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Chairman:

Mr. SOMAVIA

(Chile)

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The meeting was called to order at 11.30 a.m.

TRIBUTE TO THE MEMORY OF MRS. VIJAYA LAKSHMI PANDIT, PRESIDENT OF THE EIGHTH SESSION OF THE GENERAL ASSEMBLY

1. On the proposal of the Chairman, the members of the Committee observed a minute of silence in tribute to the memory of Mrs. Vijaya Lakshmi Pandit, President of the eighth session of the General Assembly.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)

2. Mrs. ASHTON (Bolivia), speaking on behalf of the Group of 77, said that under resolution 1990/48 the Economic and Social Council had decided that the membership of the Commission on Human Rights should be increased to fifty-three and that the ten additional seats should be allocated among the regional groups of Africa, Asia and Latin America and the Caribbean on the basis of the principle of equitable geographical distribution. The Group of 77 felt that the Council, at its next organizational session, should allocate four seats to Africa, three to Asia and three to Latin America and the Caribbean.

3. Ms. MBELLA NGOMBA (Cameroon) said that, if her delegation had been present for the vote on draft resolution A/C.3/45/L.62, it would have voted in favour of it.

Draft resolution on developments relating to the activities of the Centre for Human Rights (A/C.3/45/L.72/Rev.1)

4. Ms. VASSILIOU (Greece), speaking on behalf of the sponsors of draft resolution A/C.3/45/L.72/Rev.1, said that a number of amendments had been made to the text in order to take account of the proposals made by certain delegations. In the last preambular paragraph, the phrase "no specific proposals have been" should be replaced by the words "the only specific proposal" and the phrase "is the reference to voluntary donations" should be added at the end. In paragraph 1, the word "additional" should be inserted after the word "make" and the phrase "for additional human resources" should be replaced by the words "in particular, indicating the human resources required for the Centre to carry out its functions adequately". It was hoped that the draft resolution, as revised orally, would be adopted unanimously and that the specific proposals for interim solutions referred to in paragraph 1 would be made in time for consideration by the Fifth Committee.

5. The CHAIRMAN said that, if he heard no objection, he will take it that the Committee wished to adopt draft resolution A/C.3/45/L.72/Rev.1, as amended orally by the representative of Greece.

6. It was so decided.

Draft resolution on the situation of human rights in occupied Kuwait (A/C.3/45/L.90)

7. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/45/L.90, noting that Czechoslovakia and Niger had become co-sponsors. The

(The Chairman)

representative of Iraq had requested that legal advice should be sought to ascertain whether the Committee could, in the light of Article 12 of the Charter, adopt the draft resolution in question. On the basis of consultations with the Legal Counsel, he wished to inform the Committee that it would be acting within its powers if it decided to adopt the draft resolution.

8. Mr. MAUALA (Samoa), Mr. VELLA (Malta), Mrs. MOLATLHIWA (Botswana) and Mrs. HENVILLE (Saint Kitts and Nevis) said that they had also become co-sponsors of the draft resolution.

9. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/45/L.90. A recorded vote had been requested.

10. Mr. ALI (Iraq), speaking in explanation of vote before the vote, said that his delegation would vote against draft resolution A/C.3/45/L.90 because the text was tendentious and lacked balance. It was designed to serve narrow political interests and divert the Committee from its real work. The text contained a number of errors and lies and was clearly biased because all the sponsors were against Iraq. Furthermore, any action on the draft resolution by the Committee contravened Article 12 (1) of the Charter, which stated that while the Security Council was exercising in respect of any dispute or situation the functions assigned to it in the [present] Charter, the General Assembly should not make any recommendation with regard to that dispute or situation unless the Security Council so requested.

11. The sponsors of the draft resolution ignored the daily attacks by the Israeli authorities against the inhabitants of the occupied territories and their property and their desecration of holy places and sought to distract attention from what was happening in those territories. The draft resolution made no mention of the economic blockade imposed on Iraq, which was a violation of the human rights of Iraqi nationals particularly children, the sick and the elderly, who were deprived of food and medicine. The adoption of draft resolution A/C.3/45/L.90 could undermine the peace process that had recently begun. He emphasized that Iraq would continue to ensure respect for human rights and fundamental freedoms.

12. Mrs. Al-HAMAMI (Yemen) said that her delegation supported the Charter of the United Nations, the Universal Declaration of Human Rights, and the Geneva Conventions of 12 August 1949 and would take all necessary measures to achieve the objectives of those instruments. The Constitution of Yemen guaranteed basic freedoms and equality before the law and the Government ensured the implementation and protection of the rights of all citizens. Her delegation would not vote in favour of draft resolution A/C.3/45/L.90 because, far from proposing measures to strengthen human rights, it was designed to pursue political goals. Yemen did not wish to aggravate the situation further and would do everything to reduce tension by promoting efforts to achieve a peaceful settlement as the best means of resolving the problems in Kuwait.

13. A recorded vote was taken on draft resolution A/C.3/45/L.90.

In favour: Albania, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, 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, Uruguay, Vanuatu, Venezuela, Yugoslavia, Zaire, Zimbabwe.

Against: Iraq.

Abstaining: Zambia.

14. Draft resolution A/C.3/45/L.90 was adopted by 132 votes to 1, with one abstention.

AGENDA ITEM 108: INTERNATIONAL ACTION TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING
(continued)

Draft resolution on international action (A/C.3/45/L.43/Rev.1)

15. The CHAIRMAN invited the Committee to take action on the draft resolution introduced at the previous meeting by the representative of Bolivia on behalf of the sponsors listed, as well as Thailand, Vanuatu and Pakistan.

16. Ms. KAMAL (Secretary of the Committee) drew attention to the following changes made by the representative of Bolivia in the text of the draft resolution: in the fifth line of paragraph 3 of part A, the words "and substitution" should be inserted after the word "eradication"; in the eighth line of the same paragraph, the word "substituted" should be replaced by the word "substitute", and in the tenth line of that paragraph, the word "illicit" should be replaced by the word

(Ms. Kamal)

"licit". In the last line of paragraph 4 of part A, the words "will be" should be replaced by the word "was", and in the second line of paragraph 11, the word "prompting" should be replaced by the word "promoting".

17. Mrs. ASHTON (Bolivia) said that the name of Samoa should be added to the list of sponsors of the draft resolution.

18. Ms. SAINT MALO (Panama), speaking in explanation of vote before the vote, said that her delegation had decided to co-sponsor the draft resolution because it was keenly aware of the complex issues involved in efforts to combat drug abuse and illicit trafficking and of the need for international solidarity in pursuing those efforts.

19. Her delegation noted with regret that Panama was an example of how an official State apparatus could be reduced to serving the drug cartels and of the impact that situation could have on all aspects of national life. The present Government of Panama was firmly committed to combating drug trafficking, and was taking the necessary measures to solve the problems inherited from the Noriega régime and its supporters, both national and international. Her delegation was confident that it would be able to report the success of those efforts to the forty-sixth session of the General Assembly.

20. She wished to point out, however, that it was not enough for the international community to study the problem of drug trafficking. It must also take part in the organization, financing and implementation of drug control efforts, and co-operate in eradicating the root causes leading to the production and use of drugs, as set forth in the draft resolution. The action taken by the United Nations should be commended, because there was no real contradiction between the action taken by the international community and the efforts made by nation-States, particularly when it came to addressing world-wide problems such as education, health, environmental protection and action against drug trafficking. Her delegation wished to place on record its satisfaction at the work done by the group of countries that had prepared the draft resolution and, especially, for the initiative taken by the delegation of Bolivia in that regard.

21. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the draft resolution without a vote.

22. Draft resolution A/C.3/45/L.43/Rev.1 was adopted without a vote.

23. Mr. TISSOT (United Kingdom), speaking in explanation of vote after the vote, said that his delegation had participated in the adoption of the draft resolution by consensus, but considered that the text did not fully reflect the excellent work done by the Intergovernmental Expert Group to Study the Economic and Social Consequences of Illicit Traffic in Drugs and by the Financial Action Task Force. Money-laundering was an international problem, and the Task Force had set guidelines which all Governments should endorse and implement.

AGENDA ITEM 110: ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS (continued) (A/C.3/45/L.56, L.96 and L.99)

24. Mr. MORA (Cuba) said he wished to make it clear to all members of the Committee that the text which had been circulated unofficially among delegations (A/C.3/45/L.99) was not the result of any negotiations between his delegation and the sponsors of draft resolution A/C.3/45/L.56. It had no official status and represented an attempt to retain the ideas set forth in draft resolution A/C.3/45/L.56, submitted by the United States and other delegations. The Cuban delegation rejected that unofficial text and would explain its position in detail (A/C.3/45/L.99) when it was put to the vote. It was his delegation's understanding that the order of voting would be the following: first, document A/C.3/45/L.99 would be put to the vote, then document A/C.3/45/L.96, and finally, A/C.3/45/L.56. The confusion created by the circulation of document A/C.3/45/L.99 without the consent of the sponsor of document A/C.3/45/L.96 was most regrettable, as it gave the erroneous impression that consultations had been held with the sponsors of the latter document when in fact that was not the case.

25. Mr. WALLDROP (United States of America) said that his delegation had circulated a text which had been prepared purely for information purposes, since a number of delegations had apparently had difficulty in understanding what would be the outcome of the adoption of sub-amendments to the amendments to draft resolution A/C.3/45/L.56. It was quite true that the sponsors of document A/C.3/45/L.99 had not held negotiations with the sponsors of document A/C.3/45/L.96. The purpose of the informal text circulated by his delegation was to explain what would occur if the amendments and the sub-amendments were adopted.

26. Mr. MORA (Cuba) said that the names of Lesotho and Zambia should be added to the list of sponsors of document A/C.3/45/L.96.

The meeting rose at 12.25 p.m.