levying heavy taxes on Arab property owners, so as to force them to sell their property to the Zionists. Israel had set about pauperizing and proletarianizing the Arab population. The Jews thus freed from the hardest labour could swell the ranks of the Israeli army of occupation. Furthermore, in the economic field, it was clear, first, that Israel sold more to the occupied territories than it bought from them, and, secondly, that its economy depended on the occupied territories.

32. The report made it clear that Israel was trying to make the Arab presence in the occupied territories the exception and not the rule. It was stated in the fourth Geneva Convention that any occupation of a territory must be temporary and that the occupying Power must ensure tolerable living conditions for the inhabitants. But the representative of Israel had claimed that Israel did not have to render an accounting of its policies of annexation because it paid the workers it employed. He

had also claimed that the fourth Geneva Convention was not applicable to the situation in the occupied territories but had failed to explain at any time the legal grounds for Israel's reservations. Yet the Convention contained no provision authorizing a Contracting Party to decide when the Convention was applicable; on the other hand, it contained a denunciation clause, which Israel had not invoked.

33. Article 1 of the Convention stated that all Contracting Parties must ensure respect for the Convention. If the Contracting Parties tolerated a continuance of the present situation, they would be establishing a regrettable precedent.

34. While Israel admitted establishing 42 settlements in the occupied territories since 1967, including some military settlements, it tried to make the United Nations forget the fourth Geneva Convention; the Syrian Arab Republic could not accept that under any circumstances. His delegation therefore hoped that the United Nations would reject the Israeli argument as the International Red Cross had done at its Conference in Teheran in early November.

35. The representative of Israel had accused the Arab countries of collecting United Nations resolutions, but it was better to collect resolutions which contained the seeds of Israel's ultimate destruction than to collect American dollars, Phantom jets and tanks or to collect occupied territories, as the Jewish State was doing.

36. The dream of Theodor Herzl had come true; he asked then why it was that the Arab countries should not live to see the realization of their dream that the resolutions of the United Nations would be implemented and believe in the rule of international order.

37. The agony of the Middle East did not admit of half-measures: a total remedy was needed. Israel must know that so long as it imposed a *de facto* situation which it hoped was irreversible, the Arabs would have no choice but to continue the struggle.

38. Mr. KAMARA (Mauritania), after joining other delegations in congratulating the Chairman and members of the Special Committee, said that the Israeli occupation of Arab territories was a flagrant violation of the fourth Geneva Convention. An appeal to the international conscience must be made in order to put an end to the practices of the Israeli Government, which had never complied with any of the recommendations addressed to it. Draft resolution A/SPC/L.291, which he introduced to the Special Political Committee, constituted a last attempt at calling for a return to order and reason.

39. The draft resolution took its inspiration from General Assembly resolution 3005 (XXVII), which had been adopted on the basis of the Universal Declaration of Human Rights.

40. The sponsors of the draft resolution had decided to replace the words "of detainees" in paragraph 3 (f) with the words "of the Arab inhabitants". In paragraph 3 (g) the word "illegal" should be inserted before the word "pillaging"; similarly, the word "illegal" should be inserted before the word "exploitation" in paragraph 3 (i).

41. The measures envisaged in paragraph 9 constituted a minimum. The aim of the draft resolution was to secure compliance with the Charter of the United Na-

tions, the Universal Declaration of Human Rights and the other instruments adopted by the United Nations. The machinery already in existence must be fully utilized. For that reason, he asked the Special Political Committee to support the draft resolution.

42. Mr. BIRIDO (Sudan) extended his delegation's congratulations to the Chairman and members of the Special Committee. The countries represented in the Special Committee were models of non-alignment and prominent advocates of justice and freedom and he deplored the attack made on them by the representative of Israel. If those countries, like many others, had no diplomatic relations with Israel, Israel had only itself and its policy of occupation and annexation to blame. In fact, Israel's lack of co-operation with United Nations fact-finding missions and agencies must be condemned.

43. In its excellent report, the Special Committee had proved beyond doubt the Israeli expansionist policy, which was contrary to the provisions of international law and constituted a violation of the fundamental rights of the population of the occupied territories. Moreover, Israel made no secret of its definitive plans for settlement and annexation. The Special Committee had used statements by members of the Israeli Government as a basis for its report. Israel claimed the right to rule all the area of historic Palestine. In pursuance of that policy, Israel had established more than 40 new settlements. It was plundering the archaeological and cultural heritage of the area and exploiting its natural resources. According to *The Jerusalem Post* of 8 June 1973, about two thirds of the country's petroleum needs were being met with oil from Sinai. In the occupied territories, Israel was keeping Arab prisoners crammed in its prisons and subjecting them to physical ill-treatment.

44. The Minister for Foreign Affairs of the Sudan had stated at the rostrum of the General Assembly at the 2142nd plenary meeting on 5 October 1973 that Israel was preparing a \$375 million development scheme for the West Bank and that since 1967 some 4,000 Israelis had been settled in the territories occupied there. The present plan was to bring in 10,000 more Jews by the end of the four-year scheme.

45. Israel's policy ran counter to the Charter of the United Nations and to the Geneva Conventions of 1949. As had been pointed out, it was paradoxical that Israel refused to abide by the conventions of international law which had been drawn up as a direct result of the Nazi treatment of Jews and other innocent peoples during the Second World War.

46. The representative of Israel had asked at the 890th meeting why the fourth Geneva Convention was being put to the test for the first time since it had come into existence. The reason was that the era following the Second World War had witnessed the decolonization of Asia and Africa, whereas at the same time Israel, adopting an outmoded colonialist approach had undertaken a policy of annexation. But the liberation movements of Asia and Africa were capable of liberating their occupied territories from zionism and colonialism.

47. He recalled what had been said by the Secretary-General of the Organization of African Unity. The countries that had severed relations with Israel had created a situation almost unprecedented in the annals of diplomacy, and that was a crushing defeat

to Israeli diplomacy. The only real friend Israel still had in Africa was the Republic of South Africa.

48. In conclusion, he said that Israel's policy of occupation and its refusal to recognize the rights of the Palestinians to self-determination and independence represented a real and immediate threat to peace and security in the Middle East, and that the United Nations and the international community should take more effective measures to counter Israeli policies.

49. Mr. TSUKUR (Ukrainian Soviet Socialist Republic) said that, despite the many United Nations resolutions severely condemning Israel, the people of the occupied territories had now been suffering under the Israeli yoke for six years. In spite of the many difficulties, the Special Committee had accomplished very useful work, as could be seen from its report (A/9148 and Add.1).

50. The representative of Israel was trying to obscure the facts, to win sympathy and to show that the majority of States was being unfair in condemning Israel. But it was Israel that was occupying Arab territories, Israel that was violating the rights of the people of those territories, Israel that was installing military settlements in those territories and it was also Israel that was violating the fourth Geneva Convention. If only Israel withdrew from the occupied territories there would be no further need to discuss the question, and other problems, that were just as important, could be taken up.

51. The representative of Israel took issue with the members of the Committee over the fact that their countries maintained no diplomatic relations with Israel. Indeed, in the past two years, 22 countries had severed diplomatic relations with Israel, which was now supported only by imperialist and international Zionist circles.

52. The facts showed that Israel was trying to take over the occupied territories permanently and that its racist theories, based on the idea of a "chosen people", prompted it to commit countless acts of violence in those territories. Furthermore, Israel refused to grant the Special Committee access to those territories. That was hardly surprising, as it could no longer dismiss the testimony as lies, or lightly brush aside the statement made by Mr. Shahak to the Special Committee.³

53. It was evident from the Special Committee's report that the Israeli Government had adopted long-term plans to settle some of the occupied territories, such as Hebron, Rafah, Sharm el-Sheikh and the Golan Heights, and was pursuing a policy aimed at the annexation of the occupied part of Jerusalem. Furthermore, it was obstinately refusing to repatriate those who had fled during the 1967 hostilities or who had been expelled as a result of those hostilities. Some 50 settlements had been established during the past five years. Any land that was needed was usually confiscated by order of the military governors of the occupied territories. The Arab population was mercilessly expelled, houses were demolished, crops destroyed and wells filled in.

54. The occupation régime that had been established was contrary to international law, the resolutions of the United Nations and international conventions. In any case the occupiers openly acknowledged that the purpose of the military settlements was to facilitate punitive operations against the Arab population. Their

³ Document A/AC.145/RT.58.

plans were doomed to failure, however, because the Arab population would never accept the occupation and the Palestinian resistance movement was gaining steadily in strength.

55. Many speakers had observed that the most serious violation of human rights in the occupied territories was the occupation itself. Israel's entire policy was designed to absorb those territories and convince world public opinion that Israel was entitled to them. The time had come to put an end to the misdeeds of the Israeli aggressors. The Charter of the United Nations provided for sanctions against countries which systematically violated Security Council resolutions. The main task of the United Nations was to eliminate any danger of war in the Middle East, to liquidate the consequences of Israeli aggression and to restore the rights of the Arab people by immediately implementing Security Council resolution 242 (1967). Only thus, on the basis of respect for the independence, sovereignty and territorial integrity of all States in the Middle East, could the conflict be settled in a just and lasting manner.

56. His delegation whole-heartedly supported the work of the Special Committee, which should persevere in its task until the just cause of the Arab people triumphed and peace was restored in the Middle East.

57. Mr. DIAKITÉ (Mali) pointed out that the warlike policies of Israel had already brought about four bloody conflicts in the Middle East, each of which had enabled it to acquire territory at the expense of its Arab neighbours. In its report, the Special Committee noted that Israel was still following a policy which is contrary to the provisions of the applicable international law concerning occupation and is thereby violating the human rights of the population of the occupied territories. The Zionist State was defying the resolutions adopted by the General Assembly and the Security Council and, in full awareness of the danger to peace inherent in the non-application of international conventions, was calmly pursuing its expansionist and annexationist policy in the Gaza Strip, the Sinai Peninsula, West Jordan and the Golan Heights. Israel was carrying out a campaign of all-out colonization, which entailed the expropriation of land and the expulsion of the inhabitants. The demolition of houses for so-called "security" or "military" reasons and the almost permanent state of insecurity were bad enough, but Israel was also refusing to allow the inhabitants of the occupied territories, who had been forced to leave during the hostilities or had been expelled, to return to their homes, and was plundering their material and cultural property. The part of the Special Committee's report which dealt with the ill-treatment of detainees and prison conditions was equally shocking.

58. The delegation of Mali joined all peace-loving and justice-loving peoples in condemning the annexationist and expansionist practices of Israel, which was violating the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights, and in contesting Israel's right forcibly to occupy independent and sovereign territories. It called upon Israel to respect all the relevant international conventions, and particularly the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. Lastly, it appealed to all delegations to support draft resolutions A/SPC/L.290 and A/SPC/L.291, of which it was a sponsor.

59. Mr. ZEMAN (Czechoslovakia) said that his delegation appreciated the objectivity of the Special Committee's report, which showed that the Israeli occupation authorities were continuing to trample underfoot international law and violate the human rights and freedoms of the civilian population of the occupied Arab territories. Despite Israel's refusal to co-operate with it and to allow it to enter the occupied territories, the Special Committee had succeeded, on the basis of a number of Israeli sources, in gathering convincing data which proved beyond doubt that the Israeli Government was systematically implementing its colonization of the Arab territories by Israeli settlers in flagrant violation of article 49 of the fourth Geneva Convention⁴ and of the decisions of the relevant United Nations bodies.

60. To his delegation the confiscation and expropriation of Arab land and property, and the deportations of inhabitants, provided clear proof of the real annexationist intentions of Israel, and his delegation agreed with the Special Committee's opinion that such acts, violating the physical character, institutional structure and demographic composition of the occupied Arab territories, were null and void. As to the exploitation of economic resources and the violations of the fundamental human rights and liberties of the population, his delegation was of the opinion that the General Assembly and other United Nations bodies should spare no effort to thwart the annexationist intentions of Israel and should insist that Israel must fulfil its obligations under the third and fourth Geneva Conventions of 1949, and under other international treaties, and must respect the decisions adopted by various United Nations bodies. However, the basic violation of the fundamental rights and freedoms of the population of the occupied territories lay in the mere fact of aggression, which had lasted for more than six years, and which was being condemned on an increasing scale, as evidenced by the ever-growing international isolation of Israel.

61. The Czechoslovak Socialist Republic, faithful to its traditional ties of friendship with Egypt, the Syrian Arab Republic and the other Arab countries, condemned Israel's usurpatory policy and reaffirmed the solidarity of the Czechoslovak people with the Arab peoples in their just struggle. The fundamental condition for achieving a complete and just settlement and durable peace in the Middle East was the immediate withdrawal of the Israeli forces from all occupied Arab territories and respect for the lawful rights of the Arab people of Palestine, in accordance with the decisions adopted by the General Assembly and the Security Council.

62. Mr. HOVEYDA (Iran) noted that the Special Committee's report revealed a systematic defiance by Israel of the decisions of the United Nations and of the international norms of conduct governing administration of occupied territories. The findings of the Special Committee seemed to confirm the existence of detailed plans for the annexation of certain areas of the occupied territories and supported the allegations concerning exploitation of the resources of the occupied territories and contraventions of the Hague Convention and the fourth Geneva Convention.

63. His delegation took a serious view of the changes effected in the Holy City, and considered it a matter of

⁴ See foot-note 1.

great concern that enlargement of the municipal boundaries had continued, despite numerous resolutions passed by the General Assembly and the Security Council. On repeated occasions Israel had invoked reasons of security to defend its policies in the occupied territories, particularly the demolition of houses and expulsion of the indigenous population. Those acts were continuing, but some of the measures taken by the occupying Power did not appear to have been even remotely relevant to security considerations. The emphasis had shifted to historical Jewish rights to the occupied land.

64. There was hardly any need to stress the serious consequences of those policies. Whatever the pretext there was no moral or juridical justification for the policies pursued by Israel or for any changes in the physical or demographic composition of the occupied territories. The recent war in the Middle East clearly showed that Israel's security could by no means be guaranteed by the occupation of Arab lands and that the only acceptable alternative continued to be the immediate implementation of Security Council resolution 242 (1967), which called for the withdrawal of Israeli forces from the occupied territories.

65. His delegation wished to reiterate that the security of Israel, however justified, could not be enhanced by the insecurity of other nations in the region, and that the solution of the question was to be found in respect for the principle of territorial integrity and non-acquisition of territory by means of war, and it drew attention to the very important recommendations appearing in the Special Committee's report (A/9148, foot-note 21).

66. Mr. POJANI (Albania) said it was clear from the report of the Special Committee that Israel was persisting in a policy of destroying the national character of the occupied Arab territories and was trying to alter their physical and demographic character. The terror and the atrocities committed by the Zionists were directly connected with their policy of annexation of the territories and showed the true nature of the ancient dream of creating a Jewish State. His delegation strongly condemned the policy being pursued by Israel in the occupied territories, which constituted defiance of world public opinion.

67. Israel's territorial and other ambitions were receiving total political, financial and technical support from the United States of America, which was trying to gain a foothold in the region, establish a permanent presence there and subjugate the Arab peoples. All freedom-loving peoples demanded the immediate withdrawal of the aggressor's troops from the occupied territories and the restoration of the legitimate rights of the Palestinian people. However, the main obstacle was the policy of the two imperialist super-Powers, the United States and the Soviet Union, whose hegemony had been wielded to the detriment of the Arabs during the recent events. Israel was implementing its policy of colonizing the occupied territories with United States money and manpower provided to it by the Soviet Union. Albania vigorously denounced the two super-Powers, which were responsible for the situation prevailing in the Middle East, and reaffirmed its support for the just struggle of the Arab people and the restoration of the legitimate rights of the people of Palestine.

68. Mr. SIYOLWE (Zambia) said the report of the Special Committee showed that Israel was continuing

to violate the human rights of the population of the occupied territories in defiance of the principles of international law and the appeals of the United Nations and confirmed that Israel had definitive plans for colonizing and annexing new areas whose population had been driven from their ancestral lands. Israel was continuing to refuse, contrary to the provisions of international law and repeated United Nations resolutions, to permit the inhabitants who had fled during the 1967 hostilities or had been expelled to return to their homeland. His delegation, which regarded the colonization and annexation of the occupied areas as illegal, categorically condemned those policies, which were similar to the colonial designs pursued by the racist and minority régimes in South Africa, Southern Rhodesia and Portugal. The unholy alliance between the minority régimes of southern Africa and Israel was based on their common policy of colonialism. Indeed, Israel was already applying *apartheid*-like measures in the occupied territories, and that was why it continued to deny access to the territories to the Special Committee, a legally constituted United Nations body. That refusal by Israel was an insult to the international community. The report of the Special Committee showed that the measures being applied by Israel, which had now become a permanent policy, were designed to alter the physical character, demographic composition and institutional structure of the territories.

69. Like the minority régime in South Africa, the Zionist régime in Israel was continuing to mistreat and torture political prisoners and detainees, including women and children. It was already engaged in illegal exploitation and looting of the resources of the occupied territories, depriving the people of their sovereignty over their natural resources and denying them their right to self-determination in violation of the Hague Convention. What was involved was another colonial pattern of economic domination and exploitation of labour and natural resources.

70. Zambia condemned the Zionist régime for its illegal measures with regard to food production in the occupied territories, its illegal exploitation of oil resources, particularly in the Sinai, and its calculated efforts to impoverish the life of the civilian population by depriving it of its cultural rights, in particular the pillaging of the archaeological and cultural heritage of the area. His delegation remained convinced that as long as the Zionist régime continued to flout with impunity the provisions of international law and the United Nations resolutions relating to the occupation of the territories in question and until Israel's collaborators, particularly the United States of America, stopped arming that régime, it would be difficult to find a solution to the Middle East crisis, which remained a threat to international peace and security.

71. Mr. SHMYGOV (Byelorussian Soviet Socialist Republic) congratulated the Special Committee on its work. He said that the Middle East conflict was caused by the policy of aggression pursued by Israel, which, despite the General Assembly and Security Council resolutions calling for the withdrawal of Israeli troops from the territories occupied in 1967, was occupying Arab territories and stubbornly refusing to take account of the legitimate rights of the Arab peoples, particularly the Palestinian people. The Israeli Government, which was flagrantly violating all the rules of international law, was also denying the Special Committee access to

the occupied territories. That, of course, caused the Special Committee a great deal of difficulty, and, in order to carry out its mandate, it had to collect and analyse official statements which had appeared in the Israeli press on the situation in the occupied Arab territories and the plans regarding those territories being carried out by the authorities. Yet, careful study of the Special Committee's report showed the effectiveness of that method. The report did not present the impressions of observers who had visited the occupied territories or the ideas of various individuals who might always be thought subjective or untrustworthy in view of the enormity of the violations of human rights that were reported, and it therefore could not be dismissed as "anti-Israeli propaganda". It described Israel's policy in the occupied territories as that policy had been defined by the Israeli leaders. Despite the Geneva Conventions of 1949, for example, the Israeli Government was pursuing its policy of annexation in the occupied part of Jerusalem, in the Gaza Strip, in the southern Sinai and elsewhere, as was demonstrated by the statements of numerous Israeli ministers cited in paragraphs 50 to 78 of the Special Committee's report; and, although the fourth Geneva Convention and the Hague Conventions of 1898 and 1907 protected the personality and national character of the population of the occupied territories, Israel was continuing to destroy Arab villages and confiscate land and property belonging to the Arabs. In addition, the occupation forces still refused to repatriate the inhabitants of the occupied territories who had fled during the hostilities or had subsequently been expelled. In violation of international law, they were exploiting the human resources and the non-renewable natural resources of the occupied territories, as had been confirmed by the Deputy Finance Minister when he had stated that petroleum from Sinai was meeting about two thirds of the country's needs (see A/9148, paragraph 105). The occupation of the Arab territories could in no sense be justified by references to the Bible, as the Israeli leaders sought to do on the basis of Zionist ideology.

72. In the light of the official statements of members of the Israeli Government cited by the Special Committee, the Israeli representative's statement at the 890th meeting was very odd. He had sought to impugn the report of the Special Committee, but, in doing so, he had impugned the official statements of Israeli politicians. It thus appeared that Golda Meir, Moshe Dayan and other Israeli leaders had not told the truth in their statements regarding Israeli policy in the occupied territories and that Mr. Doron had been sent to the United Nations to brand as "lies" the statements of his country's leaders—an event without precedent in intergovernmental bodies.

73. His delegation had complete confidence in the report of the Special Committee, which was based on careful, thorough analysis of official statements by members of the Israeli Government as published in the press.

74. Israeli aggression and the policy of terror, violence and looting in the occupied territories constituted a flagrant violation of the rights of the Arab peoples, and it was the responsibility of the United Nations to bring that policy completely to an end as quickly as possible. The Israeli Government must comply with Security Council resolution 242 (1967) without delay. The international community must take action by every

means provided by the Charter of the United Nations, including the provisions of Chapter VII, to force Israel to halt its acts of banditry in the Middle East. Recent events had pointed up the dangerous character of the situation in the Middle East. However, it was only by restoring the legitimate rights of the Arab peoples through implementation of all the provisions of Security Council resolution 242 (1967) that that danger could be ended and that the peace and security of the peoples of the Middle East could be ensured. Mr. Brezhnev had recently stated once again that the Soviet Union had always insisted on the need to return to the Arab States the territories occupied by Israel in order that justice might triumph.

75. Mr. MEHIRI (Tunisia) paid a tribute to the Special Committee for the perseverance, caution and objectivity it had shown in carrying out its delicate mission. The reservations which had been expressed, particularly by the representative of the occupation authorities at the 890th meeting, did not in any way detract from the value of the Committee's report. Among the various means available for challenging witnesses who had received a mandate from the United Nations but were a source of embarrassment to Israel's ignoble policy of colonization, that country had once again chosen the weapon of slander and provocation. The reason was that an objective, public disclosure of the various specific aspects of the implementation of a pre-arranged, methodical plan of colonization could only damage the dark designs of an Israel which was prepared to resort to any methods and was accustomed to having opinion prejudiced in its favour and to being able to act with impunity.

76. The terms "colonization" and "settlement" concealed continuing, brutal repression, repeated acts of aggression against persons and property, and various crimes against international law. The report contained a wealth of instructive facts and evidence on the fixed, avowed determination to annex the territories occupied in 1967 by establishing Israeli settlements and bringing in foreign settlers in violation of the provisions of the fourth Geneva Convention of 1949; on the abusive practices aimed at accelerating the process of altering the demographic composition, physical character and institutional structure of the territories, particularly by transferring or deporting the inhabitants and destroying houses and population centres; on the exploitation of the resources of the territories and the looting of their archaeological and cultural heritage, and on the restrictions placed on freedom of worship in the Holy Places. The report left no doubt that Israel was bent on territorial expansion and that the State of Israel was racist in nature and colonialist in its policies.

77. Because of the favourable attitude it had enjoyed and its false allegations, Israel had long been able to mislead world public opinion. In doing so, it had succeeded in camouflaging and justifying even its crimes. However, by its constant, premeditated violations of the basic rules of international law and particularly of the Geneva and Hague Conventions, it had thrown off forever the angelic mask it had so long been permitted to wear and had shown its true nature, which was that of an unrestrained and incorrigible practitioner of a policy of usurpation and colonial domination.

78. The *de facto* situation resulting from the occupation and the effects of the measures of spoliation and

expulsion of persons and appropriation of their property adopted by the occupier were null and void and did not give rise to any future right. His delegation intended, with others, to spare no effort to ensure that the interests of the oppressed population of the occupied territories and their right to equitable reparations were fully safeguarded. The immediate concern was to see that all measures entailing changes affecting immovable property and destruction of property were revoked. The United Nations should take the appropriate steps to put an end to the actions of the occupier in that sphere.

79. As for the régime of detention, the whole arsenal of repression used by totalitarian régimes was being applied by the Israeli security authorities. The degrading treatment of detainees, the tortures and brutality, and the lengthy interrogations had been reported by the President of the Israeli League for Human and Civil Rights, Mr. Israel Shahak. To seek to discredit Mr. Shahak because of his courageous initiative only confirmed the revolting cynicism of the torturers. The war criminals would not be able to escape their fate and would be punished.

80. That was indeed a damning picture for a State which owed its creation to the United Nations. The international community had been watching helplessly for more than a quarter of a century as the Zionist peril grew. By going along with Zionist propaganda, allowing that denial of justice to be perpetuated, and sanctioning Israeli terrorism, part of the international community was assuming a particular responsibility in that connexion. That responsibility should be exercised to restrain the hand of the aggressor and restore to the population of the occupied territories all its rights, including the right of lawful compensation. His delegation hoped that such efforts, together with those of the community of nations, would arouse the response which they warranted so that the dynamics of that peace which was the essential characteristic of those triply blessed places could be brought into play. The Tunisian Government and people were particularly concerned over the need to safeguard the status of Jerusalem, a Holy City for all and the most exalted place on earth for the revealed religions. The Tunisian Minister for Foreign Affairs had, indeed, issued an appeal to the General Assembly on 10 October 1973 to save Jerusalem (2148th plenary meeting).

81. Mr. SALJUQI (Afghanistan) stated that Greece, Mali and Spain had become sponsors of draft resolution A/SPC/L.290. The draft recalled the fourth Geneva Convention and called upon Israel, a party to that Convention, to comply with its provisions. He read out articles 1 and 2 of the Convention,⁵ on which the draft resolution was based. He expressed the hope that the draft resolution would be adopted unanimously.

82. Mr. ZENKYAVICHUS (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that he wished to demonstrate the absurdity of the fabrication and slander spread by the representative of China against the Soviet Union. To judge by the statements of its representative, the Chinese Government was not concerned to see peace established in the Middle East, any more than it was concerned with the fate of the Arabs and the Palestinian refugees living under enemy occupation. Instead of actually aiding the Arab

peoples in their struggle against the policy of aggression of Israel and world zionism, the Chinese Government and its representatives in the United Nations were slandering the Soviet Union and trying to belittle the aid which the latter was giving to the victims of Israeli aggression. At the World Peace Conference held at Moscow, the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Comrade L. I. Brezhnev, had observed that the Chinese leaders, while declaring that they supported the just struggle of the Arabs to recover the lands seized by the Israeli aggressors, were doing everything to undermine the real aid being given to the victims of aggression by their most loyal friends—the Soviet Union and the other countries in the Socialist community. The whole world knew that the Soviet Union was giving the victims of that aggression its full diplomatic and political support, as well as real material assistance which was enabling them to strengthen their defence potential. The Soviet Union was assisting the Arab countries not for demagogic purposes but in order to help them strengthen their military potential. That aid had, moreover, been greatly appreciated, as could be seen from the cables addressed to the Soviet Government by the Heads of the Arab States on the occasion of the fifty-sixth anniversary of the October Revolution. He read out extracts from the cables addressed by the President of the Arab Republic of Egypt, the President of the Democratic and Popular Republic of Algeria, the President of the Republic of Iraq, the President of the Syrian Arab Republic and the King of Morocco. The deep gratitude expressed in those cables spoke for itself.

83. Mr. WANG Jun-sheng (China), speaking in exercise of the right of reply, said that he wished to refute the statements of the representative of the Union of Soviet Socialist Republics, who had described the statement of China as fabrication and slander. He would like to know which of the cases cited by his delegation did not conform to reality and whether it was not true that the Soviet Union had sent manpower to Israel in a steady flow. He would like to know whether the statements of the League of Arab States and the resolution adopted by the Fourth Conference of Heads of State or Government of Non-Aligned Countries at their meeting at Algiers in 1973 were a fabrication and whether the Special Committee in its report had grounds for stating that the emigration of Jews from the Soviet Union to Israel had been acclaimed by the Israeli authorities. China had never had relations with Israeli zionism, whereas the Soviet Union was augmenting Israel's military potential by providing Israel with manpower. While the Zionists had been pushing their policy of "zionization" of the occupied Arab territories, the Soviet Union had been providing them with manpower.

84. The representative of the Union of Soviet Socialist Republics had accused China of not providing assistance to the Arab countries and had boasted of the tremendous and selfless assistance granted by the Soviet Union to those countries. Under the guise of assistance, the Soviet Union was plundering other countries, and on the pretext of assisting them it was controlling them. He would like to know whether the Soviet Union would pledge that it would supply weapons gratis to the Arab countries, that it would no longer be a merchant of death, and that it would put an end to the emigration of its Jewish nationals to Israel.

⁵ See foot-note 1.

85. The representative of the Union of Soviet Socialist Republics had accused China of being opposed to a peaceful settlement of the Middle East conflict. That was a downright lie. The Soviet Union, in collaboration with another super-Power, had created and long maintained a situation of "no war, no peace" in the Middle East. When the Arabs had been dealing telling blows against the Israeli Zionists, the Soviet Union had tried to put an end to that struggle against aggression. It was likewise the Soviet Union which, in conducting negotiations, had been prepared to barter away the Arab territories and the rights of the Palestinians. It was the USSR which was opposed to a true settlement of the Middle East question and the facts spoke eloquently for themselves despite the USSR's efforts to justify its actions.

86. Mr. ZENKYAVICHUS (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that the second statement by the representative of China clearly demonstrated that where anti-Sovietism was concerned, Maoism and Zionism were brothers and the Maoists were the winners in that dirty game. As far as the Middle East was concerned, the position of China in that question served only the aggressors; in the Security Council, China had not participated in the vote on the draft resolution concerning the establishment of a cease-fire in the Middle East. In order to conceal that hypocritical position on the Middle East question, the Chinese representatives were not mincing their words in slandering the Soviet Union. But the Maoists were not succeeding with that slander. The USSR, for its part, would continue to work for peace and the strengthening of international security and for the well-being of those who wished to co-operate with it.

87. Mr. WANG Jun-sheng (China) said that the USSR representative was wrong in describing the earlier statement of the Chinese delegation as anti-Soviet. It was not a matter of anti-Sovietism; what China was opposing was the social-imperialist policies of the USSR, which had betrayed the principles of the great Lenin and the interest of the peoples of the world. It was only natural that the Chinese delegation should expose those facts and should be determined to continue its opposition as long as the USSR pursued its social-imperialist policies. The old-line imperialists had failed and if the USSR followed the same road it too would meet with failure.

88. The Chinese delegation had already made clear in the Security Council China's position on the Middle East question. It could not agree to the so-called "cease-fire" resolution concocted by the Soviet Union in collaboration with the other super-Power. It had only been out of consideration for the desires of the countries concerned, which were the victims of aggression, that China had not voted against it.

89. When the representative of the Soviet Union had invoked Brezhnev's statement at the World Congress of Peace Forces to justify himself, he had simply revealed how the Soviet Union had been using that Congress and the World Peace Council for the purposes of its foreign policy and its anti-China policy.

90. Mr. ZENKYAVICHUS (Union of Soviet Socialist Republics) said that the Soviet delegation categorically rejected the malicious fabrications of the Chinese slanderers, who were trying to cast a slur upon the Leninist foreign policy of the Soviet Union. They were not only slandering the Soviet Union but were also trying to misrepresent the great ideas of communism. The purpose of all the remarks of the representative of China was simply to divert the Committee's attention from the item under discussion and thus conceal China's true policy on the matter.

Organization of the Committee's work

91. The CHAIRMAN said that the Committee would conclude its consideration of the item under discussion at its next meeting and would then vote on the various draft resolutions.

92. He asked the members of the Committee to be ready to speak on the Committee's next agenda item, i.e. the question of peace-keeping operations, and to submit any draft resolutions they might have on that subject.

93. Mr. LECLERCQ (France) said that he could not understand why the Chairman wished to proceed with such haste, considering that the report of the Special Committee on Peace-keeping Operations (A/9236) had been distributed to the members of the Committee only in the Russian, Spanish and English languages and that certain delegations, including that of France, would not be able to participate in the debate until the French version of the document was issued.

The meeting rose at 6.55 p.m.

896th meeting

Monday, 26 November 1973, at 10.45 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.896

AGENDA ITEM 45

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (*continued*) (A/9148 and Add.1, A/9237, A/SPC/166, A/SPC/L.290, A/SPC/L.291/Rev.1, A/SPC/L.292)

GENERAL DEBATE (*concluded*)

1. Mr. GUELEV (Bulgaria) said that the excellent report by the Special Committee to Investigate Israeli

Practices Affecting the Human Rights of the Population of the Occupied Territories (A/9148 and Add.1) raised a basic issue—that of respect for the principles laid down in the Charter of the United Nations and for the decisions of the United Nations. The statement by the representative of Israel at the beginning of the debate at the 890th meeting was a further demonstration of the insolent attitude of the Israeli Government, which seemed bent on showing that it had no intention of changing its behaviour and that it was resolved to flout not only the principles of the Charter and of interna-

tional law but also the decisions of the United Nations. That attitude, reprehensible and disturbing enough in itself, was even more reprehensible and disturbing at a time when the events of October 1973 had been succeeded by the most favourable climate ever for a settlement of the Middle East crisis.

2. The information contained in the Special Committee's report showed beyond the shadow of a doubt that, since its aggression of June 1967, the Israeli Government had been pursuing a policy designed to alter the physical character, demographic composition and institutional structure of the occupied territories for the purpose of colonizing and annexing new and ever larger portions of those territories. That policy of fait accompli was well known and had been denounced repeatedly since the 1967 aggression. Even so, the scope of the measures taken by the Israeli Government, as revealed in the report of the Special Committee, came as a surprise. The Israeli Government clearly intended to present the world with a *de facto* situation so that it could later justify its annexationist policy. The measures had nothing to do with so-called "security considerations" or with the well-being of the population. In that connexion, he agreed with the Special Committee that the measures taken in the occupied territories were primarily inspired by the basic Zionist ideology that the whole area rightfully belonged to Jews in the biblical meaning of the Land of Israel—a doctrine which should not be accepted by the Organization to which the State of Israel owed its creation.

3. His delegation supported without reservation the Special Committee's observations and conclusions. There was no reason for doubting the veracity of the facts on which that Committee had based its conclusions. In addition to increasing the number of settlements in the occupied territories, the Israeli Government had announced long-term plans for the colonization and annexation of new areas in those territories. In order to implement that policy, it was continuing to expropriate land wherever it saw fit, to expel people who depended on that land for their subsistence and to exploit the human and natural resources of those territories. In sum, its methods and policies were in the traditional mould of economic domination and colonial exploitation. Resorting to the traditional argument of colonizing nations, the Israeli representative had maintained that the material conditions of the peoples in the occupied territories would improve as a result of the measures his country had taken. The United Nations could not remain indifferent to such haughty assertions, which called to mind Nazi theories, the so-called "civilizing mission" of colonizers and the insolent statements of the South African racists who also claimed they were looking after the welfare of their enslaved and exploited people.

4. The facts had been established and the conclusions of the Special Committee were clear. The General Assembly was required to pronounce once again on an issue of fundamental importance which, like the question of the Palestinian refugees, could not be dissociated from the Middle East question as a whole. It must, at the current session, take decisions which would dissuade the aggressor from adopting and implementing further measures which could have very grave consequences for the future. It must denounce the acts of the Israeli Government and condemn the grave violations of the rights of the people in the oc-

cupied territories. After reaffirming earlier resolutions, it must stress that all the measures taken to date by Israel in the occupied territories were without legal validity. It must reaffirm clearly the principle of the inadmissibility of acquiring territories by force. Finally, it must point out that any attempt by Israel to create a *de facto* situation in order to evade the consequences of Security Council resolutions on the settlement of the Middle East crisis was doomed to failure.

5. While his delegation would have no difficulty in supporting draft resolutions A/SPC/L.290 and A/SPC/L.291/Rev.1, it felt that the texts did not satisfactorily reflect the opinions of the overwhelming majority of the members of the Committee or the conclusions of the Special Committee. The Committee's concern to enlist the widest possible support and to avoid the opposition of certain delegations should not lead it to diminish the clarity or forcefulness of its decisions.

6. In conclusion, he reaffirmed his Government's position that any settlement of the Middle East situation must be made on the basis of the relevant Security Council resolutions, which implied the withdrawal of Israel from the occupied Arab territories and its respect for the national rights of all the peoples of the region, including the rights of the Arab people of Palestine. The Bulgarian Government and people sympathized with and supported the just cause of the Arab peoples, particularly the peoples of Egypt, Syria and Palestine.

7. Mr. BARTOLOME (Philippines) said his delegation was deeply concerned over the contents of the report of the Special Committee and the effect the reported violations of the human rights of the people in the Israeli-occupied territories might have on the prospects for an enduring peace in the Middle East. His delegation was distressed by the human tragedy that emerged from the dry recitation of facts, the quotations and other evidence, and the reasoned legal arguments that made up the report. The human dimensions of the situation and the violations of international law could not but disturb the United Nations and the international community.

8. Of equal concern to his delegation was the effect of the Israeli practices on the prospects of a settlement of the conflict in the Middle East. The Israeli occupation, the displacement of the original inhabitants of the occupied territories and the linking of the economies of the conquered territories with that of Israel constituted a process of consolidation which, if not reversed, would render an enormously complex problem even more difficult.

9. As President Marcos had recently stated, his Government believed that the first and indispensable element in a settlement of the Middle East question was the full implementation of Security Council resolution 242 (1967), which called for the withdrawal of the Israeli forces from Arab territories occupied in the war of 1967. The Israeli occupation of those territories was in violation of the principle set forth in the United Nations Charter according to which Members must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State. Such violation was tantamount to an act of aggression which should be condemned.

10. That was also the position of the majority of Governments represented on the Committee. Pending the Israeli withdrawal under Security Council resolu-

tion 242 (1967), the international community had been urging Israel to desist from taking measures in the occupied territories that would only make that withdrawal more difficult and peace more remote. The Committee had approved at the 889th meeting, with only four dissenting votes, draft resolution A/SPC/L.276/Rev.1 under which the General Assembly would spell out constructive measures that should be taken by Israel on behalf of the displaced inhabitants of the occupied territories. His delegation had voted for the draft resolution, as it had for every other resolution approved by the Committee in connexion with the item on the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

11. Yet what was happening in the occupied territories was exactly the opposite of what the Security Council and the General Assembly had been calling for. The new situation that had emerged in the aftermath of the most recent fighting in the Middle East had given rise to renewed expectations of fruitful, if necessarily difficult, negotiations for an enduring political settlement of the conflict. It must be recognized, however, that the measures being taken by Israel in the occupied Arab lands could frustrate the still precarious prospects for peace by exacerbating tensions and further complicating the political situation. For the sake of peace, for the sake of the populations of the occupied territories, of Israel itself, and of the countries to which those territories belonged, the international community must once again call upon Israel, pending its withdrawal from the occupied territories, to refrain from fundamentally transforming the Arab lands under its temporary administration, to respect the rights of their inhabitants, and to desist from further consolidating its rule over the conquered territories.

12. Mr. ISSAKA (Togo) said that since its accession to independence, Togo had based its position on the Middle East question on the following four principles: that, however unjust its creation from the point of view of the Palestinian peoples, Israel existed; that the question of Palestinian refugees should be solved within the framework of the provisions of General Assembly resolutions 194 (III) and 513 (VI); that the dispute should be settled by means of negotiation, not force; and that no aggressor should be allowed to enjoy the fruits of aggression. Those principles were indissolubly linked and had, moreover, been recognized by the Security Council in its resolution 242 (1967).

13. Not content with ignoring the provisions of General Assembly resolutions 194 (III) and 513 (VI), Israel had launched a surprise attack against the neighbouring Arab States in June 1967 and conquered vast territories by force of arms. Given that situation, and in keeping with its principles, in November 1967 the Togolese Republic had, through its Minister for Foreign Affairs, called for the withdrawal of Israeli troops to the positions they had occupied before 5 June 1967 because it recognized that frontiers for Israel existed.

14. It would be interesting to know how Israel could refute the allegations made by the Special Committee in its report (A/9148). If it had nothing to hide it should be asked why it would not allow the Committee to visit the occupied territories. The Israeli representative himself had acknowledged at the 890th meeting that Israel had taken steps to establish settlements in the occupied territories. A representative of Israel had also asserted

that to ignore all the freedoms obtaining in the occupied territories, all the progress achieved there in every field of human life and endeavour, and to allege that that was mere exploitation by Israel was to distort the facts completely. Such arguments were strange and revealed Israel's annexionist aims. In the opinion of his delegation, the policy of annexation and all the practices denounced in the Special Committee's report were inherent in the very nature of the occupation, if they were not its purpose. Thus, it was the occupation itself which must be denounced.

15. It was for that reason that ever since 1967 his Government had been appealing to Israel to withdraw from the occupied territories. As late as September 1973, the President of the Togolese Republic had informed Israel's Ambassador to Togo of Togo's misgivings over the fact that the territories had not been returned and that Israel had not complied with the provisions of Security Council resolution 242 (1967). The President had emphasized that unless action was taken to remedy the situation, Togo might have to revise its position vis-à-vis Israel. In its reply, Israel had not even mentioned the prolonged occupation of the Arab territories. Togo had then realized that its interventions were of no avail and had decided to break off relations with Israel. It had done so because it had considered that by their willingness to implement Security Council resolution 242 (1967), the Arab States had provided proof of courage and accepted Togo's first principle, namely, implicit recognition of all States of the region, including Israel, whereas Israel had made no gesture.

16. The Togolese Minister for Foreign Affairs had told the twenty-third session of the General Assembly at the 1706th plenary meeting that a solution to the problem must be found as a matter of urgency, that the parties to the conflict were using the cease-fire to rebuild their arms, and that the major Powers should use their good offices to secure effective implementation of Security Council resolution 242 (1967). Events had proved Togo right. The latest Security Council resolution on the subject had yielded a ray of hope that a solution might be found. It was to be hoped that Israel would heed the voice of justice and reason.

17. His delegation would vote for all those resolutions before the Committee which proposed a just solution to the Middle East conflict as a whole.

18. Mr. ZAHAWIE (Iraq) cited a number of resolutions, passed in 1972 by the twenty-eighth Zionist Congress and the Israeli Knesset, reaffirming the long-standing Zionist claim concerning the right of the Jewish people to "Eretz Israel", the historic homeland, pointing out that, in fact, Eretz Israel should extend east to the Euphrates and that so far the Israelis had been concerned only with the western part. Naturally, since the Zionists maintained that they had redeemed their homeland, they feared that if land seized in 1967 had to be given back then land seized the same way in 1948 might have to be returned as well. Although the Zionist expansionists' claim that the Arab territories were not occupied territories but rather "liberated" areas and although their declaration that the areas occupied in 1967 were no longer recognized as enemy territory explained why the Zionist representative had stated that the fourth Geneva Convention was not applicable in the occupied Arab territories, it was a question of how a party to a Convention could decide which

parts were applicable to a particular case. His statement that the International Committee of the Red Cross (ICRC) had many times confirmed that Israel was continuing to take the provisions of the Convention as its standard was untrue. In fact, although the ICRC did not normally publicize its findings, in 1970 it had felt compelled to release a report accusing the Israelis of repeated violations of the fourth Geneva Convention by the blowing up of whole villages in a policy of collective reprisals.

19. The Chairman of the Special Committee, in introducing the report of that Committee at the 890th meeting, had pointed out that the Committee's overriding concern had been with the over-all effect of Israeli policies and violations. The report therefore constituted a warning of the dangerous implications of the illegal measures that were being taken in the territories. Israel's policies were a violation of the Geneva Conventions, international law and the Charter of the United Nations, and they threatened not only peace and security in the area but also the entire security system envisaged in the Charter.

20. In 1957 Mr. Abba Eban had defined international law as the law which the wicked did not obey and which the righteous did not enforce. Now, as Foreign Minister, he seemed to be acting upon that interpretation and was able to do so because the United States of America was providing Israel with the military, diplomatic and financial assistance necessary to carry out the annexation and expansion, and even allocated huge sums to assist in settling new refugees in the occupied Arab territories. As the Chairman of the Special Committee had pointed out in his letter of transmittal to the Secretary-General (see A/9148), the situation in the occupied territories was largely due to the indifference of the international community which had merely encouraged the Zionist régime. The Special Committee had concluded that the United Nations must, even at that late date, attempt to cure what it had failed to prevent. Israel's mere presence in the occupied Arab territories was a violation of a cardinal principle of the Charter, the inadmissibility of the acquisition of territory by force, and its continued occupation was a continued act of aggression. Israel's actions in the occupied territories further violated all its obligations under international law including the cease-fire arrangements and, according to the Special Committee and several delegations, were the most formidable obstacle to a just settlement of the problem.

21. Pending the withdrawal of the occupation forces, the United Nations should supervise the violations committed daily by the Israelis in the occupied territories and should escort the members of the Special Committee so that they might conduct an on-the-spot investigation into the situation. He therefore called upon the General Assembly to consider urgently any measure which would facilitate the work of the Special Committee and any action which would deter Israel from taking further measures to consolidate the annexation of the occupied Arab territories.

22. Mr. SALJUQI (Afghanistan) announced that Turkey and the United Republic of Tanzania had become sponsors of draft resolution A/SPC/L.290.

23. Mr. KAMARA (Mauritania) announced that the United Republic of Tanzania had become a sponsor of draft resolution A/SPC/L.291/Rev.1.

24. He proposed that the word "proposed" should be deleted from paragraph 3 (a) of the draft resolution.

25. Mr. SAYEGH (Kuwait) said the report of the Special Committee (A/9148) showed the same scrupulousness, perceptiveness and courage that had been characteristic of previous reports. The addendum was extremely useful in that it provided a graphic demonstration of the full implications of certain aspects of Israel's policies.

26. Israel's reply to the report at the 890th meeting fell into four main parts: a rejection of the foundation for the findings of the Special Committee; an assertion that people in the occupied territories were enjoying greater prosperity and well-being; an attack on the integrity, impartiality and findings of the Special Committee; and an attempt to refute the evidence and findings of the Committee.

27. The reply denied the applicability of the fourth Geneva Convention for unspecified legal reasons. He could not understand why the representative of Israel had not felt it worth while to tell the Committee what those reasons were. The competent authorities to whom Israel claimed to have explained its reservations about the fourth Geneva Convention were not specified, and no details were given of the response of those authorities. He assumed that the competent authorities were the International Committee of the Red Cross, whose reply was well known to the Committee: the XXIInd International Conference of the Red Cross held in Teheran in November 1973 had affirmed the applicability of the fourth Geneva Convention to the occupied territories and had called on the parties to comply with their obligations thereunder. The competent authorities had thus rejected Israel's contention. The international legal system itself was at stake. If all countries were free to state that they did not recognize international conventions, then those conventions would be of no value. Nevertheless, Israel's position was consistent with its failure to comply with other international conventions.

28. Israel's references to the well-being of the population of the occupied territories showed a failure to understand a basic principle of the international community: the logic of colonialism and its civilizing and developing mission had been rejected by many of the present members of the international community. Moreover, the representative of Israel had been belied by his own Minister for Foreign Affairs, who had stated that the Arabs in Israel were politically very conscious and that, despite the schools and the bread, they felt politically deprived. He had also rejected the idea that the Arabs were no longer ready to fight. Yet the Israeli representative still repeated his message of happiness. It was perfectly possible for a person to enjoy a high income without accepting the alien régime.

29. The third element of the Israeli reply to the Special Committee consisted of an attack on its integrity, on the grounds, primarily, of its composition and its alleged lack of impartiality. One had the feeling that there were two implicit assumptions in that part of the Israeli representative's statement. The first was that if the Special Committee had been differently composed, Israel's attitude would have been different. However, that was not true, since Israel had consistently refused to co-operate with other United Nations bodies, even before knowing their composition or identity. There-

fore, it was no coincidence that Israel had refused co-operation with international investigating bodies, and an attack on the composition and integrity of such bodies was no more than a smoke-screen behind which Israel sheltered. What Israel rejected was the idea of international supervision and the notion that the United Nations was competent to ask Israel to account for its actions in the occupied territories. The second implicit assumption was that had the Special Committee been differently composed, its findings would have been different. The fact of the matter was that the evidence on which the Special Committee depended had been based largely on the pronouncements of Israeli leaders. Furthermore, the findings of the Special Committee, which were based on such irrefutable evidence, were corroborated by, and in their turn corroborated the findings of, a host of other bodies and individuals, such as, for example, the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the International Committee of the Red Cross, the United Nations Educational, Scientific and Cultural Organization through its Executive Board and General Conference, the National Council of Churches of Christ in the United States, western newsmen reporting in outstanding western newspapers and individual visitors. All those bodies and individuals had corroborated within their respective competence the findings of the Special Committee.

30. The fourth element in the reply by the Israeli representative had been the attempt to refute the findings of the Special Committee. It was paradoxical that Israel refused the Special Committee access to the occupied territories and then said that its report was worthless because its evidence had not been acquired at first hand in those territories. In the latter part of his statement, the Israeli representative asserted that Israel was hoping for peace, and in that expectation, noted that in the General Assembly on 3 October 1973 at the 2139th plenary meeting, the Foreign Minister of Israel had asserted that Israel had abstained from changing the political and juridical status of the administered territories. If the Foreign Minister of Israel had, in fact, made such a statement, it was a blatant falsehood. Moreover, in associating himself with such a statement, the Israeli representative was insulting the intelligence and judgement of the Committee, all of whose members were aware of the situation in the territories. For instance, they all knew of the changes made in Jerusalem and that the Allenby Bridge over the Jordan had been declared an official transit point. An Israeli court had been established in the Golan Heights and some of the names of parts of the occupied territories had been changed.

31. In his attempt to refute the findings of the Special Committee, the Israeli representative had stated that the conclusions in the report with regard to allegations of a policy of annexation and settlement were baseless, wrong and misleading. He had been proceeded to admit that 42 Israeli settlements had been established in the occupied territories. However, his own Government admitted the existence of 48 new settlements, not counting the settlements in occupied Jerusalem and Hebron. Similarly, in his statement the Israeli representative had manipulated the population statistics for the occupied territories in an attempt to conceal the fact that Israel intended to change a solidly Arab region, the Golan Heights, into a predominantly Jewish one,

thereby modifying the demographic composition of the territory.

32. Even more misleading had been the statements by the Israeli representative with regard to the nature of the new settlements. He had claimed that they had been established for the purposes of defence and security, although most of them appeared to be civilian settlements. Statements by the Prime Minister, the Deputy Prime Minister, the Minister of Defence, the Chief of Staff and other Israeli military leaders clearly indicated that the aim of the settlements was to extend the borders of Israel. Moreover, they were viewed as not temporary but permanent, not military but civilian settlements. The representative of Israel had stated that the report of the Special Committee attempted to create the impression that the administered areas were being used for the absorption of Jewish immigration. Before making such a sweeping statement the Israeli representative would do well to familiarize himself with his Government's position.

33. In concluding, he felt in duty bound to make some reference to Israel's accomplice in its violations of international law and its failure to comply with its obligations under international law. Without the help and support of the United States of America, Israel would not be able to build and maintain its settlements in the occupied territories. The settlement programme was the responsibility of three bodies, namely the Government of Israel, the Settlement Department of the Jewish Agency and the Jewish National Fund. Both the Jewish Agency and the Jewish National Fund received the bulk of their funds from money donated in the United States of America ostensibly for charitable purposes, and created by the United States Department of the Treasury as tax-deductible contributions. In addition, the United States Government contributed direct funds for settlement of new immigrants in the territories, more, in fact, than it gave to the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Furthermore, the United States of America was putting pressure on other countries in the name of the Universal Declaration of Human Rights to allow Jews to emigrate in a way that, in fact, violated that Declaration. However, paragraph 28, article 13 of that Declaration referred not only to the right of anyone to leave any country, including his own, but also the right to return and the Palestinians were being denied the right to return to their own country. In that connexion, some 25 years ago, the late Count Bernadotte had said that it would be an offence against elemental justice if Jewish emigration was encouraged while the return of the refugees was hampered.

34. Mr. HAMMAD (United Arab Emirates) congratulated the Chairman and members of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories for their lucid and objective report. Faced with Israel's refusal to grant them access to the occupied territories, they had none the less made praiseworthy efforts to gather data and evidence on Israeli practices. At all levels, their work had been marked by objectivity, the search for truth and dedication to human rights. The slander levelled against them by the Israeli representative could be interpreted only as a testimony to their correct behaviour.

35. In his statement at the 890th meeting, the Israeli representative had denied that the fourth Geneva Con-

vention relative to the Protection of Civilian Persons in Time of War was applicable to the occupied Arab territories for a number of legal reasons. Despite repeated questions, the Committee was still awaiting an answer from the Israeli representative as to the nature of those legal reasons. His continued silence must be construed to mean that such reasons did not exist.

36. His delegation asserted its conviction that the Convention was applicable to the occupied territories. The Arab States and Israel were signatories to the Convention. Israel had acceded to and ratified the Convention and therefore had a continuous obligation to apply it, as clearly expressed in article 1.¹ The Commentary written by Jean Pictet² stated that each State party contracted obligations vis-à-vis itself and at the same time vis-à-vis the others. The type of war engaged in and its purpose in no way affected the treatment that protected persons should receive from the occupying Power. The Commentary even went so far as to say that article 1 made it obligatory for all other parties to the Convention to endeavour to bring a party failing to fulfil its obligations back to an attitude of respect for the Convention.

37. The meaning and intent of article 2¹ was also very clear. It obligated Israel to implement the provisions of the Convention in the occupied territories. It considered the inhabitants of those territories as protected persons. The Commentary also stated that the inhabitants of the occupied territory simply became protected persons as they fell into the hands of the occupying Power. Articles 1 and 2 therefore prescribed the attitude and practices that Israel should follow regarding events in the occupied Arab territories.

38. If the foregoing remarks did not convince the representative of Israel of the fallacy of his statement, it would be advisable to examine Israel's obligation to apply the Convention within the context of some of the relevant and generally accepted principles of interpretation of treaties. The first such principle was that the terms of a treaty were to be understood in their plain, natural, logical or ordinary sense. Thus, the International Court of Justice did not ask itself what the text was intended to mean, but what it did in fact mean in its natural wording. If that principle was applied to the Convention, the terminology of articles 1 and 2 was very clear and it would be absurd to claim that the articles were ambiguous in any way. Both meant that Israel had an obligation to apply the Convention in all cases and circumstances.

39. The second principle was the interpretation by the principle of context. It was a cardinal principle of interpretation that words must be interpreted in the sense which they would have in their context, unless such an interpretation led to something unreasonable or absurd. In the light of that principle, the principle of plain meaning was only a *prima facie* guide to the intention of the parties, and if accepted, it should conform to the contextual evidence of the intention of the parties. The intention of the parties to the Geneva Convention was very well underlined in the Commentary. The participants in the deliberations that had led to the adoption of the Geneva Convention were gravely concerned by the

violation of human rights of civilians during the First and Second World Wars and had recognized the inadequacy of The Hague Conventions of 1899 and 1907 regarding the laws and customs of war on land to protect such rights. Their intention, therefore, had been to draw up a convention that protected civilians in all circumstances. The Commentary ascribed an obligation to each party to respect the Convention and to endeavour to bring the defaulting party back to an attitude of respect for the Convention. Furthermore, it stated that, even if a State were to denounce the Geneva Convention, it would still be bound by the principles of that Convention, which were today the expression of valid international law in that sphere.

40. The third principle was the interpretation by recourse to the principle of *travaux préparatoires*. There might be no need to resort to that principle in considering the text of the Convention, since it was clear in itself. However, resort to the preparatory work on the Convention, such as preliminary drafts, records of the participants' remarks at their meetings and public statements made by the drafters, all indicated that they had intended that the Convention should be applied by all parties, at all times, in all cases and circumstances. The representative of Israel should read the material he had referred to and he would then see how fallacious his contention was.

41. The fourth principle was the interpretation by the principle of major purposes. Generally, the terms of a convention could not be thoroughly understood unless read in the light of the purpose which had prompted its conclusion. The purpose of the Convention was unequivocally clear throughout its 156 articles which crystallized the intention of the world community to protect the human rights of civilians in occupied territories. The purpose of the Convention was outlined in the first two articles which obliged every State party to protect such rights in all cases and circumstances without exception. Thus no exception could be made to or by Israel in that regard, since it was a party to the Convention. The only conclusion that could be reached by anyone examining the Convention, and Israel's obligation under that Convention, within the context of the internationally accepted principles of interpretation, was that Israel was bound by it and should, accordingly, apply it to the occupied territories.

42. Of course, international law provided each party to a treaty or convention with two alternatives for absolving itself from the commitments assumed under such an instrument. The first, which involved partial absolution, was the formulation and declaration of a reservation regarding the applicability of certain provisions or of the text, in full or in part, vis-à-vis another State or States. Such a reservation was governed by article 14 of the Vienna Convention on the Law of Treaties.³ Although subparagraphs (a) and (b) of article 14 did not apply with regard to the Geneva Convention, Israel could not have made such a reservation to the Convention, in the light of the letter and spirit of subparagraph (c). Such a reservation would have negated the purpose of the Convention and, accordingly, would be in violation of subparagraph (c) of article 14. To his knowledge, Israel had not made such a reservation at the time of its accession to the Convention.

¹ United Nations, *Treaty Series*, vol. 75 (1950), No. 973.

² J. S. Pictet, editor, *The Geneva Conventions of 12 August 1949, Commentary on the fourth Geneva Convention relating to the protection of civilians in the time of war*, Geneva, International Committee of the Red Cross, 1958.

³ *United Nations Conference on the Law of Treaties, Official Records of the Conference*, 1968 and 1969, United Nations publication, Sales No. E.70.V.5, document A/CONF.39/27.

43. The second method for absolving a party from its commitments to the full text of a convention was through denunciation. Article 158 of the Geneva Convention provided such a right for all parties. Yet, it was common knowledge that Israel had not invoked that article and had therefore not denounced the Convention. Therefore, Israel was obliged, not only by the norms of justice, equity and civilized behaviour, but also by international law, to apply the provisions of the Geneva Convention to the occupied Arab territories. Hence Israel's claim regarding the non-applicability of the Convention to those territories had no foundation whatsoever.

44. The Geneva Convention, as an instrument of international law, prescribed modalities for protecting the rights and interests of people under alien military occupation against the policies and practices of the occupying Power. Its text covered the manifold interests of the population of the occupied territories in resuming their normal pursuits and modes of living disrupted by war. Those interests and pursuits could conveniently be grouped into three broad categories, namely, people, resources and institutions. Those were interrelated and were all objects of protection. Therefore, the claim made by the representative of Israel that matters of property had nothing to do with human rights was without factual, moral, or juridical foundation.

45. It seemed that the Israeli representative was completely ignorant of article 17 of the Universal Declaration of Human Rights which stated that everyone had the right to own property alone as well as in association with others, and that no one should be arbitrarily deprived of his property. Article 22 of the Declaration, for its part, illustrated the interrelation between economic and other rights.

46. In its statement, his delegation had limited itself to some of the legal aspects of the applicability of the Geneva Convention to the occupied Arab territories and to the interrelationship between the three general categories of rights and interests covered in the Convention. It had not enumerated the violations committed by Israel against the human rights of the population of the occupied territories, because it believed that the report of the Special Committee provided documentary evidence of such violations. Furthermore, many other speakers had already spoken at length about those violations. His delegation concurred with those delegations and joined them in indicting Israel's violations, whether in the commission of crimes against the Arabs, or in the omission of punishments to its officials who had committed such grave crimes, as prescribed in articles 146 and 147 of the Convention.

47. Mr. RAKOTOFIRINGA (Madagascar) said that his delegation would vote for draft resolutions A/SPC/L.290 and A/SPC/L.291/Rev.1. He suggested, however, that in draft resolution A/SPC/L.291/Rev.1, paragraph 3 (g), the word "illegal" should be deleted, in order to improve the wording without affecting the meaning of the paragraph.

48. Mr. KAMARA (Mauritania) accepted the amendment.

49. Mr. BIRIDO (Sudan) requested that the statement of the representative of Kuwait be reproduced verbatim and issued as an official document of the Committee, in view of the important information and clarifications which it contained.

50. The CHAIRMAN said that, if he heard no objection, and with due regard to the authorization given to the Special Committee by the General Assembly at its 2123rd plenary meeting on 21 September 1973, he would take it that the Committee wished the statement of the representative of Kuwait to be reproduced verbatim and issued as an official document of the Committee.

*It was so decided.*⁴

51. Mr. BARROMI (Israel) said that many anti-Israeli statements, which had, in some cases, included violent threats, religious and racist instigation and wild allegations, had been made in the Committee. Most of those statements had, however, been nothing more than elaborations and commentaries on the report of the Special Committee (A/9148 and Add.1). In that connexion, at the 890th meeting of the Committee, his delegation had made some very pertinent remarks on the illegality of the Special Committee's establishment and on its obvious lack of impartiality.

52. In view of the remarks by the representative of Kuwait at the present meeting, he now wished to make some further comments on the report of the Special Committee and on General Assembly resolution 2443 (XXIII), by which the Special Committee had been established. During the present discussions, several representatives had referred to the biased nature of that resolution, and indeed, the terms of reference of the Committee it had established were not those of an objective investigation. Moreover, violations of human rights had been attributed to Israel without any evidence and the Special Committee had been set up in order to produce or create such evidence. General Assembly resolution 2443 (XXIII) had also excluded from the terms of reference of the Special Committee the situation of the Jewish minorities in Arab countries in disregard of Security Council resolution 237 (1967), by which the Secretary-General had dispatched a special representative to several countries of the Middle East in 1967. The report of the special representative⁵ did indeed include sections on the treatment of Jewish minorities in Arab countries who were victims of the war situation. While Security Council resolution 237 (1967) had been adopted as a result of humanitarian concerns and its purpose was to spare the civilian populations and prisoners of war in the area of conflict in the Middle East additional suffering, the cloak of human rights had been used in General Assembly resolution 2443 (XXIII) to conceal ugly *ex parte* interests and aims. He was of the opinion that that resolution had been born in injustice and in disregard for defenceless minorities, and that it had no moral or legal validity.

53. The report of the Special Committee was the result of painstaking efforts. A few articles from the Israeli press had been cut into small pieces to suit the purposes of the report and then all the fragments had been put together in a kind of jigsaw puzzle so that the same irrelevant references appeared a number of times throughout the report. He did not think that the charges which had allegedly been substantiated by that technique or other similar means deserved a new rebuttal.

⁴ The full text of the statement was subsequently circulated in document A/SPC/PV.896.

⁵ Official Records of the Security Council, Twenty-second Year, Supplement for October, November and December 1967, document S/8158.

They had been effectively dealt with by the representative of Israel at the 890th meeting, the summary record of which was available to all delegations. It was, however, important to consider the aims of the authors of the report and of the speakers who had given it their full support. They had obviously been disturbed by the prosperity, social progress and peaceful coexistence to be observed in the administered territories and would have liked to see economic stagnation, unemployment and unrest. The administered territories were, however, flourishing and there was an unprecedented boom in agriculture, which was being modernized and rationalized. Industry was also expanding and business connexions, sports events, lectures on cultural happenings had brought Arabs and Jews together. Those two peoples were no longer separated by insurmountable barriers, but, rather, bound together by ever closer ties.

54. That had not, however, been the case in the recent past. Only a few years previously, school children in the area had been taught to prepare for Israel's annihilation and the seeds of hate had borne poisonous fruit, when, in 1967, the Arab States had moved to carry out the liquidation of Israel. The Six-Day War had ensued and the occupied territories had come under Israeli administration. It was therefore not surprising that the first encounters between Arabs and Jews after the 1967 war had been awkward and hesitating, but it was to the credit of both peoples that they had learned the difficult art of coexistence. Mistrust had been dispelled and new understanding and mutual respect had taken root. Decisive proof of that fact had been provided during the 1973 Egyptian-Syrian aggression, when the Arabs of the administered areas had refused to be carried away by incitement and by psychological appeals to war broadcast on neighbouring countries' television and radio stations. Peace and tranquillity had prevailed throughout the area during the recent war and were prevailing now. One of the factors which had contributed to that satisfactory state of affairs had been the existence of Israeli military and para-military villages along the borders and in other sensitive areas. Those villages had proved remarkably effective in preventing the infiltration of terrorist squads and in blocking the access and retreat of agitators and saboteurs. Thus, the Israeli military and para-military outposts were an essential element of Israel's security policy and were designed to ensure the orderliness of civilian life in the administered territories. The charges brought against that policy were, in fact, aimed at denying Israel's basic right and duty to provide defence and security for the areas under its control. The allegation made in paragraph 150 of the Special Committee's report that the measures taken by Israel presented the most formidable obstacle to peaceful negotiation and to a just settlement of the Middle East problem was untrue. The lack of negotiation stemmed from the obstinate refusal of the Arab States, which had, for seven years, prevented any move towards peace. Israel had, however, offered dialogue and negotiation time and time again. Negotiation had been the main theme of the statement made at the 2139th plenary meeting in the General Assembly on 3 October 1973 by Mr. Abba Eban, the Minister for Foreign Affairs of Israel, who had stated, with regard to the administered territories, that

"Throughout all this period we abstained—as we still do—from changing the political and juridical status of the administered territories and have not closed any options for a negotiated peace."

He had quoted from the statement of Mr. Eban for the benefit of the representative of Kuwait who, for some unknown reason, had referred to only half of that statement in the present discussion, although it had been given in its entirety in the text circulated on 19 November 1973.

55. With regard to the remarks made by many delegations concerning Israel's position with respect to the fourth Geneva Convention, he pointed out that the representative of Syria, who had more than once taken the initiative on that subject, was the least qualified to speak on such matters because his country's record in the mistreatment of minorities had caused world-wide indignation. In addition, the murder of Israeli prisoners of war, full evidence of which had been given in the letter of 22 November 1973 addressed to the Secretary General by the representative of Israel (A/9333), had been a shocking new outrage. Syria's refusal to present to the Red Cross the list of Israeli prisoners of war and to permit an exchange of prisoners of war, as required by the third Geneva Convention, as well as other violations of that Convention, proved that Syria was committed to its reckless course. The representative of a country which ignored and flouted the principles of humanity and the obligations of international law had no moral right to express any judgement on humanitarian questions.

56. Israel's declared policy was to implement the provisions of the fourth Geneva Convention in the administered areas. Charges of violations were either devoid of any basis in fact or had originated in misrepresentation of facts. Every Israeli military officer serving in the administered territories had been issued a booklet containing the text of the fourth Geneva Convention. Israel's attitude was one of respect for the principles of that Convention and of co-operation with the Red Cross, as confirmed by the annual reports of that organization. Israel did, however, maintain juridical reservations regarding the formal applicability of the fourth Geneva Convention to the administered areas. It had consistently maintained and expressed that position since 1967. In that connexion, the representatives of Iraq and Kuwait had referred at the present meeting to the Conference of the International Committee of the Red Cross (ICRC). He was, however, sure that the representative of Kuwait was aware of the difference between the ICRC, an independent body having its seat in Switzerland, and the diplomatic conferences of the Red Cross attended by Governments and national associations, the membership of which was similar to that of the United Nations. With regard to the ICRC itself, he read out the following passage from its 1971 report:

"While the Israeli Government did not agree with the formal opinion expressed by the ICRC on several occasions, it nevertheless continued to afford the ICRC and its delegates all the facilities necessary to the successful achievement of their mission for the population. The ICRC delegation therefore applied a pragmatic approach to its efforts to ensure as complete an implementation of the provisions of the fourth Geneva Convention as possible"

57. With regard to human rights, democratic States had certain disadvantages. In open societies, where absolute freedom of press and expression prevailed, there was always a certain amount of self-criticism, which was unknown in authoritarian régimes, difficult for Israel's Arab neighbours to understand and easily

exploited by ill-intentioned observers. Constitutional restraints prevented the arbitrary exercise of power, and human rights and energies had the double protection of the rule of law and of the control of independent public opinion. The strength of democratic societies lay in built-in guarantees that errors and failings would be corrected and justice upheld, while authoritarian régimes, which were inherently antagonistic to the very notion of human rights, acted on a different principle. Secrecy, a controlled press and police terror hid their real face from outsiders. Dissidents were silenced or put into mental institutions. History was conveniently rewritten. He recalled, for example that Egypt had used poison gas against its Yemenite brothers, as had been documented by the International Committee of the Red Cross. In a letter to the Secretary-General,⁶ Oman had complained of air bombing carried out in Omani territory by the air force of Democratic Yemen. In the Committee, however, wolves had the habit of disguising themselves as innocent lambs. Thus, the Committee had just heard the fraternal statements of the representatives of Iraq and Kuwait, but how easily had both forgotten that, only a few years previously, Iraq had moved to occupy all the territory of Kuwait and take possession of its fabulous natural wealth. How easily had it also been forgotten that, in the case of Iraq, an appeal had been sent to the ICRC on 5 November 1973 by the Kurdish Liberation Movement concerning the use of gas, napalm and chemical war material against the Kurdish population. Yet those countries continued to deliver indignant sermons to the rest of the world, striking a high moral tone and castigating the sins of others.

58. Israel's way was different. It was striving to create and maintain a just society characterized by respect for the law, public welfare and concern for individual freedoms and rights. Those were the values and standards Israel had followed in the administered areas and no malevolent innuendoes and aspersions would affect its attachment and dedication to those principles.

59. Mr. SAYEGH (Kuwait) said that he sympathized with the Israeli representative and understood his discomfiture at finding no answers in the face of overwhelming evidence and why he was trying to divert attention by making irrelevant comments. Relations between Kuwait and Iraq were quite irrelevant to the report of the Special Committee.

60. His country had nothing to learn about democracy, the free press and treatment of minorities from Israel. But in another Committee and in connexion with another item of the agenda, he would show the status of some of the Jewish minorities in Israel, where not only Arabs were subordinated. Despite Israel's claim that there was an open society in the occupied territories, foreign journalists who had visited the occupied territories had come to the same conclusions as the Special Committee. Israel had criticized the Special Committee for using material from newspapers, but would not allow the United Nations to make an investigation.

61. The Israeli claim that General Assembly resolution 2443 (XXIII) was unbalanced ignored the fact that only one territory was being occupied. There was indeed no way in which the resolution could have been made other than one-sided.

⁶ Official Documents of the Security Council, Twenty-eighth Year, Supplement for October, November and December 1973, document S/11121.

62. Mr. EL-FATTAL (Syrian Arab Republic) said that Israel, which had itself been guilty of war crimes, should be the last country to accuse others of violations of human rights. Israel had levelled many false allegations against Syria and had expected the world to believe them. Although it might be possible for Israel to use such lies to raise money at Sunday rallies or through the media, it could not expect them to be believed by the members of the Committee, who were fully aware of the situation in the Middle East.

63. Israel's campaign of lies against Syria was directly connected with the crisis within Israel itself. The Israeli authorities sought to make Syria a scapegoat in order to divert attention from the internal situation in Israel.

64. Israel had seriously distorted the meaning of Security Council resolution 237 (1967). That resolution had been interpreted in 1968 by the United Nations Legal Counsel as applying only to the occupied territories and not to minorities in Israel or to Syrian citizens of the Jewish faith. Israel, however, interpreted Security Council resolution 237 (1967) as authorizing it to demolish refugee camps, and evict people from their homes in the occupied territories.

65. The Syrian Arab Republic would respect all the Geneva Conventions without reservation. Israel, on the other hand, had never explained its position with regard to those Conventions. On 19 October 1973, the Government of Israel had informed the International Committee of the Red Cross that, although it would respect international law, it could not respond to the International Committee's appeal to spare civilian targets, since that appeal was based only on a draft addition to a Geneva protocol.

66. He recalled that the representative of Israel had said that Israel had an open, democratic society. However, an article written by an Israeli citizen in *Le Monde Diplomatique* had cast considerable doubt on the truth of that statement.

67. Mr. BARROMI (Israel), speaking in exercise of the right of reply and referring to the observations made by the representative of Kuwait, said that General Assembly resolution 2443 (XXIII) had been slanted because it had prejudged the issues before any investigation had taken place and because it had ignored the plight of Jewish minorities living in Arab States.

68. He noted that the representative of Syria had been eager for details on Israel's legal position on a number of points. Israel, too, had a number of questions to ask of Syria. Were cease-fire agreements, for example, to be regarded as binding on Israel but not on the Arab countries?

69. The problem of the Middle East situation could be solved only through a basic change in the attitude of the Arab countries. The parties involved must recognize each other's existence and agree on definite borders. The speeches which he had heard in the Committee had not been encouraging, but he believed that the forces of hatred and repression would eventually be overcome.

70. Mr. SAYEGH (Kuwait), exercising the right of reply, said that the so-called prejudgement of the issues by General Assembly resolution 2443 (XXIII) had been substantiated by the findings of the Special Committee. If Israel had wished to make the terms of that resolution

more all-embracing, it could have introduced an appropriate amendment. Peace could be achieved only by observance of the law, not by violation of it.

71. Mr. EL-FATTAL (Syrian Arab Republic), exercising the right of reply, said that not only he, but many other members of the Committee, were puzzled as to Israel's legal position in respect of the Geneva Convention. As yet, there had been no unequivocal statement

by Israel that it would respect all four Geneva Conventions, including the fourth Convention.

72. Mr. FADHLI (Democratic Yemen) exercising the right of reply, said that the accusations made by Israel that his country had attacked Oman were false and as the representative of Syria had said, were simply an attempt to divert attention from the basic issue.

The meeting rose at 1.55 p.m.

897th meeting

Monday, 26 November 1973, at 3.45 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.897

AGENDA ITEM 45

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (concluded) (A/9148 and Add.1, A/9237, A/SPC/166, A/SPC/L.290, A/SPC/L.291/Rev.1, A/SPC/L.292)

CONSIDERATION OF DRAFT RESOLUTIONS

1. The CHAIRMAN invited the members of the Committee to consider draft resolutions A/SPC/L.290 and A/SPC/L.291/Rev.1 together with the oral amendments to the latter.

2. Mr. BARROMI (Israel) said that his delegation regarded draft resolution A/SPC/L.290 as an unwarranted and unbalanced text. Israel's reservations on the question of the applicability of the fourth Geneva Convention to the administered areas, referred to in operative paragraph 1, were a matter of record. Israel respected the principles of the Convention and therefore rejected the implications of paragraph 2. Paragraph 3 was redundant. Draft resolution A/SPC/L.290, although purporting to be humanitarian, was a politically motivated and tendentious document; his delegation would not support it.

3. Draft resolution A/SPC/L.291/Rev.1 represented a new attempt to harness the United Nations in the service of the warlike designs of the Arab States. In operative paragraph 3, a number of new elements had been added to the list of the alleged violations of human rights by Israel which must have required quite a feat of the imagination, for example the accusation that Israel was disrupting Arab family rights and customs. Israel took pride in its scrupulous respect for religious freedom in the areas under its control. The fact that there should have been some hesitation in choosing between "pillaging" and "illegal pillaging" in the drafting of subparagraph 3 (g) was characteristic of the unreal atmosphere of the discussion. Needless to say, any pillaging of archaeological and cultural property was forbidden in Israeli-controlled territories. The purpose of paragraph 3 became clear after a perusal of paragraphs 6 and 8. Those paragraphs which had nothing to do with human rights in the administered areas constituted a new form of action in the Arab campaign against Israel. Draft resolution A/SPC/L.291/Rev.1

was merely an instrument of political warfare designed to back up military activities. The Conference of Arab Foreign Ministers being held in Algiers had just adopted a resolution calling for a final victory against Israel. The draft resolution under consideration, which had the same purpose, was therefore contrary to the essence of the Charter of the United Nations: Israel would vote against it and called for its rejection.

4. Mr. MARTINEZ ORDOÑEZ (Honduras) recalled that Honduras had friendly relations with both Israel and the Arab countries. Honduras supported the existence of the State of Israel; it had voted for the United Nations resolutions which had given birth to that State. On the other hand, Honduras attached equal weight to the principle of the Charter which forbade the acquisition of territories by force. Furthermore it considered that the fourth Geneva Convention applied unreservedly to the conflict under discussion.

5. With regard to the Special Committee's report (A/9148 and Add.1), Honduras had no reason for doubting its impartiality as it had equally no reason for doubting the statements of Israel. Nevertheless his delegation wished to inquire what type of organ Israel would allow to provide full information to the General Assembly. Assuming that it was possible to establish a committee acceptable to both parties concerned, the Honduran delegation wished to know if Israel would be prepared to allow such a committee to conduct investigations in the occupied territories. The Honduran delegation could not support the acquisition of territories by force or by threat of force. It would like to have an assurance from Israel that the territories were under military occupation and would not be placed under Israeli sovereignty. If Israel could not answer those questions, the Honduran delegation would vote accordingly.

6. Mr. OSMAN (Egypt) said that United Nations action in the form of General Assembly resolutions was a step forward in the application of international law and gave concrete expression to the accepted values of the international community. At the time when European countries had been invaded by the Nazi hordes, the populations of invaded countries had not been protected by any convention, unlike the Asian and African populations of the territories occupied by Israel. Even at the time of the International Conference of the Red Cross (ICRC) in Istanbul in 1969, Israel had proposed

that the Geneva Convention should not be applied on the ground that it was of recent date. The Egyptian delegation to the Conference had then inquired, along with other delegations, how old the Convention had to be in order to become applicable. Israel's conduct with regard to the Convention was no new departure. The ICRC had categorically rejected the fallacious arguments of Israel and had asked it to apply the 1949 Geneva Convention.

7. When the Nazi régime of the 1930s had embarked on the conquest of the territories of neighbouring States in pursuance of the principle of *lebensraum*, it had felt obliged to withdraw from the League of Nations. Israel was less scrupulous: it applied a similar theory when it talked about its security requirements, yet it had the audacity to come to the United Nations to defend viewpoints contrary to the Charter of the United Nations.

8. Mr. BARROMI (Israel), speaking in exercise of the right of reply, said in answer to the Honduran representative that representatives of international organizations such as the United Nations and UNESCO had carried out missions in Israel: Israel basically objected to General Assembly resolution 2443 (XXIII); as its Minister for Foreign Affairs had stated on 3 October 1973 in the General Assembly (2139th plenary meeting), Israel had not modified the legal status of the territories and had not excluded any possible avenue of peace.

9. Mr. MARTINEZ ORDÓÑEZ (Honduras), speaking in exercise of the right of reply, said that he was familiar with Mr. Eban's speech and with the arguments of the Israeli delegation and those of the representatives of the Arab countries. Israel's objection lay in the fact that the Special Committee did not inquire into the situation of the Jewish minorities in the Arab countries and that the mandate of the Special Committee prejudged Israel's conduct. But, the report of an impartial committee's investigations in the occupied territories might be favourable to Israel if the facts it brought to light were favourable. Honduras wished to know what type of committee acceptable to the Arab countries would be allowed by Israel to make investigations in the occupied territories and report to the General Assembly. That question had remained unanswered.

10. Mr. MEHIRI (Tunisia) observed that a speaker had referred to "Israeli minorities" in Arab countries. He wished to make it clear that there were no "Israeli minorities" in Arab countries, but Jewish citizens, a minority group, naturally, but enjoying the same rights as any other citizen.

11. Mr. BARROMI (Israel) in answer to the observations of the Honduran representative, said that his delegation had already on a number of occasions explained the position of its Government. With regard to the suggestion made by the Honduran representative, it was no longer appropriate to appoint a special United Nations committee to investigate the situation in the occupied territories in view of the possibility that in the very near future a peace conference would meet to examine the situation in the Middle East.

12. Mr. SAYEGH (Kuwait) requested that the statements of the Honduran and Israeli representatives should be published *in extenso*.

13. The CHAIRMAN, recalling the decision by which the General Assembly had authorized the Spe-

cial Political Committee, at its express request, to have transcriptions made of the proceedings of certain of its meetings or parts of such meetings, said that in the absence of any objection he would assume that the proposal by the representative of Kuwait was acceptable to the members of the Committee.

*It was so decided.*¹

14. Mr. HICKS (Canada) recalled that his Government was in favour of a statute being drawn up for the region at the earliest possible date so that established frontiers could be guaranteed to all the countries. Canada, which shared the opinion of many Committee members that the fourth Geneva Convention applied to the Arab territories occupied by Israel since 1967, supported draft resolution A/SPC/L.290.

15. On the other hand, Canada would, in view of the circumstances, abstain in the vote on draft resolution A/SPC/L.291/Rev.1, which, in paragraph 8, called for measures against Israel which Canada did not, in the circumstances, consider justified. His delegation wished, moreover, to make it clear that it would be opposed to such measures if they took the form of sanctions.

16. Mr. MENDEZ RIVAS (Uruguay) said that in order to form an opinion on the question under consideration and come to a decision on how to vote, the formal aspect of the problem must be properly distinguished from its basic aspect. As to the basic aspect, his delegation did not feel that any country which respected human rights could remain indifferent to a task such as that which had been entrusted to the Special Committee. Because Uruguay defended the cause of the dignity of the human person and respect for the rights of all human beings, and because its ideal was peace, justice and the rule of law, it had lent its full moral support to the Organization whenever it had taken action to ensure the defence or the preservation of those principles.

17. From the point of view of form and procedure, however, there were serious obstacles to any attempt at a fair and equitable judgement. The fact was that Israel, for reasons which from its point of view were worthy of attention, had refused to recognize the legitimacy of the Special Committee from the time of its establishment and had persisted in its refusal to co-operate with the Committee, with the result that, year after year, Israel had been found guilty by default—thus far, to no avail.

18. His delegation had no intention at the present stage of examining the validity of the legal aspects of Israel's objection or the validity of its political stand regarding the composition of the Special Committee; it wished merely to remedy the initial defect in all those procedures which arose from Israel's systematic refusal and which was preventing the Committee from conducting its inquiry under proper and impartial conditions. In his delegation's opinion, that intransigence weakened the effect of any resolutions of censure drawn up by the Special Political Committee on the basis of the conclusions of the Special Committee. It might be possible to correct that short-coming through a restructuring or expansion of the Special Committee, with due regard for the principle of geographical distribution. If Israel then persisted in its attitude, it would

¹ The full text of the statements of the representatives of Honduras and Israel was subsequently distributed in document A/SPC/PV.897.

no longer have any legal or political basis for its opposition but would raise a serious presumption of its guilt.

19. It was only on the basis of such a procedural improvement that his delegation would be prepared to take a decision on the question. Consequently, the Uruguyan delegation would abstain in the vote on any resolution dealing with the substance of the question, for example, draft resolution A/SPC/L.291/Rev.1. It would, on the other hand, vote for draft resolution A/SPC/L.290, which reaffirmed the principles embodied in the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, an instrument which, in his country's opinion, had the force of law.

20. Mr. PANYARACHUN (Thailand) said that his country recognized the State of Israel and also maintained friendly relations with the Arab countries. His Government's stand in the matter was based on four main principles. First, recognition of and respect for the sovereignty and territorial integrity of all the States in the region. Secondly, inadmissibility of the acquisition of territory by force. Thirdly, the need to alleviate the sufferings of the Palestinian refugees and the Arab population of the occupied territories. Fourthly, the adoption by the United Nations of measures in pursuance of Security Council resolution 242 (1967) to establish a just and lasting peace in the region.

21. In the light of those principles, his delegation would have no difficulty in voting for draft resolution A/SPC/L.290. Draft resolution A/SPC/L.291/Rev.1 would have to be given closer attention, and that was why, in the past, his delegation had abstained from voting on similar resolutions. However, as the head of the Thai delegation had said in the General Assembly on 1 October 1973 at the 2134th plenary meeting, the continued occupation of the Arab territories and the measures taken by Israel to strengthen that occupation were contrary to the spirit of the Charter. In the light, therefore, of those considerations and of all the points of view expressed in the Special Political Committee, his delegation would vote for draft resolution A/SPC/L.291/Rev.1.

22. Mr. SHERMAN (Liberia) said, in commenting, before the vote, on his delegation's stand with regard to operative paragraph 1 of draft resolution A/SPC/L.290, that the root of all the contention was the violation of the cardinal principle of the United Nations which had been reaffirmed in Security Council resolution 242 (1967)—to which his Government had given its support—namely, the inadmissibility of the acquisition of territory by force of arms. Inasmuch as legality could not be born of illegality, the Liberian delegation demanded that Israel respect that principle. That was why his delegation would vote for draft resolution A/SPC/L.290.

At the request of the representative of Kuwait, a recorded vote was taken on draft resolution A/SPC/L.290.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Bolivia, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, Gambia, German Democratic Republic, Germany

(Federal Republic of), Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Costa Rica, Israel, Malawi, Nicaragua.

The draft resolution was adopted by 109 votes to none, with 4 abstentions.

23. Mr. BASSETTE (Belgium) said that his delegation had voted for draft resolution A/SPC/L.290 which affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War applied to the Arab territories occupied by Israel. In voting in that manner, it had taken into account the fact that the XXIIInd International Conference of the Red Cross which had been held at Teheran in November 1973, had just adopted a similar resolution by a very large majority. He also pointed out that the Teheran Conference had likewise adopted unanimously a resolution which called for the complete and unconditional application by all the parties to the armed conflict of the other Geneva Conventions. His delegation's vote must therefore be interpreted as being linked with the concern of the International Red Cross to ensure respect for humanitarian rights in time of armed conflict.

24. The CHAIRMAN pointed out that the statement of the administrative and financial implications of the draft resolution A/SPC/L.291, which, in conformity with rule 155 of the rules of procedure of the General Assembly, had been submitted to the Committee by the Secretary-General in his note A/SPC/L.292, likewise applied to the revised version of the draft resolution (A/SPC/L.291/Rev.1).

25. Mr. SCHAUFLE (United States of America) said that his delegation, which considered that the fourth Geneva Convention applied to the situation in the territories occupied by Israel, had voted for draft resolution A/SPC/L.290. Nevertheless, no matter how greatly his country desired to alleviate the sufferings of the people of the occupied territories, his delegation was unable to support draft resolution A/SPC/L.291/Rev.1 just as it had been unable to support the General Assembly resolution (2443 (XXIII)) setting up the Special Committee because one paragraph of that resolution had prejudged the conclusions of the inquiry. However, while regretting that the delegation of Israel was not able to share its opinion, the United States delegation reaffirmed that the fourth Geneva Convention did apply to the situation in the territories occupied by Israel. Furthermore, his delegation hoped that Security Council resolution 338 (1973), which was based on Security Council resolution 242

(1967), would make it possible to establish a just and durable peace in the Middle East. The failure of draft resolution A/SPC/L.291/Rev.1 to ensure the existence of such conditions was the reason why the United States delegation found itself obliged to vote against it.

At the request of the representatives of Algeria, Israel and Kuwait, a recorded vote was taken on draft resolution A/SPC/L.291/Rev.1, as orally amended.

In favour: Afghanistan, Algeria, Argentina, Bahrain, Botswana, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

Against: Barbados, Bolivia, Costa Rica, Dominican Republic, Israel, Nicaragua, United States of America.

Abstaining: Australia, Austria, Belgium, Brazil, Canada, Denmark, France, Germany (Federal Republic of), Guatemala, Iceland, Ireland, Italy, Jamaica, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

The draft resolution, as orally amended, was adopted by 82 votes to 7, with 24 absentions.

26. Mr. MUHONEN (Finland) said that, despite certain reservations, his delegation had voted for draft resolution A/SPC/L.291/Rev.1. His Government regretted that the Special Committee could not be established in a way that would have created better conditions for it to discharge its humanitarian mandate and deplored Israel's refusal to grant the Committee access to the occupied territories. Those facts had influenced the wording of some paragraphs, e.g. paragraph 3 of the draft resolution, of which his delegation disapproved in certain respects. It was therefore most important to obtain a full picture of the situation in the occupied territories. Changes which affected the physical character, demographic composition and institutions of those territories could not be accepted.

27. Desiring to ensure respect for human rights, his delegation had voted for draft resolution A/SPC/L.290. Finally, it wished to reaffirm the need to arrive at a just and lasting peace that took account of the interests of the Palestine Arab refugees.

28. Miss GARCIA (Argentina) said that her delegation had voted for draft resolution A/SPC/L.291/Rev.1 in spite of its wording because it reaffirmed such principles as territorial integrity.

29. Mr. FUENTES IBÁÑEZ (Bolivia) said that his delegation had voted against draft resolution

A/SPC/L.291/Rev.1 because its wording was unsatisfactory and also because it was hoped that negotiations would begin shortly pursuant to the resolutions recently adopted by the Security Council. It was only because it did not wish to exert undue pressure on the negotiators that his delegation had voted against a draft resolution which reaffirmed principles that Bolivia had always observed and applied.

30. Mr. SHERMAN (Liberia) said that he had voted for draft resolution A/SPC/L.291/Rev.1 in the light of the fact that Israel had not appeared to insist on changes in the membership of the Special Committee. In fact, Israel would apparently prefer to see the investigation entrusted to a non-United Nations body. In any event, the other parties to the conflict had the same right as Israel to be satisfied with the membership of the Special Committee.

31. The CHAIRMAN announced that the Committee had completed its consideration of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

AGENDA ITEM 44

Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (A/9236, A/9144, A/SPC/165)

32. The CHAIRMAN said that, in considering the question of peace-keeping operations, the Committee had before it the report of the Special Committee on Peace-keeping Operations (A/9236), a letter dated 6 September 1973 from the representative of the United Kingdom of Great Britain and Northern Ireland addressed to the Secretary-General (A/9144) and a letter dated 12 November 1973 from the representatives of Denmark, Finland, Norway and Sweden addressed to the Secretary-General (A/SPC/165).

33. Mr. KASSEM (Egypt) speaking as Rapporteur of the Special Committee on Peace-keeping Operations, presented the Committee's report (A/9236). During the past year, the improvement in international relations had created an atmosphere that was favourable to the achievement of an agreement on peace-keeping operations.

34. After having reviewed the two-part working document (A/AC.121/L.18) prepared by the Rapporteur of the Special Committee, the first part of which listed concrete proposals received under specific headings while the second part described the progress that had been made, the Working Group had agreed that the document could serve as a useful basis of discussion in carrying out its task. It had also agreed to start with an initial examination of chapter III (part I) of document A/AC.121/L.18 and consider the responsibilities to be exercised directly by the Security Council in the establishment, direction and control of peace-keeping operations.

35. After a number of meetings of the Working Group and the Special Committee, agreement in principle had been reached on 12 items to be included in the final listing of responsibilities to be exercised directly by the Security Council (A/9236, annex II, appendix). The understanding had been that those items were headings

for questions of substance which would be discussed at length after the Working Group concluded its consideration of document A/AC.121/L.18 and its preparation of a listing of the respective responsibilities of other appropriate United Nations organs with regard to peace-keeping operations. In that connexion, the Working Group recommended taking up the question of listing the respective responsibilities of other appropriate United Nations organs beginning with a subsidiary organ of the Security Council to be established under Article 29 of the Charter of the United Nations. The other four items on the list of responsibilities to be exercised directly by the Security Council—manner of termination, composition, support facilities and appointment of commander—had been left for further discussion by the Working Group.

36. The progress so far achieved was perhaps disappointing, but it was a first step in carrying out the Special Committee's mandate. The statements made during the general debate at the present session of the General Assembly gave reason to hope that it might be possible to work out agreed guidelines for United Nations peace-keeping operations. The role that the Security Council could play, as was demonstrated by the operations in the Middle East, could be of importance to the work of the Working Group. The Special Committee was prepared to continue its efforts as soon as its mandate was renewed by the General Assembly.

37. Mr. OGBU (Nigeria), speaking as Chairman of the Special Committee on Peace-keeping Operations, recalled that the General Assembly had established the Special Committee in 1965 [resolution 2006 (XIX)] and had instructed it to formulate guidelines for United Nations peace-keeping operations in order to avoid another impasse like that which had resulted from the operations in the Congo. The Special Committee had been able to agree on a list of responsibilities to be exercised directly by the Security Council in the prompt establishment, direction and control of peace-keeping operations; that represented remarkable progress when one considered the often complicated political factors that were involved. As he had stated at the last session (843rd meeting), given a political will on the part of all concerned the Special Committee's task was not insurmountable. His optimism had been strengthened by the experience of the past 12 months. In that connexion, he wished to thank all the members of the Special Committee for the spirit of co-operation which they had shown.

38. The Special Committee had recognized that, although the current peace-keeping operations in the Middle East provided practical experience that could be useful to the Committee, they could not establish a precedent since they were not uniformly applicable in other cases. The Special Committee therefore envisaged the formulation of general principles in conformity with the Charter of the United Nations.

39. The Special Committee hoped that the Special Political Committee would recommend to the twenty-ninth session of the General Assembly that its mandate should be renewed.

40. Mr. ŠMÍD (Czechoslovakia) said that the question of peace-keeping operations had to do with the basic function assigned to the United Nations under the Charter, which was even more important in the present world situation and in the light of the Middle East conflict.

41. In the United Nations, the Security Council with its Military Staff Committee, the Special Committee on Peace-keeping Operations with its Working Group and the other competent bodies provided the basis for effective machinery responsible not only for the peaceful settlement of disputes and conflicts but also for their prevention in so far as possible.

42. The report of the Special Committee (A/9236), submitted pursuant to resolution 2965 (XXVII) in which the General Assembly had emphasized the need for more rapid progress, was acceptable in view of the fact that the Committee's task was a complex and sensitive one. With regard to paragraph 11 of the report, his delegation thought that the peace-keeping operation in the Middle East undertaken in accordance with Security Council resolution 340 (1973) was a practical example which might assist the Special Committee and its Working Group in making further progress. However, that operation could in no sense be regarded as establishing a precedent. The Special Committee and its Working Group had been entrusted with a more general task, which was that of elaborating agreed guidelines for the conduct of peace-keeping operations in all their aspects. In conformity with its previous statements on the matter, his delegation regarded as legal those operations which were authorized, directed and controlled by the Security Council, which was the main United Nations body responsible for such activities under the Charter.

43. The Special Committee and its Working Group had already assembled extensive theoretical and practical data on past experience which should be put to use. The Charter provided many possibilities and combinations of methods which had not yet been fully utilized. The Special Committee and the Working Group should work on a more regular and more active basis so that they could carry out their mandates and submit to the twenty-ninth session of the General Assembly a complete document containing principles for future peace-keeping operations on the basis of the Charter of the United Nations. His delegation would support any resolution that called for renewal of the mandate of the Special Committee and that requested the latter to submit a comprehensive report to the twenty-ninth session of the General Assembly.

44. The CHAIRMAN, reminded members that the Committee was to complete its consideration of the present item by the end of the week, said that he would shortly have to close the list of representatives who wished to speak in the general debate. He asked delegations to submit any draft resolutions as soon as possible.

The meeting rose at 5.15 p.m.

898th meeting

Tuesday, 27 November 1973, at 10.55 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.898

AGENDA ITEM 44

Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (continued) (A/9144, A/9236, A/SPC/165)

1. Sir Donald MAITLAND (United Kingdom) said that, without exaggerating the achievements registered or the prospects for early agreement, the latest report of the Special Committee on Peace-keeping Operations (A/9236) was the first since 1969 to record any appreciable progress. The report had rightly drawn attention to the current operations in the Middle East stemming from the Security Council's adoption of resolution 340 (1973). Although the events surrounding the establishment of the United Nations Emergency Force (UNEF) did not constitute a binding precedent, they provided practical examples of how some problems discussed in the Special Committee over the years had been resolved when the crisis had come. The Special Committee must therefore study recent events and how decisions were taken on such important matters as establishment, finance, size and composition.

2. The Special Committee should also consider whether the approach to the whole problem followed hitherto still seemed appropriate in the light of any lessons which could be drawn from the setting up of UNEF. For example, it might consider whether the somewhat microscopic approach to the detailed responsibilities of each United Nations organ still seemed right. His delegation had been pleased that the Working Group had decided to follow the analytical approach made in its statement at the previous session of the General Assembly and still did not think that the time thus spent had been wasted. It wondered however whether it would not at that time be better to concentrate on certain essential principles and, within the framework of the points of procedure they covered, to provide for maximum flexibility. That was why it had expressed some reserve about the Working Group's recommendations that it should continue its exhaustive listing of responsibilities.

3. The results of that rethinking were contained in the memorandum attached to his delegation's letter of 6 September 1973 (A/9144). He wished to emphasize the point made at the end of its first paragraph, namely, that there might be certain operations for which special control and voting procedures would have to be agreed on. That obviously referred to the possibility of a peace-keeping force whose purpose was to provide a guarantee; for that guarantee to be valid, there must be certainty that it would continue so long as it might be required. Although its approach might differ, the basic aim of his delegation's paper was that of all other papers on the subject submitted by delegations over the years—to try to reconcile the responsibility and ultimate control of the Security Council with the need for operational efficiency in reacting to fast-moving events. Although the Security Council's authority was

paramount, operational efficiency called for some sensible devolution of that authority. Policy control was a matter for the Security Council and day-to-day operational management was a matter for those actually running the operation under its authority.

4. In that connexion, the United Kingdom's paper attempted to answer two basic questions: where to draw the distinction between policy control and operational management and up to what point voting under Article 27, paragraph 3 of the United Nations Charter was appropriate.

5. There were two phases in peace-keeping operations. The first was the setting up of a peace-keeping operation and the United Kingdom considered that all matters covered by paragraphs 2 and 3 of its memorandum were matters for original or ultimate decision by the Security Council in terms of Article 27, paragraph 3. In the interest of speed, some of those decisions might be taken by the Secretary-General and put into effect unless there were objection. The only difference of opinion of any significance with regard to that first phase concerned decisions on the composition of a peace-keeping force.

6. During the later phase, once the peace-keeping operation had been set in motion, the distinction between day-to-day operational management and policy control was much more difficult. It was generally agreed that the members of the Security Council, including the permanent members, must have the right to ensure that the operation followed the same policy as that to which they had originally given their consent. A decision must therefore be taken on whether or not what some might call a matter of day-to-day management had led to or concealed what others might regard as a shift of policy.

7. At the previous session, his delegation, like others, had toyed with the idea that a subsidiary organ might be the right forum for that issue. It had since come to the conclusion that there might be a simpler solution. It had to be recognized that, with certain exceptions, if a permanent member of the Security Council said that a decision was one of substance, it became so, whatever the majority of the Security Council might think. Similarly, in a peace-keeping operation, if a permanent member argued that a matter was one of policy control, that had to be accepted. That fact was taken into account in the proposal in paragraph 4 of the memorandum, which was therefore realistic and would be operationally feasible. It would avoid constant reference to the Council and interference with those directly running an operation and at the same time enable every member of the Security Council to demand that an operational initiative should be treated as a matter of policy control and brought before the Council. The decision would then lie with the Council itself but only the permanent members could be sure that they could frustrate the initiative by the use of their veto. That was why the United Kingdom called the proposal the "veto by challenge".

8. The memorandum did not attempt to cover everything. For instance, it did not set a procedure of associating troop contributors with the conduct of an operation so that they could be assured that their interests were not being jeopardized. However, in the light of events since 6 October 1973, the ideas set out appeared valid and he hoped that the Special Committee would find them useful.

9. The Special Committee should be flexible in applying the lessons of recent weeks. The main procedural points which would apply to almost any peace-keeping operation must be agreed on; other aspects could be dealt with in outline with a choice of alternatives left to fit a particular situation. If, inspired by the need for prior agreement which recent events had so vividly illustrated, the Special Committee could resume its task with determination and flexibility, his delegation believed that complete agreement on a framework of peace-keeping operations could be achieved.

10. Mr. MØLLER (Denmark) said that recent events had re-emphasized the need to enhance the capabilities of the United Nations to halt hostilities and provide, by its presence, an interval to enable the parties to a conflict to seek political settlements of the underlying problems. It was therefore encouraging to note from the report of the Special Committee (A/9236) that some limited progress had been made towards the attainment of accepted guidelines for United Nations peace-keeping operations. The seventh report (*ibid.*, annex II) of the Working Group established by that Committee had set out 12 items for inclusion in the list of responsibilities to be exercised directly by the Security Council in the prompt establishment, direction and control of peace-keeping operations. His delegation understood that the financial arrangements (item 5) were to be based upon the collective responsibility of States Members of the United Nations in accordance with Article 17, paragraph 2, of the Charter.

11. As a member of the Special Committee, Denmark shared its regret that it had been unable to report more comprehensive results, but felt that developments under way gave cause for some optimism. The cataloguing of the various proposals put forward with regard to peace-keeping operations (A/AC.121/L.18) showed the issues on which there was the greatest divergence of interests. That document and working papers and memoranda submitted by individual delegations provided an excellent basis for further discussion in the Special Committee and the Working Group.

12. His delegation was therefore convinced that at the current session the General Assembly should extend the Special Committee's mandate so as to enable it to continue its studies of available documentation and submit proposals at an early date for agreed guidelines for future peace-keeping operations. The Committee's failure to speed up its work largely reflected the political climate in which it had been working, but the steadily improving relations between the major Powers and the growing awareness of the need for peace-keeping operations for the maintenance of international peace and security justified the hope that its work would now be easier. Its goal could not, however, be attained without the support of all States Members of the United Nations and in particular of the major Powers.

13. Denmark was ready to contribute constructively to that work. It had proved the importance it attached to

the peace-keeping activities of the United Nations by its financial contributions to past and present peace-keeping operations and its active participation in them. Since 1964, Denmark had maintained a permanent stand-by force, part of a Nordic stand-by force which could be placed at the disposal of the United Nations at short notice. The study on those forces (see A/SPC/165) was limited to the initial phase of an operation and was primarily designed to analyse common problems which might arise where two or more Nordic contingents were assigned for service in the same United Nations operational area. It also contained recommendations to be considered by the appropriate United Nations organs as well as by troop-contributing countries concerning problems which a heterogeneous United Nations force might encounter during its formation, transport to the operational area and the first phase of the peace-keeping mission, and the possible effects of the proposed measures on the present organization and functions of the Nordic stand-by forces. Since that subject, with its emphasis on initial United Nations operations, did not appear to have been studied in detail at the military level, the document was based largely on Nordic experience in past and present United Nations operations. The study provided information of great relevance to future peace-keeping operations and should carry considerable weight in the future deliberations of the Special Committee.

14. Denmark considered peace-keeping operations to be one of the most ingenious and constructive contributions of the United Nations to the maintenance of international peace and security. It would therefore spare no effort to contribute to the achievement of substantial and rapid progress in the work of the Special Committee and it appealed to other Member States to do the same.

15. Mr. OVINNIKOV (Union of Soviet Socialist Republics) said that discussion of the question of peace-keeping operations in the Special Political Committee had begun in new circumstances. He agreed with the Rapporteur of the Special Committee on Peace-keeping Operations that the détente that was shaping international relations was opening up new possibilities for that Committee. In view of the statement by the United States Secretary of State in the general debate (2124th plenary meeting held on 24 September 1973) he had expected more detailed and specific suggestions from the United States of America in the Special Committee. He had noted with interest the memorandum submitted by the United Kingdom (see A/9144).

16. The Special Committee's report (A/9236) showed that definite progress had been made in the previous year. In particular, the Working Group had agreed in principle on the items listed in the appendix to annex II to the report. He welcomed the recommendation in paragraph 4 of that annex. The subsidiary body mentioned would give representatives of all geographical groupings an opportunity to take part in the practical conduct and control of United Nations peace-keeping operations. Despite the progress made, however, the Working Group was still working very slowly and submitting only occasional reports.

17. His delegation attached particular importance to reaching agreement on concrete guidelines for carrying out United Nations peace-keeping operations in conformity with the Charter of the United Nations. Such

agreement would be in the interests of the majority of nations and of the smaller nations in particular. Although some delegations might be glad that there were no agreed guidelines, his delegation was strongly opposed to such a position. The absence of guidelines after eight years' work was an abnormal situation that could be of benefit only to aggressors. The sooner the Special Committee and the Working Group could resolve the issue, the sooner the General Assembly and Security Council would be able to consider the guidelines and the sooner the United Nations would have reliable machinery for the conduct of peace-keeping operations.

18. The situation in the Middle East had shown the need for speedy agreement on the establishment and conduct of United Nations peace-keeping operations. The fact that the Special Committee and the Working Group had been unable to fulfil their mandate had caused an unnecessary loss of time when the Security Council was considering questions relating to the Emergency Force in the Middle East. The practical peace-keeping operations in the Middle East had shown that the Special Committee and the Working Group were on the right path. When the Security Council had set up the Emergency Force in the Middle East, it had taken decisions on seven of the items listed in the appendix to annex II to the report (Nos. 1, 2, 4, 5, 6, 11 and 12); those decisions established officially that all principal United Nations peace-keeping operations were entirely the responsibility of the Security Council.

19. The Security Council had also taken decisions relating to two of the items upon which discussion would be resumed. It had decided on the composition of the Emergency Force and had appointed a commander.

20. He stressed that the principle of equitable geographical distribution confirmed by the Security Council had put an end to the discrimination against the Eastern European countries, which would now be able to take part in peace-keeping operations. That would help to consolidate the détente and would increase United Nations efficiency in the vital matter of peace-keeping operations. He paid special tribute to the constructive role played by the eight non-aligned members of the Security Council in establishing the Emergency Force. Their efforts had removed artificially created obstacles to the setting up and efficient functioning of the Emergency Force. Experience of international reality had confirmed the need to direct the Special Committee and the Working Group in accordance with the Charter of the United Nations in reaching agreement on guidelines for peace-keeping operations. His delegation favoured the idea that the Special Committee should submit agreed guidelines for carrying out United Nations peace-keeping operations to the General Assembly at its twenty-ninth session.

The meeting rose at 11.40 a.m.

899th meeting

Wednesday, 28 November 1973, at 10.50 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.899

AGENDA ITEM 44

Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (continued) (A/9144, A/9236, A/SPC/165)

1. Mr. JOB (Yugoslavia) said that though the United Nations had many duties, it was judged mainly for its principal function of maintaining international peace and security. That was why the item under discussion had been kept on the agenda and why the Special Committee on Peace-keeping Operations had been encouraged to make what progress it could. His country was an active member of the Special Committee and had played a direct role in setting up the first United Nations Emergency Force (UNEF). It supported the United Nations Force in Cyprus (UNFICYP) and had made a modest contribution towards its budget. It had been one of the sponsors of Security Council resolution 340 (1973), which had established the new Emergency Force.

2. He agreed with earlier speakers that the item was not being discussed in the atmosphere of gloom that had been characteristic of previous years. The report of the Special Committee (A/9236) and the annexes thereto

showed that some progress had been made. The comprehensive list of specific proposals received (A/AC.121/L.18) and the items listed in working document No. 1 of the Working Group (see A/9236, annex II, appendix) were particularly useful. A number of interesting papers had also been submitted by some delegations.

3. It might be said that the creation of the United Nations Emergency Force in the Middle East reflected a completely new situation. The significance of the Emergency Force was not only to be found in the practical example and useful experience it provided; what was important was that it had been established after a long period of disagreement during which UNFICYP, for example, had been considered an exceptional phenomenon. The Emergency Force had been established with the support of all the members of the Security Council, except for one that did not participate in the vote, and with broad support within the United Nations and from international public opinion. For the first time, the Security Council had decided on a peace-keeping operation with obligations for all. It was also significant that the initiative taken by the non-aligned countries, the Council's action, and the setting up and prompt dispatch of the Emergency Force had all served to provide certain major Powers, that had be-

come involved in an escalating confrontation, with alternative forms of action. The attitude and support of the major Powers showed that they had recognized the universal need for effective peace-keeping by the United Nations. The crucial role of an Emergency Force did not end with keeping small combatants apart; it could also serve to keep larger Powers from being combatants.

4. In order to survive, détente must be universal. Cease-fires must be followed by peace-keeping and peace-making—for which the United Nations must always be ready. Recognition of the need for effective peace-keeping activities had made it relatively easy for the Security Council to decide to base the financing of the Emergency Force on Article 17, paragraph 2, of the United Nations Charter and for the General Assembly to agree on a specific scale of assessments despite almost 10 years of deadlock on the subject.

5. Although the creation of the Emergency Force had been praised, the issue had not been resolved. The Emergency Force was not a blueprint for every situation, although it was probably safe to say that Security Council resolution 340 (1973) was a break-through in peace-keeping matters. Maximum use should be made of that break-through. He had been positively impressed by the clear statements that the Governments of some of the permanent States members of the Security Council were interested in working out agreed guidelines for future peace-keeping operations to ensure constant United Nations readiness. Such readiness provided an element of stability and enhanced international security.

6. Analysis of the principal documents relating to the newly created Emergency Force furnished some valuable examples and perhaps even precedents for decision-making and the conduct of peace-keeping operations. The most important political principles established were that the composition of the Force must be based on equitable geographical distribution, that no discrimination in selecting the countries for participation could be tolerated, and that the fact of occupation must always be kept in mind and nothing must be done that would in any way constitute or imply damage to the sovereignty and territorial integrity of the State that was the victim of aggression and occupation.

7. There had always been an awareness of the close relationship between the question of peace-keeping operations and that of international security as a whole. If efforts to elaborate agreed guidelines for peace-keeping operations continued to be unproductive, consideration might be given to reviewing the question in a place where it would be more logically linked with international security matters. In any event, his delegation would continue to support the work of the Special Committee.

8. Mr. RAE (Canada) said that the work of the Special Committee on Peace-keeping Operations, particularly in the less formal deliberations of its Working Group, had clarified the issues and assisted in seeking workable guidelines for United Nations peace-keeping operations. The recent decisions of the Security Council concerning the establishment of a United Nations Emergency Force in the Middle East had shed a dramatic light on several of the basic issues which had been the subject of close attention and discussion in the Special Committee. Similarly, recent events might

have played a part in clarifying those issues and the attitudes of States. At the same time, however, it had to be recognized that the administrative machinery and agreed procedures for peace-keeping and peace-observing required strengthening. The objectives of the Special Committee therefore remained as valid as ever.

9. The continuing importance of peace-keeping as a United Nations instrument for the maintenance of international peace and security had on 25 September 1973 been underlined by the Canadian Secretary of State for External Affairs in the General Assembly (2126th plenary meeting) when he stressed that the lesson learned from long and frustrating attempts to have peace-keeping bodies operate objectively, was that peace-keeping and peace-observation operations were most likely to be successful if they were conducted under the authority of the Security Council. His delegation had been most interested in the statement on 24 September by the Secretary of State of the United States of America (2124th plenary meeting), that his country was prepared to consider how the Security Council could play a more central role in the conduct of peace-keeping operations.

10. It would appear that a consensus on some aspects of authorization and control of peace-keeping operations might have begun to emerge from recent Security Council decisions on UNEF. The Secretary-General had contributed in an important way to the development of principles and guidelines to govern peace-keeping operations in his report to the Security Council on the setting up of UNEF.¹ The Secretary-General had been entrusted with heavy responsibilities with regard to the actual setting up of the Force, and he and his staff had once again had to improvise and solve new problems as they presented themselves. His delegation had been working closely with the Secretariat in relation to the Secretary-General's request for the dispatch of a Canadian contingent for logistic support for UNEF, in close co-operation with Poland, and it had the highest admiration for the manner in which the Secretary-General and his senior associates in the Secretariat were discharging their assignment.

11. In the case of the new UNEF, there had been greater co-operation between the members of the Security Council than ever before. That had been made possible, in part, by the policies of détente and the dialogue pursued by the permanent members and, in part, by the efforts of all its members to find workable solutions. The Charter of the United Nations embodied the essential concept of the primary responsibility of the Security Council for the maintenance of international peace and security. There was now a movement towards that concept and the permanent members, conscious of the expectations of the international community and of each other's interests, and in the face of a threat to international peace and security, had been able to work together in the Council, or at least to refrain from using the veto. The willingness of the Security Council, and particularly its permanent members, to accommodate and harmonize their positions for the broader benefit of the parties to the dispute and of the international community was hopefully not a fortuitous occurrence, but a new beginning.

¹ *Official Records of the Security Council, Twenty-eighth Year, Supplement for October, November and December 1973, document S/11052/Rev.1.*

12. There had been, in the past, protracted disagreements over matters of operation and financing for peace-keeping missions. Those disagreements had also led to considerable disruption in the activities of the United Nations and had placed it in a financial situation from which it had not yet fully recovered. Although a special scale of assessments to defray the costs of UNEF had had to be devised for the current operation, his Government believed that the regular scale of assessments, which adequately reflected the special responsibilities and duties of the permanent members of the Security Council and the capacity to pay of all Members of the United Nations, should normally apply to peace-keeping operations. His country believed that Members should seize the present opportunity and the new mood in the Security Council and the General Assembly to examine how methods of financing other peace-keeping operations, such as UNFICYP, might be reviewed in order to put them on a firmer and more equitable footing.

13. The recent decisions of the Security Council had also indicated that the composition of UNEF should be balanced in terms of equitable geographical distribution to ensure a broad basis of support and participation through its international character. In that way, a growing number of United Nations Members would obtain first-hand experience of the problems of peace-keeping. Moreover, wider participation from all regional groups could strengthen the operation and the political consensus on which it must be based. At the same time, care should be taken to ensure that the concept of balance was applied in each case with a sense of the practical and the efficient. The concept of balance did not imply a process of arbitrary head-counting; it must be interpreted with care as one of a number of guidelines. Its rigid application could make the task of the Secretary-General in setting up a peace-keeping force or a peace-observing mission most difficult and render such operations unwieldy and inefficient. Future peace-keeping operations must be carried out in an effective and efficient manner, and Canada, for its part, would agree to participate in peace-keeping or peace-observing only if satisfied that it would have a clearly defined functional role to play and if its participation was acceptable to all parties concerned.

14. Another important element in the mandate which the Security Council gave to the Secretary-General was the decision reflected in its resolution 340 (1973) that UNEF should be composed of personnel drawn from States Members of the United Nations other than permanent members of the Security Council. In view of the diverging interests of some of the permanent members in the Middle East conflict, his delegation welcomed the restraint shown in the present instance, without accepting it as a precedent for all time and all cases.

15. From the outset, the Security Council had emphasized the importance of negotiations between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East. The intention had been strongly expressed of linking peace-keeping with peace-making and in the view of his Government, that link had been one of the important elements in its decision to participate in UNEF. The initial time-limit of six months given to UNEF might not, in practice, be sufficient to enable it to fulfil its mandate.

16. The Special Committee on Peace-keeping operations might now be well placed to intensify its efforts to achieve agreed guidelines. In its resumed work, it would be timely to review, in the light of recent UNEF experience, the manner in which the Special Committee was examining the responsibilities to be exercised directly by the Security Council in the prompt establishment, direction and control of peace-keeping operations. A further approach would be to examine in detail the respective responsibility for peace-keeping operations of each major organ of the United Nations involved. Some fundamental differences on their respective roles and on the best way of maintaining a satisfactory balance between them still existed and would have to be resolved. At the previous session, his delegation had submitted a working paper² in an effort to stimulate new ideas and approaches towards an accommodation of diverse positions. The working paper envisaged a system of shared responsibility between the Military Staff Committee of the Security Council and an international headquarters staff operating under the Secretary-General, which would constitute a pool of expertise in peace-keeping planning and in day-to-day conduct of peace-keeping missions. His delegation believed that the ideas contained in those proposals offered a practical solution to the problems of command, control and operation of peace-keeping forces, and a viable bridge between previously established positions on those issues.

17. At the same time, his delegation had studied the contributions and suggestions put forward by a number of other countries. It saw particular merit in the recent memorandum submitted by the United Kingdom (A/9144, annex) which suggested an imaginative procedural formula indicating possible solutions to the main problems of decision-taking in terms of Article 27, paragraph 3, of the Charter.

18. His delegation was convinced that the Special Committee had an important role to play. The most recent United Nations peace-keeping operation had abundantly demonstrated the need for continued progress. It had placed in high relief the relevance of the Committee's aims, and should lend a renewed sense of urgency to its work.

19. Mr. COMMENAY (France) said that the question of the peace-keeping operations was without doubt one of the most important and controversial issues to have arisen in the United Nations. However, a solution would have to be found if the United Nations was to function in an effective manner. The Organization must have effective machinery in order to ensure that its decisions were respected in crises when economic sanctions, whose effects could be felt only in the long term, could not be adopted usefully.

20. The respective roles of the Security Council, the Secretary-General and other United Nations organs had been the subject of often impassioned discussions. Those discussions had in no way been concluded—quite the contrary—by the experience acquired as a result of the various peace-keeping operations over the past 20 years. The Special Committee had been set up in consequence of a particularly serious conflict between the differing views on the division of responsibilities and competences. Despite laudable efforts,

² *Official Records of the General Assembly, Twenty-seventh Session, Annexes, agenda item 41, document A/SPC/152.*

the activities of the Special Committee had been disappointing for a long time. However, for the year under review, there had been some encouraging results. The Special Committee had embarked on a new and perhaps more realistic course by assigning to its Working Group the task of establishing a general list of the responsibilities of the various United Nations organs with regard to peace-keeping operations, starting with those which the Security Council was called on to exercise directly and without possible delegation. The Working Group had drawn up a preliminary list of responsibilities, which marked very positive progress: his delegation had taken part in the work of the Working Group and had no doubt that its task could be completed within the next few months. It considered that one of the most interesting contributions to the work of the Special Committee had been made by the United Kingdom delegation (see A/9144).

21. The circumstances augured well for the completion of decisive stages in formulating the guidelines for peace-keeping operations. Faced with the obligation of acting quickly in the Near East and in order to ensure respect for a cease-fire established in difficult conditions, the Security Council had resolutely adopted, then and there, measures the principle of which it had discussed for years without reaching agreement. It had proved that it was possible to reach agreement on the modalities of a peace-keeping operation, by organizing an operation in the space of a few hours, without experiencing the difficulties and dissensions which such operations had created in the past.

22. His delegation believed that there were two main reasons for its success. First, a new spirit of détente had enabled obstacles to be overcome or avoided, difficulties settled and principles made more flexible. Second, the principle of the primacy of the Security Council had been affirmed and respected from the very beginning of the operation. Furthermore, the Secretary-General had wisely sought means of effective action and had co-operated closely and effectively with the Security Council, and that co-operation had doubtless been a decisive element in the success of the operation.

23. It would be inappropriate to indulge in exaggerated optimism and to take the view that the problem had been solved. Every peace-keeping operation had its own particular features, and solutions viable for one operation could not be automatically transposed to other operations. The organization of UNEF did not constitute a precedent, in the sense that it did not provide the set of rules which the General Assembly had requested the Special Committee to prepare. However, the practical solutions which emerged for certain issues felt to be particularly sensitive, such as the composition of a United Nations force or the appointment of its commander, had certainly led many Member States to change their basic conceptions about them and might enable the Special Committee to solve them. His delegation believed that the Special Committee should resume its work energetically as soon as possible, in a spirit of conciliation and realism. It should conclude the list of responsibilities and competences of the Security Council and then proceed to consider the responsibilities of other United Nations bodies. United Nations activities in the Near East were certainly only at their beginning. Improvisation had yielded good results, but it was not possible to improvise at all times. The fact that a rapid settlement had been reached

should not blind the United Nations to the danger that the outcome might have been different. Such risks must be avoided in the future and the Security Council must have at its disposal guidelines which would give it a proper basis on which to take rapid decisions at the beginning of and during an operation. The principles should be flexible enough to meet different circumstances and should not constitute a rigid code.

24. His delegation would therefore support the renewal of the Special Committee's mandate and hoped that the Special Committee would be able to submit a constructive report at the next session.

25. Mr. GUARIGLIA (Italy) said that in past years, his delegation, like many others, had been disappointed at the Special Committee's lack of progress but that, in 1973, new developments in the solution of one of the most complex and controversial questions regarding the essential role of the United Nations offered some hope for the future. The in-depth study of concrete proposals made to date (A/AC.121/L.18) had constituted the basis of a comprehensive review which would lead to the formulation of appropriate guidelines. The seventh report of the Working Group (A/9236, annex II) and the report of the Special Committee (A/9236) showed that a sincere effort had been made to overcome some difficulties, thus paving the way for further developments. His delegation welcomed the Working Group's agreement on 12 items to be included in the list of responsibilities to be exercised directly by the Security Council in the prompt establishment, direction and control of peace-keeping operations, it being understood that the relevant questions of substance would be discussed at length by the Working Group. His delegation hoped that the Working Group would be able to submit more frequent reports to the Special Committee.

26. Progress so far was still far from satisfactory. Although the problem of peace-keeping operations was extremely complex, it was one of the primary tasks of the United Nations and the persistence of serious crises could compromise its work.

27. The recent Middle East hostilities had provided a brusque reminder of the need to provide the United Nations with the means and power to intervene promptly in such situations. The lack of guidelines for peace-keeping operations seriously jeopardized the implementation of the United Nations Charter. The recent setting up of UNEF confirmed the need for a speedy formulation of such guidelines in order to provide the Security Council with the means to act promptly to prevent situations arising which could endanger international détente. It was of course true that the Security Council had been able to take an important initiative but, as the Special Committee's report said (*ibid.*, para. 11), the current peace-keeping operations in the Middle East provided practical examples and constituted an experience which might assist the Special Committee and its Working Group in making further progress. What was now needed more than ever was a strong political will on the part of every Member State to enable the constitutional problems and existing difficulties to be overcome.

28. The Italian Government's position with respect to peace-keeping operations was consistent with its full adherence to the principles and purposes of the Charter. It was therefore convinced that a serious effort

must be made to ensure the implementation of the statutory rules applicable to actions directed at maintaining and restoring international peace and security, but it considered that a more flexible and pragmatic approach to the problem would be appropriate. Since earlier efforts to make the United Nations machinery operationally effective in that respect had met with various difficulties, all alternatives must be considered. Without questioning the primary responsibility of the Security Council, one possibility might be the establishment of a list of States, even in the absence of the special agreements referred to in Article 43 of the Charter which would be prepared to supply contingents of armed forces to be placed temporarily at the disposal of the United Nations when the need arose. Particular problems could be dealt with either by a subsidiary organ established in accordance with Article 29 of the Charter or by the Secretary-General.

29. Since the Special Committee now had some interesting documents and specific proposals before it, he hoped that it would continue its work and would be in a position to submit a comprehensive report to the next session of the General Assembly.

30. Mr. MACRIS (Greece) said that his delegation attached great importance to the peace-keeping role of the United Nations, which was one of its essential purposes as set forth in Article 1, paragraph 1, of the Charter and confirmed in the Declaration on the Strengthening of International Security (General Assembly resolution 2734 (XXV)). While the aims were clear, difficulties arose because the Charter did not establish a constitutional, legal and financial structure upon which the international community should base its peace-keeping action. That task would be made easier if there was a true political will among all States Members of the United Nations to enable the Organization to fulfil its primary role.

31. True to its belief in the principles of the Charter, Greece had contributed materially and morally to several United Nations peace-keeping operations, the utility of which had been proved by experience in the eastern Mediterranean, and it would continue to do so. Both in Cyprus and in the Middle East, constitutional, legal, political and practical difficulties had been overcome and UNFICYP and UNEF had been created in the interests of international peace and solidarity. That experience had strengthened his delegation's belief in the need to pursue a detailed study of the question in order to establish a system of collective responsibility which would be the corner-stone of United Nations peace-keeping action.

32. His country's position on peace-keeping operations was set forth in the reply of his Government (A/AC.121/L.15/Add.3) and two of its suggestions were included in the Rapporteur's list of proposals (A/AC.121/L.18). The first was the establishment of an organ competent to deal with practical matters such as the composition, maintenance, leadership and control of each operation authorized by the United Nations. His delegation had added during the discussion on the item at the preceding session that the Secretary-General's role should not be underestimated. Recent events which had led to the Security Council's establishment of UNEF, after approving the Secretary-General's suggestions, and its request to him to submit Secretary-General's suggestions, and its re-

quest to him to submit another report within 24 hours on the steps taken showed the possible extent of his role in ensuring the carrying out of agreed measures.

33. His delegation's particular interest in the financing aspect of peace-keeping operations was shown in the second suggestion, that that question must be decided by general agreement, since the constitutional, legal and financial aspects were inextricably interrelated. Experience had shown that financing based solely on voluntary contributions or on the principle that the cost of a peace-keeping operation should be considered as expenses of the Organization and borne by Members in accordance with Article 17, paragraph 2, of the Charter had led to difficulties both in setting up the Force and in the equally important pursuance of the operation until it achieved its end. That experience and political and psychological considerations showed the need to establish a compulsory joint system of collective financing.

34. Peace was a common responsibility and the search for a flexible, effective system suitable for existing circumstances and based on experience acquired during recent successful peace-keeping operations was the concern of all nations. The two main organs of the United Nations, the Security Council and the General Assembly, should make every effort to provide the Organization with a generally acceptable system which would enable it to carry out its main task. His delegation therefore supported the request to the Special Committee to continue to fulfil its mandate in the hope that the relative progress achieved during the past year would enable it to complete its task as soon as possible.

35. Mr. PALMER (Sierra Leone) said that in preceding years too many personal interests had blocked the road to agreement on peace-keeping matters, but there now seemed to be a welcome hope of compromise and success. Some major differences would still have to be resolved before full agreement could be reached, but his delegation was pleased to see that the principal parties were becoming steadily aware of the need to accommodate each other's views and to help create the flexibility always required in the successful operation of any United Nations activity. The new relationship of understanding, restraint and respect between the super military Powers created a congenial atmosphere for compromise and every effort must be made to achieve that compromise before it was too late.

36. All parties seemed to agree on the need to operate a United Nations peace force in an area of conflict while negotiations for lasting settlement were carried on. The United Nations had been formed for that very purpose. However, a point of contention was usually how those forces should be operated in the field, while protecting the interests of the conflicting parties and their allies. His delegation appealed to the principal parties to look for a realistic approach and relax their ideological positions in the interests of peace.

37. The Security Council must be the ultimate source of authority for United Nations peace-keeping operations. It must determine whether or not the operation was justified and approve the size and composition of the peace-keeping force and the appointment of its commander. The day-to-day administration of the force however should be left to the Secretary-General, who would report periodically to the Security Council on the operations. That would relieve the Security

Council of the task of dealing with the minor problems which must arise when troops of different countries and backgrounds undertook a joint operation and would enable the commanders in the field to obtain instructions more rapidly than they could from the Security Council.

38. His delegation had intentionally refrained from commenting on proposals already made for fear of prolonging the stalemate. Only the great Powers had the key to lasting peace because they supplied the arms and could bring pressure on the fighting parties to cease hostilities. The successful operation of the Middle East peace-keeping force showed how effective the United Nations could be in maintaining peace if the great Powers co-operated with each other. He hoped that that success would inspire continued co-operation among those Powers and lead to final agreement so that the long-awaited agreed guidelines could be submitted to the General Assembly at its next session.

39. Mr. KARHILO (Finland) said that when the Special Committee had been established in 1965, its discussions had usually turned into disputes about the conduct of past peace-keeping operations. Recently, however, a growing number of Member States had realized that peace-keeping operations had become an indispensable tool for the containment and settlement of crises and conflicts. The Declaration on the Strengthening of International Security (General Assembly resolution 2734 (XXV)) had urged all Member States to respond to the immediate need to agree on guidelines for such action. Although in a matter concerning fundamental issues of principle, no quick results could be expected, the lack of progress in the Special Committee was disappointing. The recent aggravation of the Middle East crisis had again found the international community unprepared. While the Security Council had been able to agree on sending UNEF to the area, there had been no accepted guidelines on its establishment and the United Nations had once again been compelled to resort to hasty improvisation.

40. In accordance with its support for the United Nations as the primary instrument for the maintenance of international peace and security, Finland had provided financial or material assistance, or both, to all the United Nations peace-keeping activities. In 1968 it had also decided, in close co-operation with the Governments of Denmark, Norway and Sweden, to establish a stand-by contingent and make other arrangements designed to enable it to respond promptly and effectively to any request for its services in a United Nations peace-keeping operation. It had therefore been ready to act immediately when the latest request had been made by the Secretary-General. It welcomed the appointment of a Finnish commander of UNEF in the Middle East.

41. Although, despite the lack of agreed guidelines, the United Nations had been able to respond to the requirements of the latest crises, such action might have been easier if the practice of holding periodic meetings of the Security Council had been continued.

42. On the so-called constitutional issue, the Finnish Government preferred the pragmatic approach which as a matter of practical politics concentrated on peace-keeping operations initiated by the Security Council. A review of the use of the military staff committee or the creation of a subsidiary organ under Article 29 of the

United Nations Charter held out interesting possibilities. Although the discussion on the role of the Secretary-General still seemed to be burdened by past controversies, it was generally accepted that he could work constructively only in the context of agreement and co-operation between the permanent members of the Security Council. There need be no contradiction between the political control exercised by the Council itself and the operational functions of the Secretary-General.

43. Finland considered the establishment and operation of the United Nations forces to be a joint collective undertaking for the maintenance of international peace and security. The Finnish Government had consistently held the view that the principle of collective financial responsibility, in accordance with Article 17, paragraph 2, of the Charter, must be upheld. It was regrettable that the application of that basic principle had been seriously eroded in the case of previous peace-keeping operations. On the other hand, his Government recognized that the economically less developed countries had a relatively limited capacity to contribute towards peace-keeping operations and had therefore accepted exceptions on an *ad hoc* basis.

44. The current situation had shown the importance and urgency of making concerted efforts to achieve agreed guidelines on peace-keeping in conformity with the Charter. His delegation hoped that the study on the Nordic stand-by forces (see A/SPC/165) would contribute to those efforts. The paramount importance of reaching early agreement on the guidelines for future United Nations peace-keeping operations presupposed the need for a political role among all Member States to support those operations collectively.

45. Mr. SCHAUFLE (United States of America) said he believed the work of elaborating guidelines for future peace-keeping operations could be accelerated by building on the serious efforts made in the Special Committee and on the experience of the recent establishment of the United Nations Emergency Force in the Middle East. Even before the new outbreak of fighting in the Middle East, his Government had announced its intention to intensify efforts to seek agreement on peace-keeping guidelines.

46. The most important aspect of the recent peace-keeping operation was the demonstration that the United Nations could interpose itself in certain situations, not only to help calm a situation but also to provide a means to reach a permanent settlement. The Emergency Force had highlighted once more one of the most noble purposes of the United Nations and had helped to show people around the world that the Organization was relevant to their concern in the vital realm of security.

47. There was reason to believe that the world was entering a new era in which nations could turn from sterile confrontation, relax tensions and find realistic solutions to old conflicts and prevent new ones. More attention must be given to the long range task of building structures to safeguard the peace of the world. Peace was only possible on the basis of an equitable settlement of the issues disputed. However, peace-keeping by consent could play a most important part in building the necessary foundations.

48. The absence of any argument over the primacy of the Security Council in peace-keeping operations

boded well for future negotiations on peace-keeping guidelines. The terms of reference approved by the Security Council involved a number of departures from positions previously held by several delegations in discussing the more abstract aspects of peace-keeping rules. That was a healthy development which suggested that the guidelines might not need to be as detailed or rigid as had been previously believed.

49. Differences that had been holding up agreement on peace-keeping guidelines might be reconciled on a fairly broad and flexible basis, so that there would be no need to submit every detail to the Security Council before a peace-keeping operation was launched yet the right of the Council to consider such details would be protected, and the possibility to establish ways and means to reassure all the members of the Security Council that specific operations would not transcend the bounds of the original mandate would be preserved.

50. Although he did not wish to say anything that might impinge in any way on the peace-keeping operations in progress, his Government considered the terms of reference agreed on by the Security Council to be a compromise, particularly with respect to the composition of the force, which it did not regard as a precedent. Any guidelines for future peace-keeping operations should be flexible. Account must be taken of views of the host countries and the parties directly concerned, of the professional qualifications of potential troop contributors, and the views of members of the Security Council. Circumstances would differ from case to case. It had been agreed that contingents from permanent members of the Security Council would not participate in earlier emergency forces; in the case of the first United Nations Emergency Force in the Middle East, the Secretary-General had been careful not to choose forces from any country which for geographical or other reasons might have a special interest in the conflict.

51. As far as geographical representation was concerned, emphasis should be placed on the qualifications and impartiality of the troop-contributing country. The potential troop contributors that had specially trained contingents available on a stand-by basis should be given priority consideration provided they met the criteria of qualifications and impartiality.

52. The United States had long accepted—and it believed there was general agreement on the point—that the Security Council should decide on the main aspects of peace-keeping operations. Ways could be found to protect the primacy of the Security Council's decisions on the choice of commander and the composition of the force and to protect the flexibility needed to avoid delay in launching an operation. As the United Nations Emergency Force had demonstrated, the need for quick and decisive action could be met, for instance, by having the Secretary-General name an interim commander and field certain elements of a force pending ultimate decisions.

53. A number of procedures had been proposed to ensure that the mandate was carried out according to the wishes of the Council; other ways could be envisaged to ensure that the force would not transcend the mandate entrusted to it.

54. A number of countries had earmarked parts of their armed forces for possible United Nations duties. To encourage other countries to emulate their example,

the Security Council should authorize the Secretary-General to draw up models of United Nations agreements with host countries and possible troop contributors. It would also be useful to revive an earlier idea that the Security Council could authorize the Secretary-General to compile an inventory of troops and equipment available for United Nations duties and a roster of potential commanders after consulting the countries concerned.

55. The General Assembly should go beyond its usual exercise of renewing the mandate of the Committee. It should instruct the Committee to proceed with its work with renewed vigour, concentrating on the real essential elements in its deliberations, to the exclusion of essentially procedural matters which could be settled on a case by case basis. He hoped that would spur the Committee to reach early agreement and bring to a constructive conclusion an exercise that had been marking time for too long. Recent events had shown clearly that United Nations peace-keeping could play an important role in the easing of tension, the strengthening of international peace and security, and fulfilling the major purpose of the Organization. The Emergency Force should provide renewed incentive to agree on general guidelines. His country pledged its best efforts towards that goal.

56. Mr. SINGH (India) said that the report of the Special Committee (A/9236) was an important landmark in the history of debate on the subject of peace-keeping operations. The agreement reached, although not substantive, was a hopeful sign. His delegation hoped that all States, especially the major Powers, would co-operate in dealing urgently with the remaining important issues. Occasions when the United Nations would be required to undertake peace-keeping operations would not wait for the Special Committee to arrive at decisions regarding the definition of issues. The decisions on the Emergency Force had been taken in the Security Council at a time when the situation in the Middle East had been rapidly deteriorating. The Council had left to the discretion of the Secretary-General the steps to be taken for the organization and dispatch of the Force. Several delegations had stressed the fact that the decisions taken should not constitute a precedent of any sort in subsequent discussions on peace-keeping operations. One of the most important things to be learned from the exercise was that if the discussions in the Special Committee were to have any meaning, members would have to accept a sense of urgency in arriving at agreed definitions of issues, failing which the Security Council would repeatedly be faced with situations in which it acted under pressure of events and *ad hoc* decisions would have to be taken.

57. Primary responsibility for peace-keeping operations rested with the Security Council as stated in Chapter VII of the Charter. Article 43 of the Charter showed that the role of the Security Council was paramount.

58. The question of the composition of peace-keeping forces had still to be agreed upon. The extent to which the formula worked out for the Emergency Force could serve as a generally acceptable guideline would depend upon the views of Member States. However, the principle of equitable geographical representation would have to be borne in mind in future discussions.

59. Urgent decision was needed on the financing of the United Nations peace-keeping forces. That issue should be kept in the forefront of the discussions of the Special Committee. Peace-keeping was an important function of the United Nations and all countries bore responsibility for meeting expenses. A formula must be outlined to act as a guide for the future. The method of financing future peace-keeping operations should obviously be related to a decision as to which authority initiated such operations. If the cost was to be shared by the Members of the Organization generally, the General Assembly should make the assessments keeping in mind the capacity of Member States to pay and the special circumstances of the case. It was equally obvi-

ous that the cost of any peace-keeping operations should be borne by the States voting for them.

60. His delegation earnestly hoped that the Special Committee on Peace-keeping Operations and its Working Group would intensify their efforts and reach agreement on at least basic issues so that the Security Council would not be suddenly faced again with the situation in which it had found itself earlier in the year. His delegation was ready to co-operate in any way it could to enable those bodies to produce concrete results as early as possible.

The meeting rose at 12.35 p.m.

900th meeting

Wednesday, 28 November 1973, at 3.20 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.900

AGENDA ITEM 44

Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (*continued*) (A/9144, A/9236, A/SPC/165, A/SPC/L.293)

1. The CHAIRMAN informed the members of the Committee that the representatives of Peru and Israel had asked that their names should be added to the list of speakers in the general debate on agenda item 44, after the list had been closed. If there were no objections, he would take it that the Committee agreed to accede to their request.

It was so decided.

2. Mr. SCALABRE (France), introducing draft resolution A/SPC/L.293, said that it was the result of team work by all the members of the Working Group and that the reason why they were not all included among the sponsors was that many delegations had still not received instructions from their Governments.

3. The draft resolution differed very little from previous resolutions on the question. However, the fourth preambular paragraph contained two interesting ideas. First, it alluded to the fact that the circumstances were propitious; that referred to the situation in the Middle East where the cannon had given way to negotiations and where the United Nations Emergency Force (UNEF), which had been established very rapidly, had played a decisive role. Secondly, an allusion was made to the possible future development of UNEF action in the Middle East where it was undoubtedly only just beginning. In anticipation of such developments the Special Committee on Peace-keeping Operations must intensify its work. It was noted, moreover, that for the first time for a long time, the Special Committee had been able to register some progress as a result of both the international détente and the fact that the divergence between certain viewpoints was definitely narrowing. It was to be hoped that the Special Committee would be able to make more rapid progress in its

work. Operative paragraphs 3 and 4 took on special importance in that context.

4. The sponsors of the draft resolution hoped that the Committee would be able to adopt the text unanimously; that would give more weight to the work of the Special Committee.

5. Mr. CREMIN (Ireland) said that his delegation had carefully studied the report of the Special Committee (A/9236) and had taken note in particular of paragraph 10. It realized, of course, that the mandate given to the Special Committee was a complex one, but it also regretted that the Special Committee had not been able to record more comprehensive results, six years after having begun its work on the matter.

6. At the twenty-seventh session (845th meeting) his delegation had welcomed the fact that the procedural problems relating to the composition of the Special Committee's Bureau had been overcome, and it was therefore gratified that the Working Group had met more frequently during the past year and that it had succeeded in defining some of the issues more clearly. It was to be hoped that the Committee would soon elaborate the points which had been agreed in principle and that it would reach conclusions on the items on which discussion was to be resumed.

7. As his delegation had maintained on numerous occasions—echoing the Secretary-General in that respect—if the United Nations was to achieve its primary purpose, which was the maintenance of international peace and security, it should have a reliable scheme, established in advance, for the conduct of peace-keeping operations. To wait until a crisis occurred before acting, as some advocated, was a pragmatic attitude but it did not appear to be consistent with the high aims and efficiency of the United Nations.

8. Referring to paragraph 11 of the Special Committee's report, he agreed that the peace-keeping operations in the Middle East—the establishment of which might perhaps have been facilitated by the discussions in the Special Committee—might constitute

an experience which might assist the Committee and result, it was to be hoped, in the submission of firm proposals.

9. In that connexion, his delegation had welcomed the fact that Security Council resolution 340 (1973) concerning the creation of the United Nations Emergency Force (UNEF) in the Middle East had been submitted by eight non-permanent members of the Security Council, since, broadly speaking, the elected members were more representative of the general membership of the United Nations. It had also been gratified to see that the report on the implementation of that resolution¹ submitted by the Secretary-General had been approved by the Council, subject to some minor amendments. Last, and most important, it had been impressed by the fact that the costs of the Force were to be considered as expenses of the Organization to be borne by the Members in accordance with Article 17, paragraph 2, of the United Nations Charter. His delegation had always attached the greatest importance to that point for a number of reasons, including two major ones. First, since Article 1 of the Charter called for collective measures for the prevention and removal of threats to the peace, it seemed that all Members of the Organization should bear collective responsibility for peace-keeping operations, in particular by sharing the costs. Secondly, experience had shown that there was no prospect of maintaining a peace-keeping operation for as long as it was required, unless the necessary funds were available. Thus, no one would deny that the United Nations Force in Cyprus (UNFICYP) had indeed served to keep the peace but the Security Council decision that it would be financed by voluntary contributions had placed the Secretary-General in the position of having to make periodic appeals for contributions and had led to a deficit which continued to increase. For that reason, his delegation had welcomed the adoption by the Fifth Committee of draft resolution A/C.5/L.1130/Rev.1 on the financing of UNEF,² although it had reservations on some points. Consideration might now be given to the possibility of placing UNFICYP on a similar financial basis, in accordance with Article 17, paragraph 2, of the Charter.

10. In paragraph 4 of its seventh report (A/9236, annex II), the Working Group referred to the creation of a subsidiary organ of the Security Council under Article 29 of the Charter. That possibility had also been mentioned by the representatives of France, the United Kingdom and Finland on various occasions. His delegation was in favour of it, but wondered what exactly the mandate of that organ would be. In his view, the Special Committee should study both the composition and the mandate of such an organ. Two interesting ideas advanced by the French delegation merited consideration in that connexion. First, the organ in question could be given the task of helping the Security Council to carry out its financial function and, secondly, it might have a broader membership than the Security Council and thus permit a dialogue between the Council and the various elements of the General Assembly, while preserving the Security Council's power of decision intact. His delegation subscribed to those

proposals, having regard, on the one hand, to the financial problems which had given rise to the establishment of the Committee in 1965 and, on the other, to the central role which the Charter conferred on the General Assembly in the matter of financing.

11. His delegation also endorsed the United Kingdom proposal that those countries which contributed contingents should be associated with the conduct of operations.

12. Finally, his delegation had noted the importance which the Secretary of State of the United States of America had attached to the maintenance of peace in his statement before the General Assembly at its 2124th plenary meeting, on 24 September 1973, in which he had emphasized the need to draw up guidelines at an early date so that the Organization could act swiftly and effectively in future crises. His delegation hoped that that appeal would be heeded.

13. Mr. FRAZÃO (Brazil) said that the report of the Special Committee was less discouraging than the previous year, despite the fact that no concrete results had been achieved.

14. As a result of its enlargement, the Working Group of the Special Committee had done useful work on the basis of working document A/AC.121/L.18, which had served to identify the areas of agreement and disagreement and helped in the rethinking of previous positions and in the presentation of new proposals. The document and the discussions to which it had given rise had highlighted the fact that the areas of disagreement boiled down to three issues: first, the question of conflicting competences among the main organs of the United Nations; secondly, the question of legal procedures to be followed in all phases of the operations; and, thirdly, the question of financial arrangements to meet the costs of operations.

15. The first issue was undoubtedly the most substantive since it was reasonable to assume that its solution would permit a solution of the other two. On the basis of that assumption, the Working Group had opted for an organ-by-organ approach in order to identify the functions to be performed by each of the main United Nations organs and to draw up an exhaustive functional framework. That had involved making a list of headings each of which encompassed a range of specific functions to be discussed in detail at a later stage.

16. The Working Group had begun by considering the functions to be performed directly by the Security Council, and had reached preliminary agreement on 12 items, as stated in the report of the Working Group (A/9236, annex II, appendix). Four items had been shelved because of a failure to reach agreement. Thus, the Working Group had limited itself to reformulating previously established positions, avoiding the questions of command and control and all their controversial aspects. Discussion was therefore still at a preliminary stage. However, the Brazilian delegation wished to explain the spirit in which it had accepted three of the items included in the list provisionally adopted by the Special Committee. His delegation felt that any agreement concerning financial arrangements (item 5) should conform to the provisions of Article 17, paragraph 2, of the United Nations Charter which meant that the guiding principle should be that of collective financial responsibility. The Brazilian delegation attached special importance to item 8 (agreements with

¹ *Official Records of the Security Council, Twenty-eighth Year, Supplement for October, November and December 1973, document S/11052/Rev.1.*

² Adopted by the General Assembly on 11 December 1973 as resolution 3101 (XXVIII).

host country). Peace-keeping operations did not fall within the scope of Chapter VII of the Charter, but were of a consensual nature. Indeed, such operations were not provided for in the Charter, a fact which pointed to the need to change it. Item 12 (subsequent alterations) should apply only to major alterations, and, in the first instance, to alterations of decisions previously taken by the Security Council.

17. The work of the Special Committee and the Working Group could have contributed to the change of attitude on the part of a number of delegations. In the light of the letter from the United Kingdom (A/9144) and of the statement made by the Secretary of State of the United States in the General Assembly, the Brazilian delegation considered that possibilities for agreement existed; it was for the Special Committee to take advantage of them. The Brazilian delegation was prepared to work with those delegations which wished to achieve results with regard to both procedure and substance. The Brazilian Government was convinced that the collective security system of the Charter assumed the ability of the United Nations to undertake effective peace operations. To achieve that goal, basic rules must be incorporated into the Charter and flexible mechanisms provided which would enable the Organization's decisions with regard to peace-keeping operations to be put into effect.

18. During the cold war period, peace-keeping operations had been considered mainly as a supplementary instrument which the big Powers could use to legitimize their political and other objectives. Peace-keeping had remained at the mercy of political whims or of parliamentary circumstances.

19. The divergencies of view stemmed from the different conceptions of the process of international organization and from the political attitudes of the Member States with regard to past operations. The persistent deadlock in which the Special Committee found itself had led in recent years to a revival of "*ad hoc* pragmatism". Since every previous operation had been undertaken as a result of *ad hoc* agreements, it had become fashionable to argue that that approach was the only one likely to succeed. *Ad hoc* pragmatism was not the complete institutional solution that the problem of peace-keeping demanded. Moreover, it was precisely that empirical approach that had given rise to the difficulties leading to the creation of the current negotiating mechanisms. A reversion to total pragmatism would indicate a dangerous lack of sensitivity to the lessons of experience and would be tantamount to starting all over again.

20. The persistence of ill-defined norms and practices had already created serious problems which threatened the survival of the United Nations and entailed the risk of triggering crises with unforeseeable consequences. Acceptance of such a situation tended to promote the creation of mechanisms for unilateral or joint intervention in order to preserve an alleged international order or to safeguard so-called joint security.

21. The lesson to be drawn from recent events in the Middle East was that, in the field of peace-keeping operations, the work of preparing general guidelines had failed to yield results. Such a situation must be urgently corrected if the United Nations was to fulfil its responsibilities.

22. Aside from the political constraints, the Special Committee had been hampered by procedural and methodological short-comings. The methodological short-comings still persisted. In trying to provide for every possible aspect of an operation from start to finish, the Special Committee had become entangled in a multitude of secondary problems and had perhaps lost sight of its primary objectives. That detailed approach had given rise to secondary or parallel controversies relating to minimal, or even irrelevant aspects. Moreover, it was understandable that Governments might be unwilling to make firm and detailed commitments with regard to political situations which were unpredictable and might be entirely different. Instead of insisting on the negotiation of uniform and detailed models, to be used in contingent—and therefore unforeseeable—situations, the General Assembly should undertake a thorough examination of general principles for action.

23. The Brazilian delegation wished to set out those principles. First, in view of the responsibilities conferred on it by the Charter of the United Nations, the Security Council should be assigned a primary role in the decision to launch a peace-keeping operation. During the initial stages of the operation, three elements should be considered as fundamental: the primary authority of the Security Council to launch a peace-keeping operation, the need to obtain the consent of the host countries, and the decisions that the Security Council must take simultaneously with the authorization for the launching of the operation (mandate, purpose, composition and strength of the peace-keeping forces). Secondly, the Security Council should request the Secretary-General, in accordance with Article 98 of the Charter, to conduct the operations and carry out the decisions taken by the Council. The Secretary-General could be assisted by an *ad hoc* subsidiary organ set up by the Security Council. Thirdly, that subsidiary organ should be composed of all members of the Security Council and of Member States contributing funds, personnel or facilities to the operations. Fourthly, the Secretary-General should be requested to report directly to the Security Council as frequently as necessary. The Security Council would retain the prerogative of requesting the Secretary-General, at any stage, to submit any given question for consideration by the Council. Fifthly, in order to obtain the necessary information, the Security Council and the *ad hoc* subsidiary organ would have the right to request, through the Secretary-General, any authority participating in the operation to submit oral or written reports to them. Sixthly, as far as financial questions were concerned, the Brazilian delegation was of the opinion that mechanisms should be envisaged which were capable of expediting the process of launching an operation and, at the same time, of minimizing the possibility of controversy among Member States over the apportionment of expenditures. The General Assembly and the Security Council could establish a pre-financing fund to meet the initial cost. That idea had been put forward by the Brazilian delegation at the twenty-fifth session of the General Assembly, when it had circulated a working paper³ which had many points in common with the proposal submitted by Kuwait.⁴ After the launching of

³ Official Records of the General Assembly, Twenty-fifth session, Annexes, agenda item 32, document A/8096, subparagraph 5 (e).

⁴ *Ibid.*, agenda item 36, document A/8175, para. 4.

the operation, the General Assembly, on the basis of a Security Council report and of the predetermined financial guidelines, should make the necessary arrangements to apportion the expenditures and to replenish the pre-financing fund.

24. In that connexion, account should be taken of the sovereignty of the States providing troops and of their right to ensure that the remuneration of the personnel conformed to their respective regulations applying to service away from home. Finally, his delegation believed that, in any attempt at negotiating general peace-keeping principles, due account should be taken of the fact that the General Assembly had the residual competence to take appropriate measures whenever the Council felt itself paralysed by lack of unanimity among its permanent members. The Brazilian delegation was considering the possibility of formally presenting a detailed proposal based on the considerations he had just outlined. He was convinced that, by 1974, the Special Committee and its Working Group would be in a position to review their methods of work and their negotiating procedures, with a view to adapting them to a more realistic assessment of prevailing political and practical circumstances, and he expressed the hope that 1974 would see the consolidation of a collective political will to utilize to the full the possibilities offered by the United Nations.

25. Mr. ALI (Pakistan) said that recent events in the Middle East and the peace-keeping arrangements made had once more brought out the fundamental importance of the question under consideration. It was probable that the operation would be helpful in clarifying various aspects of such operations and would supplement the experience gained from similar operations undertaken in the past. It was to be hoped that, on the basis of that experience, the Special Committee on Peace-keeping Operations would be able to devise agreed guidelines for future operations in accordance with the United Nations Charter. However, it should be noted that the positions taken in that specific case did not necessarily constitute a precedent or a final solution to the various problems involved in mounting a peace-keeping operation.

26. The smoothness with which the recent operation had been launched did not minimize the usefulness and desirability of having agreed guidelines available. For example, time would have been saved if there had been guidelines for deciding the composition of the United Nations Emergency Force.

27. His delegation wished to thank the United Kingdom delegation for the memorandum entitled "Decision-taking in peace-keeping operations", attached to its letter (A/9144) so ably introduced by the representative of the United Kingdom at the 898th meeting. It shared his view that great flexibility was necessary in peace-keeping operations. The Special Committee would no doubt wish to study the ideas put forward in the memorandum concerning the distinction to be drawn between "policy control" and "operational management" and concerning methods of resolving differences of opinion as to the nature of a particular activity. After a more detailed study his delegation would, at the appropriate time, give its views on the United Kingdom proposals, which at first reading seemed to relate only to peace-keeping operations authorized by the Security Council but did not exclude the

residuary competence of the General Assembly in the matter if the Security Council became deadlocked.

28. His delegation was happy to note the practical action taken by the Nordic countries, parallel to the efforts of the Special Committee to formulate the guidelines, with a view to facilitating the dispatch of troops needed in future peace-keeping operations. Although the study which they had submitted concerning the Nordic stand-by forces for the United Nations (see A/SPC/165) dealt only with the initial phase of operations and was intended primarily as an analysis of the practical problems which might arise when two or more Nordic contingents were assigned for service in the same United Nations operational area, it nevertheless gave some idea of the various problems which a heterogeneous United Nations force might encounter in the course of its formation and transport to the operational area and during the first phase of a peace-keeping operation.

29. The report of the Special Committee on Peace-keeping Operations at the previous session had stated that no progress had been made.⁵ Without losing sight of the political aspects of the question and the divergence of views among the permanent members of the Security Council, it was nevertheless dismayed that no progress had been made for a long time in a matter of foremost concern to the Organization. Some even questioned the usefulness of the Special Committee and talked of devising some other methods for drawing up the guidelines.

30. At the current session the situation was not so bleak. Some progress had been made. Having solved the problems relating to the organization of its work, the Special Committee, especially in its Working Group, had been able to address itself to the task entrusted to it. Using as a point of departure a working paper entitled "A comprehensive listing under specific headings of concrete proposals received and a description of the progress made to date" (A/AC.121/L.18), the Working Group had been able first of all to take up the proposals concerning the responsibilities to be exercised directly by the Security Council in the prompt establishment, direction and control of peace-keeping operations. Agreement had been reached on 12 items listed in the appendix to annex II of the report of the Special Committee (A/9236). Discussion would be resumed on four items.

31. Having given a broad outline of the role of the Security Council, the Working Group and the Special Committee were now going to try to define the role of other relevant bodies.

32. Viewed in the perspective of the numerous problems for which answers had yet to be found, progress had not been very great. Agreement had been reached only on the headings, the substance remained to be discussed. However, given the fact that the problems with which the Special Committee dealt were of a fundamental nature, involving the interplay of the interests of the major Powers, the degree of agreement achieved was certainly worthy of mention. The spirit of accommodation and understanding displayed by the major Powers in the meetings of the Working Group were even more heartening. All that gave grounds for hope that greater progress would be made in 1974. Thus, his

⁵*Ibid.*, Twenty-seventh Session, Annexes, agenda item 41, document A/8888.

delegation would continue to make its modest contribution to the advancement of the Group's work and considered that the Special Committee's mandate should be extended for a further year. It had therefore decided to be a sponsor of draft resolution A/SPC/L.293, which it hoped would be adopted unanimously.

33. Mr. HANSEN (Federal Republic of Germany) said that he wished to put on record his country's keen interest in United Nations peace-keeping operations, which were the most effective instrument at present available to the Organization for maintaining peace and preventing an escalation of conflicts, as had been confirmed by the recent establishment of the United Nations Emergency Force in the Middle East.

34. Even before it had become a Member of the United Nations, his country had shown its interest in the Organization's peace-keeping operations by making voluntary financial contributions. It was, for example, the third largest contributor to UNFICYP. It would continue to support the efforts to strengthen the United Nations peace-keeping machinery and it attached the greatest importance to the establishment of guidelines which would make that machinery more readily available and more effective. The progress made during the past year by the Special Committee and the Security Council's decision to establish UNEF gave grounds for hoping that agreement on the guidelines was near.

35. Mr. NOGUCHI (Japan) was gratified to learn from the report (A/9236) that, despite the complexity of the question and the differences of opinion among Member States, the Special Committee had made some progress and had ended the state of almost paralysis of previous years. The fact that the Working Group of the Special Committee had met more frequently was an indication of the efforts made by its members, especially by its Chairman and Rapporteur.

36. The current peace-keeping operations in the Middle East had not only imparted a sense of urgency to the work of the Special Committee but had also provided practical examples which would certainly facilitate the work of the Special Committee and its Working Group.

37. His delegation thought that circumstances were propitious and it shared the optimism expressed by the Special Committee about the possibility of drawing up guidelines acceptable to all. In that connexion, his delegation welcomed the study carried out by the Nordic countries on the stand-by forces which they maintained for the United Nations (see A/SPC/165). It also welcomed the constructive suggestions put forward by the United Kingdom delegation (see A/9144) and the remarks made by the Secretary of State of the United States of America in his statement before the General Assembly at the 2124th plenary meeting.

38. His delegation would like to stress the central role played by the Security Council in the establishment of the United Nations Emergency Force in the Middle East under resolutions 340 (1973) and 341 (1973). However, the example of the Emergency Force had shown that prompt action and flexibility were essential to the success of any peace-keeping operation. That consideration was not inconsistent with the principle of the central role of the Security Council; the point was that means must be found for ensuring that, under the supervision and direction of the Council as a whole, enough power should be exercised by other authorities

to guarantee the smooth handling of day-to-day operations. Lastly, it was the experience of the Emergency Force as a whole, and not some arbitrarily chosen aspects of its operations, which should be used as a guide for future operations.

39. His delegation thought that the General Assembly should renew the mandate of the Special Committee and request the Special Committee and its Working Group to intensify their efforts. His country was a member of both bodies and would do its best to contribute to the success of their work. As for his delegation's views on the substance of the matter, he referred the members of the Committee to the reply of his Government (see A/AC.121/L.15/Add.1).

40. Mr. SHERMAN (Liberia) said that he wished to thank the Chairman, Rapporteur and members of the Special Committee for the report which they had submitted. At the appropriate time, his Government would make a substantive contribution to the subject under discussion. For the time being, his delegation would confine itself to a few observations regarding the formulation of guidelines and procedures applicable to peace-keeping operations.

41. In order to ensure the success of such an operation, it was above all essential to define the mandate clearly and objectively. Nothing could be more paralyzing than a mandate which was unrealistic and difficult to interpret. The mandate would not be clear unless there had been a clear grasp of the political and other realities of the situation, of the specific purpose of the mission, the means adopted, after careful consideration, as being the most appropriate to achieve the desired ends, and the scope of the discretionary authority of the Secretary-General and the chief of operations in a given emergency situation.

42. His delegation considered that the objectives assigned to any peace-keeping operation should remain within the framework of the United Nations Charter and in particular Chapters VI, VII or VIII, according to the circumstances. However, the character and scope of each situation must also be taken into account.

43. Liberia's first-hand experience in the field of peace-keeping operations led his delegation to express reservations with regard to the idea that a peace-keeping operation, after it had been duly decided upon and launched by the Security Council, might be terminated at the request of a Member State, particularly a State with right of veto acting more from self-interest than from principle. His delegation was not opposed to the principle of a peace-keeping operation being terminated if the interests of peace and the peoples concerned required it, but it was convinced of the necessity of defining clearly the limit of voting privileges, with particular reference to the exercise of the right of veto, and the conditions under which a Member State might challenge an initiative taken in the course of an operation. Such a procedure, if left unrestricted, might make any initiative impossible and, by paralyzing the entire operation, prevent the achievement of the objectives defined by the Security Council.

44. First-hand experience obtained from participation in the United Nations Conciliation Commission during the Congo crisis, when Liberia had sent a military contingent and an independent mission, had led his delegation to express its opinion on the subject and not to take lightly the responsibility incumbent upon it.

45. Liberia had not lost sight of the sacred but difficult task which the United Nations had set itself in seeking to meet the long-felt need of mankind, nor of the difficulties which the interplay of interests of small and large countries placed in the way of realizing that objective. His delegation reserved the right to speak later on the other points upon which the Special Committee had agreed in principle, in particular the financing of peace-keeping operations and the responsibilities of Member States in that connexion.

46. Mr. MATYUKHIN (Byelorussian Soviet Socialist Republic) said that in the view of his delegation it was very important to reach agreement on the execution of peace-keeping operations in strict conformity with the Charter so that the United Nations might more effectively discharge its principal task, which was to maintain and strengthen international peace and security. Working document A/AC.121/L.18 was proof of the keen interest shown by many States not only in the role of military observers but also in the employment of United Nations peace-keeping forces as a whole and above all in the question of the control and direction of peace-keeping operations.

47. His delegation considered that the guiding principles agreed upon should be in strict conformity with the Charter so that United Nations armed forces were employed in accordance with the interests of all Member States. The document submitted by the Soviet Union, on the basic guiding principles for the conduct of United Nations peace-keeping operations, including United Nations observer missions⁶ constituted a good basis on which an agreement might be concluded. In point of fact, if the Charter was adhered to, it was indisputable that having authorized a peace-keeping operation, the Security Council should continue to exercise supreme control with regard to all aspects of the establishment of that operation and the direction of it throughout the entire operation.

48. It was because that principle had not been respected in the past that the United Nations still did not possess well-defined permanent machinery for peace-keeping operations. The Soviet proposals filled that gap by setting out in detail machinery including the Military Staff Committee and a special subsidiary organ and by clearly defining the Secretary-General's role in the application of Security Council decisions. In several so-called peace-keeping operations, certain Powers had endeavoured to prevent the Security Council from participating actively in the operations and to reduce it to the role of passive observer of the Secretariat's actions.

49. His delegation noted with satisfaction that progress had been made in spite of the complexity of the problems under consideration. Furthermore the peace-keeping operation undertaken in accordance with Security Council resolution 340 (1973) would provide practical experience which would be of value to the Special Committee and its Working Group.

50. All States Members of the United Nations should demonstrate the greatest goodwill so that the problems might be resolved in a manner acceptable to all and completely consonant with the Charter of the United Nations.

51. Mr. DE RIVERO (Peru) said that the establishment of the United Nations Emergency Force by the

Security Council would throw light on the problems which faced any peace-keeping operation. In the past, the success or failure of such operations had depended only on the pertinent interests of the great Powers. For that reason, the greater the power available to the United Nations in such operations—the more those operations assumed a multilateral character—the greater the chance that they would succeed, as previous operations had demonstrated. The present United Nations Emergency Force had been conceived as a subsidiary organ of the United Nations under the authority of the Security Council, and the Secretary-General had received the necessary authority to constitute the Force and to conduct its operations. The composition of the Force on an equitable geographical basis would make possible greater political support and better multilateral control by a larger number of countries which could in that way acquire experience of peace-keeping operations. Furthermore, in view of the conflicting interests of the great Powers in the Middle East situation, the non-participation of the members of the Security Council was an *a priori* guarantee of the proper functioning of those operations.

52. Peru was happy to have made its contribution to the peace-keeping operation; almost the entire contingent provided by it had been stationed in the battle area and Brigadier-General Ibañez of Peru was the officer commanding the Force on the east bank of the Suez Canal. The participation of Peru in the operations was proof of its faith in a system of collective security which should be made more effective if the United Nations was to be in a position to apply the principles of the Charter and to fulfil the role for which it had been established.

53. Mr. GLEISSNER (Austria) said that his country had consistently sought to participate actively in the work of the Special Committee and in the peace-keeping operations themselves, either by contributing to their financing or by making units of its armed forces available to them. In the recent past, Austria had been one of the first countries to respond to the Secretary-General's request to provide troops for the United Nations Emergency Force in the Middle East and it considered that it had thus made an essential contribution to the implementation of principles of the United Nations Charter.

54. In fact, the maintenance of peace and international security was and should remain the primary objective of the United Nations. To that end, efforts must continue to be made to reach agreement on the guidelines for peace-keeping operations. His delegation was among those which in preceding years had voiced concern over the slowness with which the work of the Special Committee was progressing. It therefore now welcomed the encouraging fact that the Committee's report recorded agreement in principle on 12 items relating to the responsibilities to be exercised directly by the Security Council.

55. His delegation had always favoured a pragmatic approach to peace-keeping operations. That view, which was widely shared by Member States, had been confirmed by the relationship of co-operation and co-ordination which had been established between the Security Council and the Secretary-General with regard to the establishment, dispatch and direction of the United Nations Peace-keeping Force in the Middle

⁶ *Ibid.*, document A/8669.

East. It was encouraging to observe that the differences of views which remained on the matter of theory did not constitute insurmountable obstacles in the face of a concrete situation. In that connexion, his delegation particularly welcomed paragraph 11 of the Special Committee's report (A/9236). It considered that the peace-keeping operations undertaken in accordance with Security Council resolution 340 (1973) would pro-

vide practical experience which might be of value to the Special Committee.

56. He was confident that in the light of recent developments the Special Committee would be in a position to make decisive progress in the forthcoming months.

The meeting rose at 4.50 p.m.

901st meeting

Thursday, 29 November 1973, at 10.50 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.901

AGENDA ITEM 44

Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (concluded) (A/9144, A/9236, A/SPC/165, A/SPC/L.293)

1. Mr. SALJUQI (Afghanistan) expressed his appreciation of the report of the Special Committee on Peace-keeping Operations (A/9236) and considered that, despite the complexity of the subject and diversity of views, useful work had been done. The report would provide some guidelines for the peace-keeping operations in the Middle East. Peace-keeping and international security were some of the most important responsibilities of the United Nations and one in which the Organization could affirm its role when world peace was seriously endangered. Peace-keeping operations were of particular importance for smaller nations that might be subjected to pressure or become victims of aggression. The underlying cause of unrest was injustice and the negation of the right of self-determination of people subjected to alien or minority domination or to occupation. If the United Nations helped to redress such grievances, peace and security would prevail.

2. Although useful, peace-keeping operations in the past had failed to settle or prevent armed conflicts that had seriously menaced regional and world security. In the case of the new United Nations Emergency Force (UNEF), there was greater co-operation between Member States, and he hoped that the Force would play an effective role in maintaining peace and security in the Middle East. Nevertheless, unless the rights of the Palestinians were restored and unless Israel withdrew from the occupied territories, all the peace-keeping efforts of the United Nations would not yield the results expected.

3. Mr. ZEJMO (Poland) said that his delegation considered the problems connected with peace-keeping operations to be one of the most important links in the chain of questions relating to the maintenance of international peace and security. Consequently, it had consistently contributed to the work of the Special Political Committee. In the General Assembly and the Special Political Committee it had pointed to certain proposals that might help to solve the problem of peace-keeping operations. It had, for example, pointed out the need to revitalize provisions of the United Nations Charter the

provisions of which had never been properly utilized and the significant role that could be played by the Military Staff Committee in the planning and conduct of peace-keeping operations. At the twenty-sixth session, the General Assembly had been informed that the Government of Poland was ready to place a Polish military contingent at the disposal of the Security Council.¹ Poland had accepted the Secretary-General's request to provide an army unit for the United Nations Emergency Force in the Middle East and was participating in the logistic support of the Force. His delegation was therefore very interested in the work done and in the future accomplishments of the Special Committee.

4. The documents before the Committee were acceptable, but still far from satisfactory because there had been no substantial progress in the work of the Special Committee during the previous year. He fully agreed with delegations which felt the work of the Committee must be accelerated.

5. His delegation had consistently opposed and would continue to oppose peace-keeping operations of the type conducted in the past when they were a convenient instrument for the realization of unilateral political goals in contravention of the United Nations Charter and the principles of collective security. It had therefore welcomed the decision by the Security Council on equitable geographical representation in the Emergency Force. A balanced composition of the Force would strengthen the operation itself and consolidate the political consensus on which such an operation must be based. Future peace-keeping operations should be guided by the following general principles: rules or guidelines should be elaborated in accordance with the United Nations Charter; the Security Council should be the only organ to authorize, conduct and terminate a peace-keeping operation; the role played by the Secretary-General and other United Nations organs should be within the framework of the Charter and in accordance with their mandate from the Security Council; the Special Committee and its Working Group should be empowered to elaborate practical guidelines for peace-keeping operations, subject to their work being fully accepted by all States. The documents and suggestions made during the Committee's debate were

¹ See *Official Records of the General Assembly, Twenty-sixth Session, Plenary Meetings*, 1953rd meeting.

a valuable basis for early and fruitful resumption of work by the Special Committee and its Working Group.

6. The peace-keeping operations in the Middle East were a good, practical example that might help the Special Committee and its Working Group to make further progress, but they were not a convenient precedent to be applied mechanically to future peace-keeping operations. There was an urgent need for the Committee to resolve the remaining items on its agenda in the spirit of the previous year's accomplishments with a view to establishing principles and machinery to govern peace-keeping operations promptly and effectively. The Special Committee and its Working Group should submit to the General Assembly at its twenty-ninth session a complete document on the principles for future peace-keeping operations in accordance with the Charter of the United Nations. His delegation would make whatever contribution it could to that end; it would support the resolution to extend the Special Committee's mandate provided that the Special Committee and its Working Group completed their work and submitted a report on it to the General Assembly at its twenty-ninth session.

7. Mr. JACOVIDES (Cyprus) said that the topic under discussion was of special significance to his country which had had first-hand experience of a major United Nations peace-keeping operation. As a small, newly independent, and militarily weak country, Cyprus had made the United Nations central to its foreign policy and had placed its reliance on collective security under the Charter. When confronted by a serious crisis, it had naturally turned to the United Nations and consented to the setting up of the United Nations Peace-keeping Force in Cyprus (UNFICYP), despite the limitation on sovereignty that such a force entailed. UNFICYP had been a duly authorized and properly functioning United Nations peace-keeping operation; it had discharged its mandate properly and served the useful purpose of illustrating the circumstances under which such an operation could be conceived and conducted, and the attitude of the host country. The main lesson to be drawn was that "where there is a will there is a way". In the case of UNFICYP all the necessary factors had been present for the conduct of the operation despite a number of doctrinal and other hurdles and a number of compromises that had had to be made. A similar situation had made it possible to set up the second United Nations Emergency Force. As was pointed out in the report, the United Nations peace-keeping operations in the Middle East were providing practical examples which might assist the Special Committee and its Working Group in making further progress.

8. United Nations peace-keeping and peace-making were vitally important to all States, and to small non-aligned States in particular. The original system of collective security envisaged in Chapter VII of the Charter had proved to be ineffective in practice. The premises on which it was based no longer obtained and it was debatable whether they should. One possible alternative was a permanent United Nations force recruited, organized, commanded and financed by the United Nations and owing allegiance to it. Although such a force should be the long-term goal of the Organization, the conditions for its existence did not yet exist. The task of the Special Committee was therefore more modest and pragmatic.

9. Although disappointed by the lack of progress, his delegation took some solace in the optimism expressed in the report regarding future prospects. It hoped that in addition to the items on which some agreement had been reached listed in working document No. 1 (A/9236, annex II), more comprehensive agreement would be reached on general guidelines for the conduct of United Nations peace-keeping operations. The prevailing atmosphere of détente and the recent experience provided by the second Emergency Force might help to achieve a break-through. His delegation welcomed the determination shown in the statement by the United States Secretary of State (2124th plenary meeting, on 24 September 1973), and the suggestions made by other delegations in documents and during the debate. The Nordic countries had provided a valuable study (see A/SPC/165) and had played a constructive role in the field of peace-keeping operations. He hoped that sufficient impetus would be generated to overcome existing obstacles. Although the Security Council's authority over peace-keeping operations was paramount, a proper balance must be struck between policy control and operational management. In each particular situation, there must be a minimum common denominator of political, legal, financial and other factors for the setting up of an emergency force. It was to be hoped that a series of broad guidelines could be worked out to provide an institutional framework for such operations. That would avoid delay and the need to tailor specific solutions to every aspect of the operation. The guidelines must also be flexible enough not to frustrate the practical requirements of particular situations. Such an approach could lead the international community out of its impasse and permit a modest but significant step forward with further progress as confidence increased.

10. In principle, the expenses of peace-keeping operations should be borne by all Members in accordance with the principle of collective responsibility, qualified, when appropriate, by the principle of equitable distribution in accordance with capacity to pay.

11. His delegation would support draft resolution A/SPC/L.293.

12. Mr. UPADHYAY (Nepal) said his delegation was happy to note that the Working Group had met more frequently during the previous year and had succeeded in defining some of the issues more clearly, particularly the 12 items listed in working document No. 1.

13. The central task of the United Nations was the maintenance of international peace and security; the peace-keeping operations were the central element. The capacity of the Organization to act in times of need must be preserved and strengthened. Otherwise, the United Nations would lose much of its meaning for many countries which viewed it as a political instrument for the preservation of their independence and security.

14. The Charter placed primary responsibility for international peace and security on the Security Council. However, the international community had witnessed the incapacity and failure of the Security Council to take effective and urgent action at a time of need because of disagreement between its permanent members. At such times Member States had had to go to the General Assembly to take action for the maintenance of peace. Consequently, although primary responsibility

for the maintenance of international peace and security rested with the Security Council, the General Assembly could also play that role under Article 10 of the Charter. A dependable scheme for peace-keeping operations would have to depend on the responsibility of both organs.

15. The smaller and weaker States had placed great faith in the Charter of the United Nations. If the United Nations failed in its sacred duty to maintain peace, they would feel a sense of insecurity and might be inclined to seek the protection of stronger States. There would then be a danger of the re-emergence of spheres of influence and protection among the stronger Powers.

16. His delegation shared the general feeling that agreement between the major Powers was essential for the future of United Nations peace-keeping operations. If such agreement did not lead to progress in peace-keeping operations, the majority of Member States should not remain inactive but should work hard to devise ways and means to establish a reliable United Nations peace-keeping system to ensure international peace and security.

17. Another important problem was the financing of peace-keeping operations on a sound and equitable basis. The consensus reached in 1965 on voluntary contributions² could not form the basis for a permanent scheme. The financing of United Nations peace-keeping operations was the collective responsibility of all its Members according to their capacity to pay; voluntary contributions were no substitute for sound financing on that basis. His delegation appreciated the suggestion to create a United Nations peace-keeping fund to facilitate speedy and efficient action. It was in favour of extending the mandate of the Special Committee but hoped that the Special Committee's future work would be assisted by the ideas expressed and suggestions made during the discussions. It hoped too that the Special Committee would make a more determined effort during the next year to make substantive progress in carrying out the mandate entrusted to it by the General Assembly.

18. Mr. COMMENAY (France) announced that Poland and Yugoslavia had become sponsors of draft resolution A/SPC/L.293.

19. Mr. RAKOTOFIRINGA (Madagascar) said that the current report of the Special Committee showed that some progress had been made in its work. However, in view of the primary role which the United Nations was called upon to play in peace-keeping operations and international security, more comprehensive results might have been hoped for.

20. The peace-keeping operations in the Middle East undertaken by the United Nations in implementation of Security Council resolution 340 (1973) had reminded the international community of its primary obligations and of the overwhelming need to define guidelines to ensure the effectiveness of such operations. His delegation believed that the Middle East operations should help to facilitate the work of the Special Committee. However, it felt that its task was not merely to use past agreements and apply them wholesale to future operations, but to study a whole range of procedures and to decide on those best suited to specific operations.

² *Ibid.*, Nineteenth Session, Plenary Meetings, 1331st meeting, paras. 3 and 4.

21. His delegation welcomed the efforts made by the Special Committee. It felt that the working paper (A/AC.121/L.18) was most useful, and would enable States Members who had transmitted their views and suggestions to determine how they had been acted upon.

22. His delegation noted that in its report, the Special Committee guarded against excessive optimism, but suggested that the current United Nations peace-keeping operations might prove of assistance to the Special Committee in making further progress. His delegation would not, therefore, object to the renewal of the Special Committee's mandate.

23. Madagascar had been one of the States which had transmitted its views and suggestions in accordance with General Assembly resolution 2835 (XXVI) (see A/AC.121/L.15) and considered that its comments remained valid. His delegation had always believed that the Special Committee would not be able to reach agreement on the fundamental aspects of peace-keeping operations unless they were fully in accordance with principles defining the respective competence of various United Nations organs set forth in the Charter. Furthermore, the clearly defined juridical framework provided by the Charter would make it possible to avoid the labyrinth of political subjectivity. His delegation took the view that it was the responsibility of the States Members of the United Nations to remedy shortcomings in the Charter or those aspects which no longer conformed to the new international situation. The international community would, however, have to make the right choices to dispel the doubts which existed with regard to the Organization and its role.

24. In conclusion, his delegation wished to recall that the political declaration of the Fourth Conference of Heads of State or Government of Non-Aligned Countries had stressed the need to improve the United Nations in order to ensure its effectiveness (see A/9330).

25. As the organ primarily responsible for peace-keeping and international security, the Security Council should not be prevented from exercising its responsibilities under the Charter.

26. Mr. BARROMI (Israel) said that the peace-keeping operations of the United Nations had played a major role in preventing bloodshed in many parts of the world and were therefore a praiseworthy activity, appreciated by Israel.

27. His delegation considered that the work done by UNEF in the years 1956 to 1967 must not be lost from sight, and thought it regrettable that one party had been able to expel the Force at a time when its presence had been more than ever necessary. The unedifying spectacle had been repeated in October 1973 when United Nations observers had been peremptorily ordered out by the same party.

28. The United Nations forces had, however, failed to show that they were capable of acting effectively, if at all, in certain peace-keeping tasks. His delegation had in mind mainly the prevention of armed attacks by terror organizations operating from the territory of one State or a number of States, including those in receipt of active support and assistance from such a State or States, against objectives in the territory of another State. Israel had long been the target of such terrorist attacks, and his delegation considered those aspects of

peace-keeping operations were worthy of thorough study, with a view to defining the tasks and improving the performance of United Nations Forces in that respect.

29. His delegation was of the view that it was most important to ensure that the States concerned agreed to the peace-keeping operations in territory under their control and expressly consented to the composition of United Nations Forces. It was imperative, in particular, to ensure that such forces did not include contingents or individuals from States which did not maintain diplomatic relations with one of the aforesaid host countries.

30. While his delegation appreciated the usefulness of the peace-keeping activities, it wished to caution lest such activities in the course of time turned into a permanent arrangement in the area and thus became a substitute for any meaningful attempt to solve the dispute by negotiation. No effort should be spared to bring the parties together and prevent the peace-keeping forces from becoming a separating wedge between them.

31. His delegation hoped that its views would be taken into consideration in the future work of the Special Committee and would find expression in the guidelines to be prepared by it for future peace-keeping operations.

32. It wished to express its appreciation of the peace-keeping activities of the Secretary-General and of General Ensio Siilasvuo. It also wished to express, on behalf of its Government, its condolences on the untimely deaths of members of the United Nations Forces who had lost their lives in the recent hostilities in the Middle East.

33. Mr. AL'FARARGI (Egypt), speaking in exercise of the right of reply, said that the representative of Israel was reverting to an old story which had been refuted by Egypt in the United Nations. The starting point of Israel's aggression, 5 June 1967, had been the Israeli threat to Syria which had followed a number of acts of aggression, including an air attack against Syria on 7 April 1967. During the months of April and May 1967, Israeli officials had threatened to invade Syria and occupy its capital, Damascus. Egypt had emphasized throughout that it had been committed to a position of defence and had taken all possible steps to prevent any deterioration of the situation. However, Egypt's efforts had failed because aggressive action had already been planned by Israel for 5 June 1967 and if UNEF had not been moved, it would have suffered severe losses.

34. Mr. BARROMI (Israel), speaking in exercise of the right of reply, said that it had not been his intention to enter into any kind of polemic; he had merely stated that UNEF had been expelled in 1967 and had not even mentioned the name of the country—now acknowledged to be Egypt—which had perpetrated the outrage of ousting UNEF when that Force had been needed most.

35. Mr. BIRIDO (Sudan), speaking in exercise of the right of reply, said that terrorism was not germane to the item under discussion and that Israel was the last country which should raise that subject.

36. Israel's attempts to impose conditions on the international community, for instance by denying to

those countries with which it had no diplomatic relations the possibility of serving in UNEF, had been rightly rejected by the Security Council. His delegation believed that it was highly undesirable that certain countries should try to influence the composition of UNEF peace-keeping operations.

37. Mr. MEHIRI (Tunisia) said that his delegation attached considerable importance to peace-keeping operations and had followed with attention and sympathy the efforts of the Special Committee and its Working Group to draw up guidelines for them. The difficulties and obduracy encountered by the Special Committee had hampered its activities and prevented the United Nations from having an effective plan to meet peace-keeping requirements throughout the world. The primary role assigned by the Charter to the Security Council gave it special responsibilities regarding the establishment of peace-keeping operations, and in the recent conflict the members of the Security Council had made the necessary effort to reach a consensus by overcoming to a large extent their differences and successfully launching the recent operations, using new rules and principles. The Security Council had laid the foundations for certain guidelines for future operations and the Special Committee and its Working Group could and should draw on the experience gained by the Security Council in order to complete its mission. It should then be possible to seek general agreement on all guidelines for those operations. His delegation would therefore vote in favour of draft resolution A/SPC/L.293 to show its satisfaction at the progress achieved by the Special Committee.

38. In conclusion, his delegation wished to stress its view that United Nations peace-keeping operations should be eminently provisional in character. They should be carried out at all stages with the consent of the host country. They should not harm the interests or prerogatives of the State or obstruct the exercise of full sovereignty. The aim of such operations must be the cessation of aggression perpetrated against the State and the restoration of all rights to that State in accordance with the relevant provisions of the United Nations Charter.

39. The CHAIRMAN called the attention of the Committee to draft resolution A/SPC/L.293.

40. Mr. PLÁŠEK (Czechoslovakia) said that since there appeared to be no reservations on or objections to the basic idea put forward in the draft resolution, his delegation, as one of its sponsors, wished to suggest that, unless any delegation requested a formal vote, the Committee should adopt it without a vote, by acclamation. It wished to remind the members of the Committee that the draft resolution on peace-keeping operations had, on several occasions in the past, been adopted by acclamation rather than by a formal vote.

It was so decided.

Draft resolution A/SPC/L.293 was adopted by acclamation.

41. Mr. SARDENBERG (Brazil) said that his delegation would have liked draft resolution A/SPC/L.293 to express concern over the lack of positive results in the work of the Special Committee on Peace-keeping Operations. Consequently, his delegation was unable to subscribe to the expression of appreciation in operative paragraph 2 of the draft resolution.

42. His delegation felt that the draft resolution might also have indicated, as his delegation had proposed at the previous session, the need to devise new machinery to deal with peace-keeping operations, in view of the disappointing results achieved by the Special Committee. However, his delegation had decided not to press for the inclusion of any wording to that effect, or to raise objections to the adoption of the draft resolution by acclamation. It had done so in the light of operative paragraph 3, which directed the Special Committee to complete its work by the twenty-ninth session of the General Assembly, and it trusted that the Special Committee would be able to meet the expectations of

the General Assembly in 1974. If that was not the case, it might be necessary to re-examine in depth the Special Committee's method of work and to seek more practical purposes.

43. In conclusion, his delegation's decision not to oppose the adoption by acclamation of draft resolution A/SPC/L.293 should not be interpreted as implying any change in its position with regard to General Assembly resolution 2965 (XXVII) of 13 December 1972, referred to in the first preambular paragraph of the draft resolution.

The meeting rose at noon

902nd meeting

Friday, 30 November 1973, at 10.50 a.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.902

AGENDA ITEM 103

Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation (continued)* (A/9192, A/9349, A/SPC/L.294-297)

1. The CHAIRMAN drew attention to three new draft resolutions (A/SPC/L.294, A/SPC/L.295 and A/SPC/L.296) before the Committee and to a note by the Secretary-General (A/SPC/L.297) on the administrative and financial implications of draft resolution A/SPC/L.296.

2. Mr. STUBBS (Peru), introducing draft resolution A/SPC/L.296, said that the co-operation of the non-aligned countries and consultations with some members of the United Nations Scientific Committee on the Effects of Atomic Radiation had enabled the sponsors to prepare a well-balanced draft resolution. The adoption of General Assembly resolution 3063 (XXVIII) indicated that, despite the high qualifications of the members of that Committee and the good work it had done, there was general agreement that its effectiveness should be enhanced, especially in the light of the persistence of the effects of atomic radiation. Those considerations were set forth in the preamble to the draft resolution.

3. An increase in the number of members of the Scientific Committee obviously would enhance the effectiveness of its work, but an increase proportionate to that in the membership of the United Nations since the Committee had been established in 1955 would have meant almost doubling their number. After consultation, it had therefore been decided that it would be enough to increase the membership to 20, as proposed in operative paragraph 1 of the draft resolution. That did not mean that the Scientific Committee would be unable to function until its membership had been increased.

4. Operative paragraph 3 would enable the Committee to carry out its work as it thought fit, along the lines set forth in General Assembly resolution 913 (X), re-

questing information from Member States as necessary. Since general analyses did not always cover specific conditions, which might vary according to the country, region, altitude, etc., operative paragraph 4 authorized the Committee, at the request of Governments, to send groups of experts to study the situation on the spot and report back to it. If its work was to be really effective, the Scientific Committee must be given the necessary administrative assistance, as requested in operative paragraph 6, especially in processing the information received, and the staff allocated to assist it must understand the scientific terminology used.

5. The sponsors sincerely hoped that the Special Political Committee would agree with them that the measures outlined in the draft resolution would enhance the effectiveness of the Scientific Committee.

6. Mr. EGAS (Ecuador) said that his country had become a sponsor of draft resolution A/SPC/L.296 because it was convinced of the need to enhance the Scientific Committee's effectiveness in studying the possible harmful effects on the environment of the nuclear tests which were unfortunately being continued. Those effects would probably not make themselves felt at the same time and with the same intensity all over the world, but if a single country or town was affected by them, they would become a matter of primary concern to the whole international community.

7. Although modern science could measure the level of atomic radiation and estimate some of the obvious effects of the new tests, it was still far from being able to perceive the whole field of their present and possible influence on future generations. It might be able to state that the levels of radiation from a certain source were very low, but could not honestly say that their effect on the environment would also be insignificant. His delegation therefore considered it extremely important that the number of members of the Scientific Committee should be increased by the inclusion not only of atomic scientists but also of ecologists, sociologists, geographers and other experts from different countries capable of appreciating all the aspects of the problem.

* Resumed from the 876th meeting.

8. It was also essential that the Scientific Committee should be authorized to send groups of experts to regions exposed to atomic radiation by reason of nuclear tests so that they could consult with the local authorities and provide the Committee with first-hand objective reports with no dangerous generalizations. Member States must themselves request the co-operation of the Scientific Committee and not leave that decision to the Committee itself and even less to the discretion of the country which had actually carried out the nuclear testing.

9. Mr. PARIS (Costa Rica) announced that his country wished to be included among the sponsors of draft resolutions A/SPC/L.294 and A/SPC/L.296.

10. Mr. MARTINEZ (Venezuela), Mr. ARZU MATHEU (Guatemala), Mr. ROSALES CABEZAS (Nicaragua), Mr. MENDEZ RIVAS (Uruguay), Mr. PERRI (Brazil) and Mr. HOLGER (Chile) also announced their countries' wish to be included among the sponsors of draft resolution A/SPC/L.296.

11. Mr. SCALABRE (France) regretted that the Scientific Committee itself had not expressed an opinion on the suggestions on enhancing its effectiveness made in draft resolution A/SPC/L.296. While the draft resolution was in general moderate in tone, the fourth preambular paragraph was not strictly objective. He would have preferred the omission of the words "with concern".

12. Although his delegation was therefore unable to support the draft resolution, that did not mean that it was not willing to co-operate with its sponsors and any other country concerned about the effects of nuclear tests.

13. Mr. SHERMAN (Liberia) said that his delegation could support the draft resolution provided due attention was paid to the technical qualifications of the additional members of the Scientific Committee.

The meeting rose at 11.20 a.m.

903rd meeting

Monday, 3 December 1973, at 3.45 p.m.

President: Mr. Károly SZARKA (Hungary).

A/SPC/SR.903

AGENDA ITEM 103

Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation (concluded) (A/9192, A/9349, A/SPC/L.294, A/SPC/L.295/Rev.1, A/SPC/L.296-298)

1. Mr. WYNDHAM (Australia) recalled that the Scientific Committee on the Effects of Atomic Radiation had met at short notice to review information on atomic radiation which had become available since its last report¹ and to report on its findings to the General Assembly. The circumstances which had given rise to the current report of the Scientific Committee (A/9349) had been unusual in several ways. The Scientific Committee had been asked to meet as a matter of urgency in view of the anxieties expressed by the representatives of various Member States concerning the pollution of the environment by atomic radiation. The question now was what should the General Assembly do with the information provided by the Scientific Committee.

2. His delegation had the honour of introducing on behalf of a number of other delegations a draft resolution (A/SPC/L.294) for the consideration of the Special Political Committee. Its first preambular paragraph established the context for the resolution as a whole and the second preambular paragraph noted with appreciation the report which had been submitted by the Scientific Committee. While it would not be appropriate to make the Special Political Committee a forum for scientific debate, it was necessary to be clear about the scientific facts which emerged from the report. First, it appeared that additional radio-active fall-out from nuclear tests carried out in 1971, 1972 and 1973 was contaminating the environment. That additional radio-active contamination, which involved both short-lived and long-lived nuclides, would not have occurred had it not been for those tests. Secondly, whole populations had been unavoidably exposed to doses of ionizing radiation from nuclear tests since the Scientific Committee's last report. The current report must be viewed in the light of the Scientific Committee's earlier substantive reports, which had rightly received world-wide scientific acclaim. Two themes in those six reports were relevant to the current discussions. The first identified nuclear tests as the most important man-made radio-active contaminant of the environment. The second concerned the harmful effects which might result from the exposure of whole populations to any dose of ionizing radiation, however small. The General Assembly, with the reports of the Scientific Committee before it, had repeatedly called for an end to all nuclear testing. That background was the basis for the third preambular paragraph of the draft resolution, which noted with concern that there had been additional radio-active fall-out resulting in additions to the total doses of ionizing radiation which had occurred. In view of the context in which the special report of the Scientific Committee had been requested, the sponsors felt that the General Assembly should reaffirm its apprehensions concerning the harmful consequences of nuclear weapon tests, and that point had been covered in the fourth preambular paragraph.

3. Operative paragraph 1 reiterated an oft-repeated conviction of the United Nations and its specialized agencies. That paragraph was rather less detailed than the operative paragraphs of resolution WHA26.57 adopted at the twenty-sixth World Health Assembly, but nevertheless reaffirmed a fundamental and general

1 Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 25 and erratum.

opposition to pollution from the testing of nuclear weapons.

4. Operative paragraph 2 requested the Scientific Committee to continue its work. A similar paragraph had appeared in resolutions on the report of the Scientific Committee adopted at the twenty-seventh and previous sessions.

5. In conclusion, his delegation appealed, on behalf of the sponsors, for support for the draft resolution, which was an appropriate response to the report of the Scientific Committee, and repeated and reaffirmed the basic positions adopted by the overwhelming majority of Members of the United Nations with regard to nuclear weapon tests and their consequences for mankind.

6. Mr. SCALABRE (France) said that the sponsors of draft resolutions A/SPC/L.294 and A/SPC/L.295/Rev.1 had held consultations in a friendly and frank atmosphere with a view to drawing up a single, joint draft resolution which could be adopted by consensus. However, they had come to realize that fundamental differences prevented them from reaching an agreement which, for its part, his delegation had been very anxious to bring about.

7. His delegation had wanted to have a text which was as objective as possible, apolitical and based solely on considerations of fact. If it had been possible, his delegation would have been content to reproduce paragraphs 4 and 5 of the Scientific Committee's additional report (A/9349) relating to the effects of atomic radiation. His delegation had attempted to summarize those two paragraphs in its draft resolution, and some delegations had perhaps rightly criticized its action in so doing. However, his delegation had been extremely willing to bear in mind all suggestions and to amend its text with a view to deleting anything that might be subjective or even selective.

8. Draft resolution A/SPC/L.294 had been conceived in a different spirit. All were aware that extracts had been circulated within the Committee at a time when the Scientific Committee had scarcely started its work. That had by no means deterred the sponsors who might just as easily have tabled their draft resolution a month previously. The draft resolution was merely intended to show, *a priori* and unequivocally, the existence of increased amounts of atomic radiation sufficient to justify an expression of deep concern. The first parts of the report of the Scientific Committee had not led the sponsors to amend their text in that regard and one might have the impression from the draft resolution that mankind was in imminent danger. However, the report of the Scientific Committee indicated that the estimated increases in the doses (of long-lived radio-nuclides) were smaller than the uncertainties in the estimates of the total doses, that the resulting additions to the total doses (of all materials) were small in the southern hemisphere and even smaller in the northern hemisphere, and that a principal contribution to the total amounts of strontium-90 and caesium-137 present in the southern hemisphere was from a transfer of material released by tests carried out in the northern hemisphere (before 1963). Moreover, his delegation supposed that the 12 atmospheric tests carried out in Australia, most of them at ground level, had also contributed to the deposition of amounts over a long period. Finally, the concentrations of iodine-131 had been equal to or lower than those observed in the southern hemisphere in 1970

and 1971, which had been referred to in the previous report of the Committee.

9. His delegation wished to recall that despite the large number of atmospheric nuclear tests carried out before 1963, radio-activity was still several tens of times lower than that in which mankind had developed over thousands of years and to which it had become accustomed. The previous report of the Scientific Committee had indicated that such radio-activity was a natural phenomenon which varied considerably from one part of the globe to another and increased twofold at an altitude of 1,500 metres and much more rapidly at high altitudes. In view of the foregoing, the profound alarm expressed by the sponsors of draft resolution A/SPC/L.294 was somewhat astonishing. However, if their Governments were concerned to that extent by insignificant increases in atomic radiation, which were compensated by the gradual disappearance of the oldest radio-active elements, they were asked why they did not evacuate their mountains and high plateaus, destroy television sets, prohibit the use of X-rays and aircraft and, finally, demolish any building exceeding 10 storeys in height. The sponsors of the resolution had been unwilling to use the wording of the report of the Scientific Committee as his delegation had proposed, or, in order to avoid arbitrary choices, to refer purely or simply to the report, in an objective manner. His delegation regretted that such a course had not been possible and that its efforts to that end had not met with success. Draft resolution A/SPC/L.294 therefore remained what it had originally been. It marked the end of objectivity in studying the effects of atomic radiation and replaced it by *a priori* emotion. It marked the beginning of the use of the study for political ends.

10. His delegation had been anxious that there should be one entirely and unmistakably objective draft resolution on the item. It had considerably revised its original draft (A/SPC/L.295) while attempting to conform to previous resolutions submitted to the Committee, and had been guided, in particular, by General Assembly resolution 2905 (XXVII) which had been adopted without objection. Its contents were purely factual and there was only one special reference to the additional report of the Scientific Committee, recalling the difficulties it had had to overcome. The insertion had been requested by a number of delegations and his delegation had had no difficulties with it. His delegation believed that its draft resolution would give clear instructions to the Scientific Committee with regard to its mandate for the coming year. In conclusion, it commended the draft resolution to the Committee.

11. Mr. DE RIVERO (Peru) said that his delegation wished to insert the phrase "while reaffirming the need for members of the Committee to be represented by scientists" after the words "to a maximum of 20 members" in operative paragraph 1 of draft resolution A/SPC/L.296.

12. His delegation was withdrawing its amendments (A/SPC/L.298) in view of the revision (A/SPC/L.295/Rev.1) to the draft resolution sponsored by France.

13. In conclusion, his delegation urged the Committee to support draft resolution A/SPC/L.294 which undoubtedly reflected the concern of Member States over pollution of the environment by atomic radiation, and was also in line with paragraph 72 of the political decla-

ration issued at the Fourth Conference of Heads of State or Government of Non-Aligned Countries, held at Algiers in September 1973 (see A/933)).

14. Mr. AMISSAH (Ghana) said that knowledge of the means of destruction had been increased so disproportionately that the outcome of a third world war would indubitably be more disastrous than the results of the First and Second World Wars combined. While all mankind had an aversion to war, fear of the destructive capabilities and intentions of others impelled some countries to spend huge amounts on arms, ammunition and equipment, and thus, in reality, to prepare for war. His Government believed that peace could not be preserved by preparing for war. While it conceded that every country had the right to take steps to satisfy its national defence imperatives, it felt that measures which would frustrate the efforts made so far towards disarmament should not be taken. It believed that complete disarmament could be achieved if States, especially the powerful ones, were willing to make it possible. His Government therefore unreservedly supported the efforts towards détente being made by the Soviet Union and the United States of America. Détente should be viewed as an attempt to rid the world of the causes of fear, that made States arm themselves, and of the causes of war and hostility between States. All States should take steps towards the further development of an atmosphere of détente.

15. If the fear of an enemy nuclear attack persisted and was made to assume even a false reality, it would beget more fear. In the view of his delegation, such a situation could be prevented by the willingness of countries not to test their capabilities for the development of nuclear arms. The proliferation of nuclear arms neither contributed to a balance in international peace and security at the present time nor served the interests of the small and medium countries. The world was undergoing so much change and witnessing so much interdependence that it was becoming increasingly difficult to determine where one country's national security ended and another's began. It was therefore the duty of each country to take steps to ensure that its national security interests did not conflict with those of international security. National security should be made to function within the framework of international security.

16. It was the duty of the Special Political Committee to arouse the conscience of the world to the dangers to the health of mankind from tests of atomic weapons, and the sponsors of draft resolution A/SPC/L.294 had attempted to discharge that duty. There was every reason to believe that there had been a recent increase, however minimal, in the amount of radio-active fall-out. Consequently, the draft resolution reaffirmed its sponsors' apprehension of the consequences for the health of mankind and of the harmful effects of continued nuclear weapon tests for the acceleration of the arms race and for the health of present and future generations.

17. The draft resolution also attempted to restate some of the decisions reached by the Fourth Conference of Heads of State or Governments of Non-Aligned Countries. The Conference had been more emphatic and, in a way, more specific in its stand on disarmament and the testing of nuclear weapons. It had condemned nuclear weapon tests and, in particular, the French atmospheric tests. The draft resolution before the

Committee did not, however, attempt to do that, because it did not wish to impose the decisions of the Conference on the General Assembly. While his delegation hoped that the draft resolution would receive overwhelming support, it felt that the non-aligned countries were in duty bound to support it, in line with the decisions they had taken at the Algiers Conference, and considered that abstention by any of them would be contrary to those decisions.

18. Mr. TEMPLETON (New Zealand) commended the Scientific Committee on the Effects of Atomic Radiation on its special report on the current situation with regard to radio-active contamination of the environment by nuclear tests.

19. His delegation wished to emphasize that the expression "radio-active contamination of the environment by all nuclear tests" appeared in paragraph 3 of the Scientific Committee's report (A/9349). It emphasized that fact because it considered that if the Committee became too deeply involved in technical debate about doses and levels, the basic facts of the situation might be overlooked.

20. There was danger of forgetting that all radio-active fall-out from nuclear tests contaminated the environment; that with every nuclear test, at least in the atmosphere, there was more contamination of the environment; that the additional radiation from those tests entered the atmosphere and that there were no compensating benefits.

21. The Scientific Committee had obviously been under a severe handicap in having to produce a report in so short a time, since it had to depend on information supplied by Governments. Although his own Government had been very anxious to assist the Scientific Committee, it had been able to transmit the latest report from the New Zealand National Radiation Laboratory only a few days previously, and his delegation was aware that because of incomplete data the report was in fact only an interim one.

22. Accordingly, the Scientific Committee had very properly noted that data on levels of radio-activity in 1973 were limited and that its assessment of those levels could be considered as only preliminary. His delegation wished to stress that aspect of the report because, regrettably, 1973 had been an active nuclear testing year. All but one of the nuclear Powers had conducted tests, two of them in the atmosphere. The testing programme conducted at Mururoa, which was of special concern to the South Pacific countries, had consisted of no less than five explosions, more than all the other tests, both underground and in the atmosphere, put together.

23. The suggestion made by some delegations that underground testing was more extensive than atmospheric testing was not borne out by experience during the current year. It was true that the explosion at Mururoa during 1973 had been of collectively low yield. However, what was involved was not games with toys. As his delegation understood it, the French Government was engaged in a programme of developing and perfecting hydrogen weapons. If, as some had speculated, the triggers for such weapons had been tested in 1973, sooner or later the French Government must be expected to test the triggers in conjunction with the hydrogen weapons themselves. Then, test explosions of a very different magnitude would be involved. His delegation was concerned not only with the effect of

past and present tests, but even more so with those to come.

24. The additional report of the Scientific Committee (A/9349) had unfortunately not referred to the phenomenon of "blowback", which had occurred twice out of five times during the 1973 Mururoa series. Blowback occurred when, despite all meteorological precautions, the winds which were expected to carry the radio-active debris eastwards to the open ocean blew westwards and deposited fall-out on inhabited islands. According to the interim report of the New Zealand National Radiation Laboratory, which collated information from the Pacific Islands network of monitoring stations, marked increases took place in the radio-activity of air filters and rain samples and increased levels of iodine-131 in milk occurred. Those increases resulted mainly from westerly excursions of fission products, particularly from the third and fifth explosions in the series. Fresh fission had arrived at Pacific Islands stations in a matter of days after the nuclear tests. The real point about the "blowback" incidents was that, despite all the precautions to which the French Government proudly and continually drew attention, the unexpected could, and not infrequently did, occur. With some types of explosion, the unexpected might merely be risky; with others it could be disastrous.

25. In the light of the foregoing, his delegation could not accept a resolution which sought to base complacent conclusions on a partial picture of incomplete data. His delegation was therefore most gratified that the French delegation had thought better of the original version of its draft resolution and had replaced it by a far less tendentious and objectionable text (A/SPC/L.295/Rev.1). The revised draft resolution was admittedly a routine repetition of the resolutions of previous years which, in effect, did little more than ask the Scientific Committee to carry on the good work. Such a text was unexceptional in itself, but scarcely seemed to his delegation an adequate response to the widespread expression of anxiety which, according to the letter from the representative of France to the Secretary-General (A/9192), had led the French Government to propose the item as a matter of the highest priority for the consideration of the current session of the General Assembly.

26. When the Committee had had before it the original version of the French draft resolution, it had been faced with a clear-cut choice between a draft resolution of concern and a draft resolution of complacency. For those who shared his delegation's wish to avoid an avoidable risk to the health and well-being of present and future generations, the choice would not have been difficult to make.

27. Draft resolutions A/SPC/L.294 and A/SPC/L.295/Rev.1 were still very different in their approach. In the view of his delegation, draft resolution A/SPC/L.294 adequately met the requirements for appropriate General Assembly action on the item and the Special Political Committee should give first attention to its adoption.

28. Mr. SHERMAN (Liberia) said that his Government had always supported disarmament and was convinced that nuclear testing could only accelerate the armament race and increase the danger of atomic fall-out and pollution. Liberia was one of the sponsors of

draft resolution A/SPC/L.294 because it expressed the concern of many nations in the world about the continuation of nuclear tests.

29. Mr. SCALABRE (France) asked the New Zealand delegation for the serial number and date of the recent report to which he had referred and whether it had been seen by the Scientific Committee.

30. Mr. TEMPLETON (New Zealand) said that the report which, to his knowledge, had no document number, had been supplied to the Scientific Committee by his Government.

31. Mr. SCALABRE (France) said that a report of the New Zealand National Radiation Laboratory at Christchurch, No. NRL/F/49, of October 1972, had stated that results from the 1972 monitoring programme were extremely low compared with results measured during the earlier French nuclear test series, the gamma radiation doses were negligible compared with natural background exposure and the average levels of total beta activity in air and rain and the levels of iodine-131 in milk were very small fractions of the reference levels. He wondered why that report had not been distributed to members of the Committee and why he should have had to receive it from New Zealand. He would also like to know if it had been submitted to the Scientific Committee.

32. He had read out, at the 2070th meeting of the Fourth Committee, on 29 November 1973, the report of the New Zealand Ministry of Foreign Affairs on petition No. 20 presented by Guy Allen and 2,762 other persons and on petition No. 21 presented by J. Naca and 391 others, inhabitants of South Pacific islands administered by New Zealand, but he thought they would also be of interest to members of the Special Political Committee who had not been present at that meeting. The report by the National Radiation Laboratory annexed to the Ministry's report stated that the fall-out level measured during the past few years in a number of stations in the Pacific Islands had not constituted a risk to public health. Despite the emotional wording of the two petitions, evidence had shown that present fall-out levels in New Zealand and in the Pacific were lower than those measured before the French tests and significantly lower than those recorded in the northern hemisphere in preceding years. It was true that any exposure to radiation entailed risk, but the importance of that risk must be calculated objectively. Fish had not been rendered unfit for human consumption and sea traffic was possible everywhere except in the vicinity of the tests. The New Zealand Government had drawn attention to the possible effects of the tests on the marine environment in statements made to the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction and the General Assembly but had had to report that no danger to the health of the population of the Pacific had yet been detected as a result of the tests.

33. Those reports showed the need to maintain strict objectivity and not interpret data provided by the Scientific Committee without full knowledge of the facts.

34. Mr. TEMPLETON (New Zealand) pointed out that the first report referred to by the French representative had dealt with the 1972 tests and the Ministry's document had been issued in 1971, whereas the report from which he had quoted in his own statement related to the 1973 test programme. He hoped that the Commit-

tee would take his statement seriously, since it was never the New Zealand Government's policy to exaggerate risks.

35. Mr. WYNDHAM (Australia) said that his delegation felt that the Committee was becoming involved in scientific issues which it was not competent to judge. In order to avoid ambiguity, the sponsors proposed the insertion of the word "and" before the words "in view of the anxieties" in the first preambular paragraph of draft resolution A/SPC/L.294.

36. Although paragraph 5 of the Scientific Committee's report (A/9349) stated that the levels of iodine-131 had remained the same, it was a short-lived radio nuclide and therefore the level should have fallen unless there had been recent increases in fall-out. The Special Political Committee was not competent to decide whether concern at that fall-out was justified. Even the 1962 report of the Scientific Committee² said that little was yet known about the relation between the size of doses of radiation and their effects. It did, however, clearly establish that exposure to radiation could produce cancer, leukaemia and genetic damage. In publication 9 of the International Commission on Radiological Protection, it was stated that there was no wholly safe dose of radiation.

37. The small increase in fall-out reported by the Scientific Committee gave no assurances for the future and the fact that atomic radiation was known to be harmful to human health meant that any increase in its amount was a potential danger and the General Assembly should express concern that whole populations were being exposed to radiation resulting from all types of nuclear tests.

38. Mr. SCALABRE (France) said that as the New Zealand report on "blowback" had been received only a few days earlier, he assumed that the Scientific Committee had not taken it into account. The New Zealand representative had still not said whether the report NRL/F/49, of October 1972, which was of considerable importance, had been communicated to that Committee.

39. With regard to the effects of small increases in environmental radiation, he drew the Committee's attention to the article from *The New Zealand Herald* of 5 September 1973 (A/9192, annex II) which quoted the opinion of the Australian Nobel prize winner, Sir Macfarlane Burnet. The Special Political Committee was not qualified to interpret a report of the Scientific Committee but should merely note it with appreciation.

40. The CHAIRMAN said that the Committee was now ready to vote on the draft resolutions before it and invited statements from representatives who wished to explain their vote before voting.

41. Mr. NOGUCHI (Japan) said that draft resolution A/SPC/L.295/Rev.1 did not adequately express the concern voiced in General Assembly resolution 3063 (XXVIII), and his delegation would have felt obliged to abstain on it had it been the only draft resolution before the Committee. However, since there was an adequate draft resolution which Japan sponsored (A/SPC/L.294), there was no harm adopting both draft resolutions. Accordingly, he would also vote in favour of draft resolution A/SPC/L.295/Rev.1.

42. Mr. RAKOTOFIRINGA (Madagascar) said that his country was part of the southern hemisphere and shared the concern of its inhabitants at possible radioactive pollution due to nuclear tests carried out by Powers from the northern hemisphere. It was also in favour of strengthening the effectiveness of the Scientific Committee.

43. Mr. WANG Jun-sheng (China) said that the United Nations should demand the prohibition of nuclear tests for the sake of world peace and protect the smaller States from the frenzied nuclear tests and arms race of the super-Powers. His country had been obliged to carry out nuclear tests solely for self-defence. His delegation had already stated its position on nuclear testing in the First Committee and would not participate in the voting on the draft resolutions.

44. Mr. PETNICKI (Yugoslavia) said that his delegation would vote in favour of draft resolutions A/SPC/L.294 and A/SPC/L.295/Rev.1. He appealed to delegations to vote unanimously in favour of draft resolution A/SPC/L.296, which would help to strengthen the effectiveness of the Scientific Committee, especially by infusing new blood into it. He approved the oral amendment made by the representative of Peru to operative paragraph 1 of that draft resolution, which made the wording more flexible.

45. Mr. CHAKRAVARTY (India) said that the Indian delegation had repeatedly stated its opposition to all nuclear weapon testing in the First Committee and supported the ending of all such tests. His delegation would be obliged to abstain on draft resolution A/SPC/L.296, since it raised a number of questions not covered in the report of the Scientific Committee. For instance, it was not clear how non-governmental organizations could usefully contribute to very highly specialized work. His delegation would, however, vote for draft resolutions A/SPC/L.294 and A/SPC/L.295/Rev.1, as they reflected the report of the Scientific Committee.

46. Mr. SAHAD (Libyan Arab Republic) said that his country's opposition to nuclear tests in any environment was well known. Since the General Assembly had requested the Scientific Committee to meet in order to study the most recent documents and to update its latest report,¹ his delegation considered document A/9349 as an addendum to that earlier report.

47. His delegation would vote in favour of draft resolution A/SPC/L.294, which asked the General Assembly to deplore environmental pollution by radiation from nuclear tests. However, the other sources of environmental pollution by radiation listed in the Scientific Committee's earlier report should also be deplored. His delegation would also vote for draft resolution A/SPC/L.295/Rev.1 and A/SPC/L.296.

48. The CHAIRMAN invited the Committee to proceed to the vote on the draft resolutions.

At the request of the representative of New Zealand, a recorded vote was taken on draft resolution A/SPC/L.294.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Colombia, Congo, Costa Rica, Cuba, Cyprus, Ecuador, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Guatemala, Guinea, Guyana, Hon-

² *Ibid.*, Seventeenth Session, Supplement No. 16.

duras, Hungary, India, Indonesia, Iran, Israel, Jamaica, Japan, Kenya, Khmer Republic, Laos, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mexico, Mongolia, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Peru, Philippines, Poland, Rwanda, Senegal, Sierra Leone, Singapore, Sweden, Thailand, Trinidad and Tobago, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Belgium, Chad, Democratic Yemen, Denmark, Gabon, Germany (Federal Republic of), Greece, Ireland, Italy, Ivory Coast, Lebanon, Morocco, Netherlands, Pakistan, Portugal, Romania, South Africa, Spain, Sudan, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution was adopted by 71 votes to none, with 22 abstentions.

49. Miss KEATING (Ireland) said, in explanation of vote, that although her delegation was opposed to nuclear tests, it had abstained in the voting on the draft resolution because it felt that spurious elements had been introduced into the purely technical matter. The First Committee had already adopted two draft resolutions along similar lines; any further resolutions were unnecessary.

50. Mr. ALI (Pakistan) said that his delegation, which had explained its position very clearly at the 1960th meeting of the First Committee, on 15 November 1973, had abstained in the voting. The operative part of the draft resolution would only serve to maintain the distinction between atmospheric and underground testing of nuclear weapons from the point of view of disarmament.

At the request of the representative of New Zealand, a recorded vote was taken on draft resolution A/SPC/L.295/Rev.1.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Botswana, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Chad, Colombia, Congo, Costa Rica, Cuba, Cyprus, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Senegal, Singapore, South Africa, Spain, Sudan, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire.

Against: None.

Abstaining: Ghana, Liberia, Nigeria, Sierra Leone, Uganda, United Republic of Tanzania, Zambia.

The draft resolution was adopted by 91 votes to none, with 7 abstentions.

51. Mr. SIKIVOU (Fiji) said, in explaining his vote before the vote on draft resolution A/SPC/L.296, as orally revised, that his delegation had considerable reservations about the words "at the latter's expense" in operative paragraph 4. If nuclear tests were carried out, small developing countries who wished to know how their region had been affected would have to pay for the inquiry—a burden that should be borne by the polluter or by the United Nations. He asked for a separate vote to be held on the words "at the latter's expense": if they were retained his delegation would be obliged to abstain in the voting on the draft resolution.

52. Mr. HICKS (Canada) said that his delegation would vote in favour of draft resolution A/SPC/L.296 on the understanding that the "work" referred to in operative paragraph 2 of the draft resolution meant scientific work and was not related to the idea of equitable geographical distribution. The visits authorized in operative paragraph 4 would serve no useful purpose and would place an excessive burden on the Scientific Committee. The most satisfactory assessments of radiation levels would be those made by the Committee on the basis of information supplied by Governments. If the provisions of that paragraph made excessive demands on the Committee, his delegation would review its position the following year.

53. Mr. SCALABRE (France) said that the missions provided for in the draft resolution were completely unnecessary. The Scientific Committee would have been able to make more interesting suggestions had its advice been asked for as recommended in the original draft of General Assembly resolution 3063 (XXVIII). His delegation would abstain in the voting on the draft resolution.

54. Ms. WHITE (United States of America) said that her delegation would abstain in the voting on the draft resolution. It was concerned that the measures proposed might reduce the effectiveness of the Scientific Committee and it regretted that the Scientific Committee had not had the opportunity to discuss the proposals—something her Government considered a prerequisite. She reiterated her delegation's continued support for the Scientific Committee.

55. Mr. PALMER (Sierra Leone) endorsed the comments on operative paragraph 4 made by the representative of Fiji. The countries affected by nuclear tests were poor non-nuclear States unable to bear the expenses of a visiting mission. Unlike the delegation of Canada, his delegation felt that the Scientific Committee should visit the areas affected, because to do so would draw the attention of the world to the issues involved. Consequently, despite its reservations on that paragraph his delegation would vote in favour of the draft resolution.

56. The CHAIRMAN invited the Committee to take a separate vote on the words "at the latter's expense" in operative paragraph 4, as requested by the representative of Fiji.

By 21 votes to 18, with 57 abstentions, the words "at the latter's expense" were retained.

At the request of the representative of New Zealand, a recorded vote was taken on draft resolution A/SPC/L.296 as a whole.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Botswana, Brazil, Burma, Cameroon, Canada, Colombia, Congo, Costa Rica, Cuba, Cyprus, Democratic Yemen, Ecuador, Egypt, Ethiopia, Germany (Federal Republic of), Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Indonesia, Iran, Iraq, Israel, Jamaica, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mexico, Morocco, Nepal, New Zealand, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Qatar, Romania, Senegal, Sierra Leone, Singapore, Spain, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Belgium, Byelorussian Soviet Socialist Republic, Chad, Czechoslovakia, Denmark, Fiji, Finland, France, Gabon, German Democratic Republic, Hungary, India, Ireland, Italy, Ivory Coast, Japan, Malawi, Mongolia, Netherlands, Norway, Poland, Portugal, Rwanda, South Africa, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution, as orally modified, was adopted by 72 votes to none, with 29 abstentions.

57. Mr. HANSEN (Federal Republic of Germany) said that his delegation had voted in favour of the draft resolution on the understanding that there would be no change in the scientific character of the Committee or its work.

58. Mr. BEAVOGUI (Guinea) said that his delegation had voted in favour of the draft resolution but had reservations about the sacrifices it would entail for countries that suffered as a result of nuclear tests.

59. Mr. BIRIDO (Sudan) said that his delegation had voted in favour of the draft resolution but had reservations on the fourth preambular paragraph which did not direct sufficient attention to tests conducted underground and elsewhere.

60. Mr. AMISSAH (Ghana) said that his delegation had abstained in the voting on draft resolution A/SPC/L.295/Rev.1 which, it felt, dodged the issue. It had voted in favour of draft resolution A/SPC/L.296 but rejected the part of operative paragraph 4 which entailed additional expenses for developing countries.

61. Mr. TÜZEL (Turkey) said that his delegation had voted in favour of draft resolution A/SPC/L.294 because of his Government's position on the banning of nuclear tests, for draft resolution A/SPC/L.295/Rev.1 because it was objective and left no room for doubts, and for draft resolution A/SPC/L.296 in the belief that political elements would not be allowed to intrude in the Scientific Committee.

62. Mr. BASSETTE (Belgium) said that his delegation had abstained in the voting on draft resolution A/SPC/L.294. The sponsors of the draft resolution

seemed to have lost sight of the fact that the assessment of 1973 radio-activity levels could be considered only as preliminary. The provisional nature of the Scientific Committee's report did not justify the terminology used in the fourth preambular paragraph, and paragraph 1 of the draft resolution introduced a spurious element. His delegation endorsed, however, the statement made in the third preambular paragraph. His delegation's reservations were the result of the inclusion of considerations which would have been more appropriate in another context.

63. His delegation had abstained in the voting on draft resolution A/SPC/L.296 for reasons similar to those stated in connexion with the Peruvian amendments (A/SPC/L.272). He regretted that the sponsors had provided for an increase in the membership of the Scientific Committee without consulting the Committee or asking its advice. Nevertheless, the enlargement of the Scientific Committee might at least make it more representative by allowing countries able to contribute to its work to participate therein.

64. Ms. WHITE (United States of America) said that her delegation's vote on draft resolution A/SPC/L.294 had been governed by the same considerations as in the case of draft resolution A/SPC/L.296. Her delegation felt that the Scientific Committee should be free of all political considerations. It had voted in favour of draft resolution A/SPC/L.295/Rev.1 which reaffirmed the mandate of the Scientific Committee.

65. Mr. BOOH (Cameroon) said that his delegation had voted in favour of draft resolution A/SPC/L.294 which expressed the Committee's concern about pollution resulting from all types of nuclear tests. It had also voted in favour of draft resolutions A/SPC/L.295/Rev.1 and A/SPC/L.296. His Government's policy was to encourage any effort by the international community to put an end to all nuclear tests and their pernicious effects.

66. He regretted that lack of time had prevented his Government from giving proper consideration to the technical issues in the Scientific Committee's report; he expressed the hope that at the following session of the General Assembly all the documents relating to the effects of atomic radiation would be transmitted to Governments more expeditiously.

67. Mr. STEWARD (South Africa) said that his delegation had voted in favour of draft resolution A/SPC/L.295/Rev.1 because of the draft resolution's traditional objective approach. It had abstained in the voting on draft resolutions A/SPC/L.294 and A/SPC/L.296 which it felt had wider implications that might not be relevant.

Completion of the Committee's work

After an exchange of courtesies, the Chairman declared that the Committee had completed its work for the twenty-eighth session.

The meeting rose at 6.05 p.m.

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