

44. With regard to the right of the Palestinian Arabs to self-determination, she recalled that, at the 2368th plenary meeting of the General Assembly, on 30 September 1975, the Deputy Prime Minister and Minister for Foreign Affairs of Israel had stated that it was self-evident that genuine peace in the Middle East must include a just and constructive solution for the Palestine Arab problem. He had gone on to say that Israel was fully aware of that problem and did not have to be convinced of the need to solve it peacefully and honourably. Indeed, it insisted that such a solution should be found. For far too long, the Palestinian Arabs had been used as a pawn on the chessboard of inter-Arab politics and had become the victims of Arab extremism. The solution to their problem therefore demanded a change of attitude in the Arab world. The Palestine Arab problem should and could be solved in the context of a peace agreement between Israel and Jordan, which constituted the major part of the area of historic Palestine and was the homeland of the great majority of the Palestine Arabs. Thus, if the matter at issue was a fair and constructive solution to the problem of Palestine Arab identity, Israel's response was emphatically positive, but its response was categorically negative with regard to the pretensions of the so-called Palestine Liberation Organization (PLO) to speak in the name of the Palestine Arabs. That congeries of feuding terrorist gangs, whose principal victims were the Arabs of Palestine themselves and whose primary aim was the annihilation of the State of Israel and the genocide of its people, was neither a valid representative of the Palestine Arab community nor a valid interlocutor for Israel. It should cause no surprise that the PLO was spearheading the efforts of the extremist régimes in the Arab world to prevent a political settlement of the Middle East dispute and disrupt the recent agreement between Egypt and Israel. There was nothing more fraudulent than the scheme of that faction to establish—naturally, on the ruins of Israel—a so-called democratic secular State in which Moslems, Christians and Jews would live in amity and

equality. That slogan and transparent propaganda gimmick had somehow found support among naive and well-meaning people. What was the pattern which the progenitors and supporters of that idea proposed to follow? For lack of anything more promising, they had put forward the example of Lebanon, which, since April 1975, had been torn apart by a vicious, sectarian civil war between Moslem and Christian communities. The PLO, the Minister for Foreign Affairs had concluded, knew what it meant when it talked about the democratic and secular State of Palestine. So did Israel.

45. Mr. ABOU-ASSI (Lebanon), speaking in exercise of the right of reply, said his delegation was surprised that Israel should try to justify its own policy of exclusivism and try to demonstrate the impossibility of co-existence at the very moment when the Committee was discussing the question of the elimination of all forms of racial discrimination.

46. Co-existence was, in fact, the only valid and the only possible policy to be applied in any country where a multiplicity of confessions, religions and races existed. Lebanon had conducted a successful experiment worthy of praise and encouragement. What had happened recently in his country had nothing to do with the formula of co-existence itself, but had political causes, and Israel bore the primary responsibility for the events.

47. If Israel had helped to solve the Palestinian problem in the past quarter-century rather than resorting to aggression and violence, then neither Lebanon nor the Middle East would have had to endure such troubles and such sufferings, the main responsibility for which lay with those who had committed injustices in Palestine and had dispersed its people.

The meeting rose at 12.45 p.m.

2130th meeting

Wednesday, 15 October 1975, at 3 p.m.

Chairman: Mr. Ladislav ŠMÍD (Czechoslovakia).

A/C.3/SR.2130

AGENDA ITEM 77

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (continued) (A/10156 and Add.1)

GENERAL DEBATE (concluded)

1. Mr. MUSA (Nigeria) congratulated Mozambique, Sao Tome and Principe, Cape Verde and Papua New Guinea on their accession to independence and their admission to membership of the United Nations; he looked forward to welcoming Angola and the Comoros to the Organization in the very near future.

2. His delegation had often expressed its views on the question of self-determination and human rights and had on many occasions expressed disappointment at the recalcitrant attitude of the Southern Rhodesian Government. The Special Committee against *Apartheid* had recommended a mandatory arms embargo against South Africa; yet many States Members of the United Nations were continuing to collaborate with the South African Government. His delegation deplored that attitude, which could only inflame further the explosive situation in South Africa. On the other hand, his delegation highly commended the decision of the Arab States to impose an embargo on the supply of oil to South Africa and hoped that all oil-exporting countries would take similar action. It was the duty of the United Nations to see to it that the peoples being

oppressed, imprisoned, restricted and exiled were liberated. His delegation therefore hoped that, in accordance with the principles of the Charter of the United Nations, the General Assembly would condemn all repressive measures, including the establishment of bantustans, and would reaffirm the right to self-determination of the people of South Africa as a whole.

3. His delegation viewed with great concern the situation in Namibia, where the constitutional conference on the future of Namibia scheduled for 1 September had resulted in a campaign of terror, intimidation and arrests and the death of the Minister of the Ovamboland Bantustan. The situation continued to be very serious: the repeal of the pass laws and the decision of the South African Supreme Court to prohibit flogging had not fundamentally changed the political situation of the Namibian people.

4. His Government deplored the situation now prevailing in Angola and the instigation of one group of Angolans against another. It would not accept any partition of Angola and believed that all problems should be solved by the Angolans themselves. Angolan leaders should place the interests of their nation and their people before personal advantages.

5. The situation in Zimbabwe constituted a threat to international peace and security in southern Africa. By an adroit act of political gamesmanship, the white rebel clique in Zimbabwe, aided by the racist régime of South Africa, had almost succeeded in lulling the international community into a false sense of security. It had seemed that the rebel clique had finally recognized the futility of its senseless policy and decided to take the indispensable steps towards ensuring conditions of peaceful co-operation with the indigenous population it had so long oppressed, but regrettably, Ian Smith had once again shown his determination to wreck all chances of a peaceful transfer of power. By wrecking the talks between his illegal government and the African National Council, by trying to divide the nationalist united front, by seeking to hold talks with puppets in the Assembly of tribal chiefs, Ian Smith was inviting an intensified armed struggle, the ultimate result of which was not in doubt. The United Nations should give maximum support and encouragement to the nationalist movement of Zimbabwe. His Government pledged its unflinching support and called on the African National Council to close its ranks, cast aside petty jealousies and personal ambitions and devote itself totally to liberating Zimbabwe from the oppression of the white rebels.

6. The CHAIRMAN declared closed the general debate on agenda item 77.

AGENDA ITEM 68

Elimination of all forms of racial discrimination (*continued*)*:

- (a) Decade for Action to Combat Racism and Racial Discrimination (*continued*) (A/10003, chap. I, chap. V, sect. B.1., paras. 307-313; A/10145 and Corr.1 and Add.1, E/5636 and Add.1-3, E/5637 and Add.1 and 2, A/C.3/638, A/C.3/L.2154-2157)

* Resumed from the 2123rd meeting.

CONSIDERATION OF DRAFT RESOLUTIONS (*continued*)

7. Miss BIHI (Somalia) recalled that at the 2122nd meeting, on 6 October 1975, her delegation, speaking on behalf of the sponsors of the amendments contained in document A/C.3/L.2157, had requested postponement of the vote on the draft resolution recommended by the Economic and Social Council in its resolution 1938 A (LVIII) (A/10145, annex, draft resolution A). The sponsors had felt that further consultations with other members of the Committee were needed in order to reach a consensus on those amendments. After numerous exchanges of views with other members of the Committee the sponsors had decided, with a view to accommodating the interests expressed by some delegations, to revise the amendments and submit them in a separate draft resolution. Her delegation requested that, if there was any objection, rule 125 of the rules of procedure of the General Assembly should be applied.

8. Mr. GARMENT (United States of America) recalled that under rule 123 of the rules of procedure of the General Assembly, when a proposal had been adopted or rejected, it could not be considered again at the same session unless the Committee, by a two-thirds majority of the members present and voting, so decided. At its 2116th meeting, the Committee had decided to fix Wednesday, 1 October at 1 p.m., as the deadline for submitting draft resolutions or amendments to the texts before it. In order for the Committee to accept a draft resolution filed after that date, therefore, it would be necessary for the Committee to reconsider its earlier decision. His delegation consequently requested the Chairman to put the question whether the Committee wished to reconsider its earlier decision, in accordance with rule 123; the Legal Counsel's opinion on the subject might be requested.

9. After a procedural discussion in which Mr. MAHMASANI (Lebanon), Mr. WALDRON-RAMSEY (Barbados), Mr. GARMENT (United States of America), Mr. ALFONSO (Cuba), Mr. SHARAF (Jordan), Mr. BROAD (United Kingdom), Miss GUERRA (Madagascar), Mr. ALLAF (Syrian Arab Republic), Mr. BATYUK (Ukrainian Soviet Socialist Republic), Mr. de FARIA (Portugal), Mrs. de BARISH (Costa Rica), Miss BIHI (Somalia), Mr. DABO (Guinea), Mr. VERRET (Haiti) and Mr. BAROODY (Saudi Arabia) took part, on the question whether rule 123 or rule 125 of the rules of procedure was applicable and whether the Legal Counsel should be asked for his opinion on the subject, Mr. ZAHAWIE (Iraq), invoking rule 117 of the rules of procedure, moved the closure of the debate.

10. Mrs. de BARISH (Costa Rica) and Mr. BROAD (United Kingdom) opposed the closure of the debate and urged that, as the representative of the United States had also asked, the Legal Counsel should be consulted.

The closure of the debate was declared by 72 votes to 27, with 26 abstentions.

11. The CHAIRMAN said that in any event, the opinion of the Legal Counsel could not bind the Committee, which retained the sole power to decide what procedure it would adopt in the conduct of its work.

12. The representative of Somalia had asked that a vote should be taken on the admissibility of the new version of the draft resolution which she intended to submit, on the basis of rule 125. To settle that question, therefore, the Committee must now decide whether rule 123 or rule 125 of the rules of procedure should be applied.

13. Mr. ZAHAWIE (Iraq), speaking on a point of order, asked that, in accordance with rule 131 of the rules of procedure, the proposals should be voted on in the order in which they had been submitted and that the Committee should accordingly decide first on the request of Somalia, which wished to have rule 125 applied, and then on the request of the United States, which wished to have rule 123 applied.

14. Mr. ALLAF (Syrian Arab Republic) endorsed the suggestion of the representative of Iraq.

15. Mrs. de BARISH (Costa Rica) urged that an authoritative legal opinion should be requested before a vote was taken; the Committee did indeed have sole power to decide on procedural matters, but there was no reason not to let it obtain all possible guarantees in taking those decisions.

16. Mr. GARMENT (United States of America) said that he had in no way intended to obstruct the progress of the Committee's work. He had suggested that the Legal Counsel should be consulted in order that the Committee might receive the clarifications which several members of the Committee considered necessary for a proper interpretation of a delicate point of procedure. He maintained that it would be desirable to obtain an advisory opinion from the Legal Counsel.

17. Mr. DRISS (Tunisia) appealed to the good sense of Committee members and observed that the Chairman's proposal of a deadline for submitting draft resolutions and amendments had been intended solely to accelerate the Committee's work. That date had been fixed only as a reference point, and for any draft resolution, any delegation might, up to the very last minute before the vote, submit whatever amendments or proposals it considered essential. He did not see why the opinion of the Legal Counsel on that point should be asked. Moreover, rule 123 of the rules of procedure related to substantive proposals and not to the tradition of fixing a deadline for the submission of amendments. He asked the Chairman to apply rule 120 of the rules of procedure, which provided that the Chairman might permit the discussion and consideration of amendments, or of motions as to procedure, even though such amendments and motions had not been circulated or had only been circulated the same day. Furthermore, no matter what decision was taken by the Committee, delegations were always free to reopen the debate in the General Assembly in plenary meeting and to submit amendments or proposals.

18. Mr. ZAHAWIE (Iraq), speaking on a point of order, asked the Committee to vote immediately on the question whether rule 125 was applicable in the case of the Somali proposal.

At the request of the representative of Iraq, a recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Bangladesh, Bhutan, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Egypt, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nigeria, Oman, Pakistan, Peru, Poland, Portugal, Qatar, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia.

Against: Australia, Austria, Barbados, Belgium, Bolivia, Canada, Denmark, Dominican Republic, France, Germany (Federal Republic of), Haiti, Iceland, Ireland, Israel, Italy, Liberia, Luxembourg, Malawi, Netherlands, Nicaragua, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Botswana, Brazil, Burundi, Costa Rica, Ecuador, Ethiopia, Fiji, Finland, Gabon, Gambia, Greece, Grenada, Guyana, Honduras, Ivory Coast, Japan, Lesotho, New Zealand, Philippines, Romania, Rwanda, Sierra Leone, Swaziland, Sweden, Thailand, Togo, Zaire, Zambia.

The Committee decided to apply rule 125 in respect of the Somali proposal by 72 votes to 24, with 28 abstentions.

19. The CHAIRMAN put to the vote the proposal by Somalia to the effect that the Committee should agree to replace with a new text the amendments circulated in document A/C.3/L.2157.

At the request of the representative of Algeria, a recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Bangladesh, Bhutan, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Egypt, Gabon, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia.

Against: Australia, Austria, Barbados, Belgium, Canada, Denmark, Dominican Republic, France, Germany (Federal Republic of), Haiti, Iceland, Ireland, Israel, Italy, Liberia, Luxembourg, Malawi, Netherlands, Nicaragua, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Bolivia, Botswana, Burundi, Costa Rica, Ecuador, Ethiopia, Fiji, Finland, Gambia, Greece, Honduras, Ivory Coast, Japan, Lesotho, Mauritius, New

Zealand, Romania, Rwanda, Sierra Leone, Singapore, Swaziland, Sweden, Thailand, Uruguay, Zaire, Zambia.

The Committee decided that the new text announced by the representative of Somalia was admissible by 75 votes to 22, with 26 abstentions.

20. The CHAIRMAN invited the representative of Somalia to submit her text to the Secretariat in order that it might be circulated the next day in all languages.

The meeting rose at 6 p.m.

2131st meeting

Thursday, 16 October 1975, at 10.30 a.m.

Chairman: Mr. Ladislav ŠMÍD (Czechoslovakia).

A/C.3/SR.2131

AGENDA ITEM 77

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (*continued*) (A/10156 and Add.1, A/C.3/L.2158)

CONSIDERATION OF DRAFT RESOLUTIONS

1. Mr. SEKYIAMAH (Ghana) introduced draft resolution A/C.3/L.2158, and urged the members of the Committee to give it their full support. He stated that Algeria, the Libyan Arab Republic and Nigeria should be included among the original sponsors of that text and that Mali, Somalia and the United Republic of Tanzania had subsequently joined them.

2. Mr. KAMARAKE (Sierra Leone) said that his delegation fully supported the draft resolution. However, with reference to the fourth and fifth preambular paragraphs concerning the situation in Angola, he expressed the hope that there would be some liaison with the Fourth Committee to ensure that the resolution would not conflict with any decision on the subject taken by that Committee.

3. Mrs. MAIR (Jamaica) expressed her delegation's support of the draft resolution and reaffirmed its commitment to the goals which it embodied. At the Conference of Commonwealth Heads of State, held in Jamaica earlier in the year, her country had noted with dismay that the forces of colonialism were impeding efforts to ensure realization of the right of peoples to self-determination and independence throughout the world. Her delegation had also made its position clear on that subject at the 2358th plenary meeting of the General Assembly, on 23 September 1975, and in the deliberations of the Committee (see 2115th meeting). In that connexion, she drew attention to the critical first phase of the exercise of the right of self-determination, during which the peoples concerned were exposed to renewed efforts at exploitation and oppression by the enemies of self-determination, and noted with satisfaction that the draft resolution, especially in operative paragraphs 3 and 4, had dealt with that aspect of the problem.

4. Mr. THOMAS (Liberia) said that his delegation, in keeping with Liberia's commitment to freedom, self-determination and independence, endorsed draft resolution A/C.3/L.2158.

5. Mr. CHORFI (Morocco) said that the recent accession of four new States to membership of the United Nations provided an incentive for the intensification of the struggle against colonialism and oppression and would contribute to the downfall of the racist régimes in southern Africa, Palestine and elsewhere. He also announced that his delegation wished to become a sponsor of draft resolution A/C.3/L.2158.

6. Mrs. de BARISH (Costa Rica) said that her delegation had always maintained that one of the most fundamental rights of all peoples was that of self-determination and independence. It therefore supported the draft resolution under consideration. However, it expressed reservations with regard to operative paragraph 1, since, while it agreed with the objectives of the paragraph, it could not agree that they should be achieved through armed struggle. As her delegation had already pointed out, acts of violence could be carried out unscrupulously and thus involve innocent persons. Her delegation's position was also based on its desire for peace.

7. Referring to paragraph 5, she recalled that the Costa Rican Minister for Foreign Affairs had set forth his Government's position on the question of Palestine in the General Assembly (see 2372nd plenary meeting, held on 2 October 1975). Her delegation had reservations with regard to that paragraph, since the question came within the purview of other United Nations bodies.

8. Mr. DABO (Guinea) said that he thought the draft resolution should also take account of the situation in other countries, such as the Comoros, which had been admitted as a sovereign State to the OAU. He therefore suggested the addition after the fourth preambular paragraph of the following text: "*Also concerned* at the events which are prevailing in the Comoro Islands and which threaten the independence and territorial integrity of that country". He further suggested the addition at the end of operative paragraph 3 of the words "and of the Comoro Islands".