UNITED NATIONS



FORTY-FIFTH SESSION

Official Records

SIXTH COMMITTEE 45th meeting

held on

Tuesday, 20 November 1990

at 10 a.m.

New York

SUMMARY RECORD OF THE 45th MEETING

Chairman:

Mr. MIKULKA

(Czechoslovakia)

CONTENTS

AGENDA ITEM 145: REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY (continued)

AGENDA ITEM 143: CONSIDERATION OF THE DRAFT ARTICLES ON THE STATUS OF THE DIPLOMATIC COURIER AND THE DIPLOMATIC BAG NOT ACCOMPANIED BY DIPLOMATIC COURIER AND OF THE DRAFT OPTIONAL PROTOCOLS THERETO (continued)

AGENDA ITEM 140: DRAFT CODE OF CRIMES AGAINST THE PEACE AND SECURITY OF MANKIND (continued)

AGENDA ITEM 142: REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FORTY-SECOND SESSION (continued)

AGENDA ITEM 135: OBSERVER STATUS OF NATIONAL LIBERATION MOVEMENTS RECOGNIZED BY THE ORGANIZATION OF AFRICAN UNITY AND/OR BY THE LEAGUE OF ARAB STATES (continued)

AGENDA ITEM 137: CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION, SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVES (continued)

COMPLETION OF THE COMMITTEE'S WORK

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned within one week of the date of publication to the Chief of the Official Records Editing Section, Room DC2-750,

2 United Nations Plaza, and incorporated in a copy of the record. Corrections will be issued after the end of the session, in a separate corrigendum for each Committee. Distr. GENERAL A/C.6/45/SR.45 5 December 1990 **ENGLISH**

ORIGINAL: SPANISH

The meeting was called to order at 10.30 a.m.

AGENDA ITEM 145: REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY (continued) (A/45/26; A/C.6/45/L.18)

- 1. Ms. WILLSON (United States of America) said that the United States was pleased to be host country to the United Nations, and took seriously its obligations towards the Organization, the missions of the various countries and their personnel. Although from time to time problems arose, either as a result of extraordinary political circumstances or as a result of those encountered in the normal course of living in a foreign environment, the United States, as host country, tried to respond in a responsible and impartial manner.
- With regard to the statement made at the forty-fourth meeting 2. (A/C.6/45/SR.44), she said that the President of the United States, in response to Irag's invasion of Kuwait and pursuant to Security Council resolution 661 (1990), had ordered that all property and interests in property of the Government of Iraq in the United States, or coming in future into the control or possession of United States persons, would be blocked. In the light of United States obligations under the Headquarters Agreement, the Iraqi Mission's bank account had been immediately unfrozen, and a special licence had been issued to enable that Mission to continue its work at the United Nations. Although the account of the Iraqi news service at the United Nations remained blocked, its expenses could be paid from the Iraqi Mission's account. Neither the assets-control regulations nor the travel controls, which had been imposed for reasons of national security, in any way impeded Iraqi Mission operations or official travel by Iraqi Mission staff. With respect to the allegation that the United States Government had imposed a restriction on the Iraqi Minister for Foreign Affairs which had prevented his attendance at the forty-fifth session of the General Assembly, she said that he had never been denied permission to travel to the United States by commercial means. The United States denial of authorization for a special flight had in no way restricted the Minister's participation in the deliberations of the General Assembly. Ninety Ministers for Foreign Affairs had travelled by commercial flights to the current session of the General Assembly. Mr. Aziz's visa had been issued on 21 September 1990 in Amman, Jordan, and if he had arrived, he would have been provided appropriate security protection.
- 3. With regard to the concern expressed by the representative of Cuba about the security of her Mission, she said that the United States Government viewed its duty to provide for the safety and security of diplomatic missions and personnel very seriously. It must also, however, safeguard the constitutional rights of United States citizens to freely demonstrate and express their opinions in a lawful manner. When the Cuban Mission had raised concerns about the weekly demonstrations at the Mission, consultations had been held between Mission personnel and United States authorities. The results and recommendations of those discussions had been passed on to all enforcement authorities. Unfortunately, the incidents had continued. Additional consultations had been conducted, and, at the request of the Department of State, for the last two weeks agents of the Diplomatic Security

(Ms. Willson, United States)

Service and the FBI/New York City Police Department Joint Terrorist Task Force had been present during the weekly demonstrations. Those agents were prepared to intercede and make arrests if the situation warranted such action. It was her understanding that the recent demonstrations had taken place without incident. The Cuban representatives had acknowledged that law-enforcement officers on the scene had been ready and willing to personally escort Mission personnel to assure their safety.

- 4. Mr. S. AHMED (Iraq), speaking in exercise of the right of reply, said that at the previous meeting (A/C.6/45/SR.44), his delegation had expressed its complete willingness seek a solution to any problems that might arise, through the mediation of the Secretary-General, the Legal Counsel or the Chairman of the Committee on Relations with the Host Country. His delegation had stated the facts very clearly, and those facts had been demonstrated unequivocally; nevertheless, his delegation was prepared to collaborate in the context of the Headquarters Agreement. Situations had continued to arise which had hindered the work of his delegation and which, in addition to being contrary to the spirit of the United Nations Charter, constituted a serious violation of the Agreement and set a precedent which could also jeopardize the work of other delegations.
- 5. The CHAIRMAN said that the Committee had now concluded its debate on agenda item 145. He reminded members that the draft resolution on the item (A/C.5/45/L.18) had been introduced at the previous meeting by the delegation of Cyprus, and that the Committee had decided to postpone action on it until the current meeting. If he heard no objection, he would take it that the Committee wished to go along with the agreement and adopt draft resolution A/C.6/45/L.18 without a vote.
- 6. Draft resolution A/C.6/45/L.18 was adopted.
- 7. The CHAIRMAN announced that the Committee had concluded its consideration of agenda item 145.

AGENDA ITEM 143: CONSIDERATION OF THE DRAFT ARTICLES ON THE STATUS OF THE DIPLOMATIC COURIER AND THE DIPLOMATIC BAG NOT ACCOMPANIED BY DIPLOMATIC COURIER AND OF THE DRAFT OPTIONAL PROTOCOLS THERETO (continued) (A/C.6/45/L.8/Rev.1)

- 8. The CHAIRMAN introduced draft resolution A/C.6/45/L.8/Rev.l, and said that, if he heard no objection, he would take it that the Committee wished to adopt the draft resolution without a vote.
- 9. Draft resolution A/C.6/45/L.8/Rev.l was adopted.
- 10. The CHAIRMAN announced that the Committee had concluded its consideration of agenda item 143.

AGENDA ITEM 140: DRAFT CODE OF CRIMES AGAINST THE PEACE AND SECURITY OF MANKIND (continued) (A/C.6/45/L.13)

AGENDA ITEM 142: REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FORTY-SECOND SESSION (continued) (A/C.6/45/L.19)

- 11. The CHAIRMAN said it was his understanding that the sponsors of draft resolution A/C.6/45/L.13 had withdrawn it. Thus, the Committee only had to consider draft resolution A/C.6/45/L.19, which had been submitted in connection with agenda items 140 and 142.
- 12. Mr. VAN DE VELDE (Netherlands) introduced draft resolution A/C.6/45/L.19, and said that the names of Bahrain, China, Guatemala, Guinea, New Zealand, Nigeria and Zaire should be added to the list of sponsors. The draft resolution reiterated several paragraphs of General Assembly resolution 44/35, of 4 December 1989, which were still useful to the structure of the resolution, and were self-explanatory.
- 13. He pointed out that in the third preambular paragraph, the General Assembly took note with appreciation of the work of the International Law Commission on the elaboration of a code of crimes against the peace and security of mankind, and of its report on the question of a possible international criminal jurisdiction.
- 14. Among the operative paragraphs, a new paragraph 2 had been included which incorporated the ideas contained in General Assembly resolution 44/35, paragraph 2 and paragraph 4 (a), bearing in mind that the current five-year term of office of the Commission's members was about to expire. In new paragraph 3, the Commission was invited to continue its work on the elaboration of the draft Code of Crimes against the Peace and Security of Mankind and to consider further and analyse the issues raised in its report on the question of international criminal jurisdiction. In that paragraph, the draft resolution adopted the formulation in General Assembly resolution 44/39, which had been proposed by the delegation of Trinidad and Tobago and other delegations. New paragraph 11, which had been incorporated during the consultations, reaffirmed the idea expressed by the Commission in paragraph 548 of its report, namely, that it should allow for two weeks of concentrated work in the Drafting Committee at the beginning of the forty-third session, and requested the Commission to report on the results of that arrangement.
- 15. The delegations which had taken part in the four rounds of consultations on the draft resolution had sought generally acceptable solutions, and they hoped that the draft resolution could be adopted without a vote.
- 16. The CHAIRMAN said that, if he heard no objections, he would take it that the Committee wished to adopt draft resolution A/C.6/45/L.19 without a vote.
- 17. Draft resolution A/C.6/45/L.19 was adopted.

- 18. Ms. WILLSON (United States of America), explaining her delegation's position on the draft resolution just adopted, said that her country had joined the consensus because of its support for the Commission and its work. Although the draft resolution contained elements which could provide the Commission with guidance for its next session, it was disappointing that a number of worthwhile suggestions concerning the Commission's working methods had not been included in the text.
- 19. Among the suggestions for enhancing those methods was the idea of periodic reports on the state of each topic, which had been endorsed by the Chairman of the Commission in his concluding remarks. Other suggestions had been made relating to the nature and duration of sessions. She hoped that the fact that those ideas had not been included in the draft resolutions adopted at the end of the quinquennium did not mean that the Commission would fail to consider them.
- 20. The Sixth Committee should not attempt to manage the Commission. Some of the suggestions made might be unworkable, while others might merely require a greater willingness to re-examine established practice. Nevertheless, the totality of the suggestions left no doubt that at its 1991 and 1992 sessions, the Commission should devote time to considering the suggestions made and the reason why so many had been made. The Commission was an enormously valuable institution, and much depended on its efficient and effective functioning.
- 21. The CHAIRMAN said that the Commission had concluded its consideration of agenda items 140 and 142.

AGENDA ITEM 135: OBSERVER STATUS OF NATIONAL LIBERATION MOVEMENTS RECOGNIZED BY THE ORGANIZATION OF AFRICAN UNITY AND/OR BY THE LEAGUE OF ARAB STATES (continued) (A/C.6/45/L.12)

- 22. THE CHAIRMAN said that, if he heard no objections, he would take it that the Committee agreed to take action at the current meeting on draft resolution A/C.6/45/L.12, which had been introduced by the delegation of Cuba at the previous meeting. He had been informed that a recorded vote had been requested on the draft resolution.
- 23. Mr. TREVES (Italy), speaking in explanation of vote before the vote on behalf of the 12 States members of the European Community, said that the Twelve would not vote in favour of draft resolution A/C.6/45/L.12. That was due to purely legal considerations, since none of the Twelve had signed, ratified or acceded to the 1975 Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character. He recalled that the Convention had not been adopted by consensus, and that in the 15 years which had elapsed since it had been opened for signature, only 25 ratifications or accessions and barely a few more signatures had been obtained. Consequently, in 15 years the Convention had not entered into force.
- 24. Accordingly, the Twelve did not deem it appropriate to attempt, through a General Assembly resolution, to enhance the status of a Convention which had not

(Mr. Treves, Italy)

found wide acceptance, especially as the principal States which hosted international organisations - among which were several States members of the European Community - had maintained that they could not agree with a number of provisions in the Convention.

- 25. The extremely limited participation in the debate on the item only two delegations had taken the floor was an indication of the Committee's lack of interest in it. Inasmuch as, contrary to expectations, delegations had again been called on to vote on a draft resolution on the item, the Twelve could only express with their vote the opinion that the time was ripe for eliminating the item from the Sixth Committee's agenda.
- 26. Mr. RAKER (Israel) said that his delegation's hesitation with regard to draft resolution A/C.6/45/L.12 had a factual and legal basis. The Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character provided in its article 89 that it would enter into force following the deposit of the thirty-fifth instrument of ratification or accession; so far, only 26 such instruments had been received. None of the principal host States of the United Nations were among those 26 depositing States. Even more surprising was the fact that of the sponsors of the draft resolution, only Cuba, which had belatedly joined the list, was a party to the Convention.
- 27. Accordingly, his delegation deemed it inopportune to ask the Sixth Committee to recommend to the General Assembly the adoption of a resolution requesting States which were not parties to a convention that was not in force to implement its provisions.
- 28. It would be spurious for the Sixth Committee to recommend such a resolution, especially if consideration was given to the aims and intentions expressed with regard to the United Nations Decade of International Law. Moreover, he found the seventh preambular paragraph of the draft resolution to be ironic and to have no legal basis whatsoever. Accordingly, his delegation would cast a negative vote.
- 29. Ms. WILLSON (United States of America) said that her country would vote against draft resolution A/C.6/45/L.12. The Vienna Convention on the Representation of States in Their Relations with International Organisations of a Universal Character had not yet entered into force, and it would be inappropriate to claim that it applied to institutions and groups which lacked the attributes of States. Only two speakers had taken part in the debate on the item within the Committee, which clearly showed that there was a total lack of interest in the item and that it did not warrant a place on the agenda. In any case, if and when the Convention entered into force, it might be appropriate to reconsider the item.

30. A recorded vote was taken on draft resolution A/C.6/45/L.12.

In favour: Afghanistan, Albania, Algeria, Argentina, Bahamas, Bahrain, Barbados, Benin, Bolivia, Botswana, Brazil, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador,

Rgypt, Ethiopia, Ghana, Guinea, Guinea-Bissil, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Muli, Mauritania, Mexico, Mongolia, Morocco, Mosambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Suriname, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Uruguay, Venesuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Belgium, France, Germany, Grenada, Israel, Italy, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

<u>Abstaining:</u> Australia, Austria, Bulgaria, Canada, Czechoslovakia, Denmark, El Salvador, Finland, Greece, Guatemala, Hungary, Iceland, Ireland, Japan, Liechtenstein, New Zealand, Norway, Papua New Guinea, Poland, Portugal, Romania, Spain, Sweden, Turkey.

- 31. Draft resolution A/C.6/45/L.12 was adopted by 82 votes to 10, with 24 abstentions.
- 32. The CHAIRMAN said that the Committee had concluded its consideration of agenda item 135.

AGENDA ITEM 137: CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION, SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVES (SONTINUED) (A/C.6/45/L.14, L.15)

- 33. The CHAIRMAN, noting that the Committee had before it two draft resolutions, said that, as agreed by the sponsors of the two drafts, the Committee would first take action on draft resolution A/C.6/45/L.15.
- 34. Mr. KOSKENNIEMI (Finland), introducing draft resolution A/C.6/45/L.15 on behalf of its 21 sponsors, pointed out that the text was based on the corresponding resolution adopted two years earlier by the General Assembly (resolution 43/167). As compared with that resolution, the current text contained only two sets of changes: the fifth and sixth preambular paragraphs and operative paragraph 3, on the one hand; and operative paragraphs 9 and 10, on the other.
- 35. The first set of modifications had to do with the implications of the Iraqi aggression against Kuwait for diplomatic and consular missions and representatives of third countries in Kuwait, and for the representatives of Kuwait in Iraq. Referring specifically to the fifth preambular paragraph and to the Security Council resolutions mentioned therein, he reminded the Committee of, and quoted, the relevant provisions of those resolutions, namely, paragraph 3 of

(Mr. Koskenniemi, Finland)

resolution 664 (1990), and the second preambular paragraph and operative paragraph 1 of resolution 667 (1990).

- 36. Mr. M. AHMED (Iraq), speaking on a point of order, said that in referring to the Security Council resolutions, the representative of Finland was also explaining and interpreting them. Inasmuch as those resolutions were mentioned in the preamble to the draft resolution, members of the Committee could subsequently comment on them and on the text as a whole. Iraq would therefore be happy if the representative of Finland confined himself to the item and avoided questions not within the competence of the Committee.
- 37. Mr. KOSKENNIEMI (Finland) said that the purpose of his explanations was to make it easier for delegations to understand the text, particularly those delegations that did not have before them the Security Council resolutions referred to in the fifth preambular paragraph of the draft resolution. He had confined himself to explaining the resolutions without interpreting them; all quotations had been word for word.
- 38. Resuming his introduction of the draft resolution, he said that the second set of modifications paragraphs 9 and 10 had to do with the reporting system. With regard to paragraph 9, he read out paragraph 9 of General Assembly resolution 44/154. The purpose of paragraph 10 of the draft resolution was to ensure that the annual report of the Secretary-General would in future contain an analytical summary of country reports, including an assessment of the overall situation, if the Secretary-General deemed it appropriate.
- 39. Mr. TREVES (Italy), speaking in explanation of vote on behalf of the 12 States members of the European Community, said that the Twelve would vote in favour of draft resolution A/C.6/45/L.15. In view of the exceptionally grave violations of international law committed by Iraq, the Twelve had departed, at the current session, from their standard practice of not referring to specific breaches. The Twelve had made that point in the Committee on 26 September, and he quoted the relevant part of the statement (A/C.6/45/SR.6, para. 13). Accordingly, the Twelve considered it particularly appropriate to include in the draft resolution the fifth and sixth preambular paragraphs and operative paragraph 3.
- 40. Ms. WILLSON (United States of America) said that draft resolution A/C.6/45/L.15, as pointed out by the representative of Finland, differed from the text of the resolutions adopted in previous years. The purpose of the new provisions was to call the international community's attention to one of the most outrageous aspects of the Iraqi invasion of Kuwait, namely, the flagrant violations of international law concerning the protection of diplomatic and consular missions and representatives. The Security Council had condemned those violations. The draft resolution could hardly ignore the facts. It therefore acknowledged the efforts by the Security Council and the General Assembly to remedy the situation.
- 41. Her delegation continued to attach great importance to preserving the legal régime that facilitated diplomatic communication. It urged all who shared that commitment to vote for the draft resolution.

- 42. Mr. TETU (Canada) said that his delegation would vote in favour of draft resolution A/C.6/45/L.15. In its statement on 2 October (A/C.6/45/SR.7, para. 26), also on behalf of the delegations of Australia and New Zealand, it had pointed out that the measures taken by Iraq with regard to diplomatic and consular missions in Kuwait constituted an unacceptable violation of the most basic principles governing diplomatic relations, and of the most universally accepted norms of international law.
- 43. His delegation would have liked to see Iraq named in the fifth preambular paragraph and in operative paragraph 3 of the draft resolution. However, the current wording of those paragraphs would not prevent Canada from voting in favour of the text.
- 44. Mr. M. AHMED (Iraq), speaking in explanation of vote, said that his delegation, unlike in previous years, would vote against draft resolution A/C.6/45/L.15.
- 45. The resolutions on the item before the Committee had always been adopted by consensus. Iraq disagreed with the current draft resolution largely because it included references to recent Security Council resolutions and thereby incorporated a political element in its text. That discordant note did not serve the general interests of the Committee.
- 46. Furthermore, it emphasized a particular case, whereas there had been many other violations, as could be found from reading the relevant report of the Secretary-General (A/45/455 and Add.1). Thus, the draft resolution was being submitted in a selective manner which served the interests of certain well-defined circles. Had the sponsors avoided the references contained in the fifth preambular paragraph, the draft could have been adopted by consensus. However, the vote by Iraq against the draft resolution did not mean that it was detracting from the general aims of the text, except, of course, for the provisions to which it objected. He stressed that Iraq would continue to observe international legal norms and to comply with the obligations which it had assumed under them.
- 47. Mr. MUTHANA (Yemen) said that Yemen was aware of the importance of adopting measures to enhance the protection, security and safety of diplomatic and consular missions and representatives, since they strengthened co-operation among States. His delegation would vote in favour of the draft resolution, since it considered that the norms of international law governing diplomatic and consular relations must be respected. That involved no change in position by Yemen with respect to certain Security Council resolutions cited in the draft resolution. He stressed that his Government would spare no effort to co-operate in implementing measures which the international community might adopt in order to enhance the protection, security and safety of diplomatic and consular missions so that they might perform their functions in a normal manner.
- 48. Mr. MARTINEZ GONDRA (Argentina) said that his delegation would vote in favour of the draft resolution, which it had traditionally sponsored. The resolutions on the item generally did not refer to specific cases, whereas in the current case an allusion to Iraq was implied when reference was made to the Security Council

A/C.6/45/SR.45 English Page 10

(Mr. Martinez Gondra, Argentina)

resolutions. In his delegation's view, that was justified in view of the serious violations of international law committed by Irag.

- 49. <u>Mr. KAWTHAR</u> (Saudi Arabia) said that, in the past, his delegation had always voted in favour of the draft resolution on the item. He expressed his country's support for the draft resolution and approved of the inclusion of the new paragraphs contained in the preamble and the operative part.
- 50. Mr. AL-BAHARNA (Bahrain) said that his country would vote in favour of the draft resolution and noted that the new paragraphs concerned the violation by Iraq of diplomatic and consular immunities in Kuwait. The draft referred to resolutions of the Security Council and called for the cessation of those violations, which were at variance with the relevant international conventions.
- 51. A recorded vote was taken on draft resolution A/C.6/45/L.15.

In favour:

Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, ./etherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Emalia, Spain, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, 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 States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Iraq.

Abstaining: None.

- 52. Praft resolution A/C.6/45/L.15 was adopted by 120 votes to 1.
- 53. The CHAIRMAN announced that the Committee had before it draft resolution A/C.6/45/L.14.

- 54. Mr. AL-SABEEH (Kuwait) said that his delegation had submitted the draft resolution in the conviction that the invasion of Kuwait on 2 August 1990 constituted a violation of international law and of the immunitier of the diplomatic and consular missions in Kuwait, and also of the diplomatic and consular missions of Kuwait in Iraq. In submitting the draft resolution, Kuwait had intended to stress the need for respect of the principles of international law and the norms governing diplomatic and consular relations among States, and also to make known its concern about the acts of violence perpetuated by Iraq against the diplomatic and consular missions in Kuwait and in Iraq itself. In order not to prolong unduly the work of the Committee, and bearing in mind that the contents of draft resolution A/C.6/45/L.15 just adopted satisfied in part the objectives embodied in its own draft resolution, Kuwait had decided to withdraw it.
- 55. The CHAIRMAN announced that draft resolution A/C.6/45/L.14 had been withdrawn.
- 56. Mr. S. AHMED (Iraq) said he wished to place it on record that the person who had spoken a few minutes earlier represented no one. He stressed that Iraq wished effectively to maintain the protection, security and safety of the diplomatic and consular premises and staff in its territory, as it had always done. As to the missions in Kuwait City, he said that, upon announcing the union of Kuwait with Iraq, his Government had informed countries that they must transfer their missions to Baghdad, since there were no longer any reasons to maintain the missions in Kuwait.
- 57. Mr. AL-SABEEH (Kuwait) said that he did not want the Committee's valuable time to be wasted in useless discussions and sterile condemnations. The event in question had been the subject of clear decisions by the Security Council. It was therefore amazing that the delegate of Iraq did not recognize his status as representative of Kuwait. He did not know the source of the powers which Iraq arrogated to itself in order to close diplomatic and consular missions in Kuwait; nor did he know the norm or principle of international law on which it based such action. As for the union between Iraq and Kuwait, no one in the United Nations was convinced that the so-called unity and integration of the two countries was anything more than a fairy tale. What was clear was that Iraq had invaded Kuwait on 2 August and continued to violate international conventions, the Charter of the United Nations and the decisions of the Security Council. He urged the delegation of Iraq to refrain from fanciful interpretations.

COMPLETION OF THE COMMITTEE'S WORK

- 58. The CHAIRMAN announced that the Committee had concluded its consideration of the items on its agends for the current session. He would not sum up the work, since that was a matter for the delegations themselves in the reports they would be transmitting to their respective Governments.
- 59. After an exchange of courtesies, in which Mr. CALERO-RODRIGUES (Brazil), Mrs. BELLAMINI-DLIMI (Tunisia), Mr. AKAY (Turkey), Mr. MOGENSEN (Denmark) and Mr. VOICU (Romania) spoke on behalf of their respective groups of States,

A/C.6/45/SR.45 English Page 12

the CHAIRMAN declared that the Sixth Committee had completed its work for the forty-fifth session.

The meeting rose at 12.05 p.m.