



General Assembly

PROVISIONAL

A/40/PV.111
12 December 1985

ENGLISH

Fortieth session

GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE ONE HUNDRED AND ELEVENTH MEETING

Held at Headquarters, New York,
on Tuesday, 10 December 1985, at 3 p.m.

<u>President:</u>	Mrs. CASTRO de BARISH (Vice-President)	(Costa Rica)
later:	Mr. DE PINIÉS (President)	(Spain)
later:	Mr. SARRE (Vice-President)	(Senegal)

- Law of the Sea: [36] (continued)
 - (a) Report of the Secretary-General
 - (b) Draft resolution
- Elections to fill vacancies in subsidiary organs and other elections:
 - (f) Election of the United Nations High Commissioner for Refugees: note by the Secretary-General
 - (b) Election of twelve members of the World Food Council: note by the Secretary-General
 - (c) Election of seven members of the Committee for Programme and Co-ordination: note by the Secretary-General
 - (e) Election of nineteen members of the United Nations Commission on International Trade Law

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- Policies of Apartheid of the Government of South Africa: [35] (continued)
 - (a) Report of the Special Committee against Apartheid
 - (b) Report of the Ad Hoc Committee on the Drafting of an International Convention against Apartheid in Sports
 - (c) Report of the Secretary-General
 - (d) Report of the Special Political Committee
 - (e) Draft resolutions
 - (f) Report of the Fifth Committee

In the absence of the President, Mrs. Castro de Barish (Costa Rica), Vice-President, took the Chair.

The meeting was called to order at 3.20 p.m.

ITEM 36 (continued)

LAW OF THE SEA:

- (a) REPORT OF THE SECRETARY-GENERAL (A/40/923)
- (b) DRAFT RESOLUTION (A/40/L.33)

The PRESIDENT (interpretation from Spanish): As representatives will recall, the Assembly adopted draft resolution A/40/L.33 this morning. Consequently, I now call on representatives who wish to explain their vote on this resolution. May I remind representatives that, in accordance with General Assembly decision 34/401, explanations of vote should be limited to 10 minutes and should be made by representatives from their seats.

Mr. RIVERA (Peru) (interpretation from Spanish): My delegation abstained in the vote on the resolution, but that does not prevent it from recognizing the historical value of the Convention on the Law of the Sea and its significance for international co-operation as the basis for peace and development.

For nearly 40 years now our country has promoted the rights of coastal States over their adjacent sea to a distance of 200 miles, and has made special efforts to contribute to the establishment of a universal régime for the use of the sea-bed. Peru, therefore takes a positive view of the United Nations Convention on the Law of the Sea and the work of the Preparatory Commission.

Peru has been following with particular interest the development of this new body of law and the progress made so far, and hopes that all this progress will make a definite contribution to the consolidation of that law, with the full participation of all States Members of the United Nations.

(Mr. Rivera, Peru)

The Peruvian delegation wishes to state that the implications of Peru's accession to the Convention on the Law of the Sea are still being studied, and that study will permit its executive and legislature to take a decision consistent with its national interests.

Mr. WESTPHAL (Federal Republic of Germany): The Federal Republic of Germany abstained in the vote on the resolution that has just been adopted. But my Government wishes to point out that it has serious reservations about this resolution, parts of which are not acceptable to it.

The Federal Republic of Germany did not sign the Convention on the Law of the Sea because of objections to the part relating to deep sea-bed mining. It does not, however, reject the Convention in all matters not related to deep sea-bed activities. Therefore it remains firmly committed to the objective of a comprehensive, universally acceptable Convention on the Law of the Sea, based in all its parts on the consensus of nations. The Federal Republic of Germany continues to hope that further negotiations will lead to that end and it intends to participate actively in those efforts. It has stated its position in that respect both at last year's General Assembly and in a letter dated 19 March 1985 to the Chairman of the Preparatory Commission, as reproduced in document LOS/PCN/571.

It is our firm belief that in the field of the Law of the Sea, as in others, efforts are necessary to find solutions based on consensus. But in our view the present resolution is not conducive to such efforts, nor was the Declaration adopted on 30 August 1985 by the Preparatory Commission and referred to in the resolution. In a communication to the Preparatory Commission, the Federal Republic of Germany reserved its position in that respect. It cannot accept the claim contained in that Declaration that the Convention, which is not yet in force, has established a régime for deep sea-bed activities. That claim is without legal foundation. If there had been a separate vote on individual paragraphs, my delegation would have been obliged to cast a negative vote on the relevant parts

(Mr. Westphal, Federal Republic
of Germany)

of the resolution.

Other elements both in the preambular and operative part of the resolution also tend to burden the process for finding a consensus with controversial issues instead of trying to reconcile differing views. Nevertheless, the Federal Republic of Germany will continue to work with other countries to seek viable and generally acceptable solutions of the unresolved issues.

My Government recognizes the important role which the Office for the Law of the Sea under the guidance of the Special Representative of the Secretary-General plays in this field. We wish to express our appreciation for their work. Apart from assisting the Preparatory Commission, the Secretariat, through the compilation and dissemination of information regarding the Law of the Sea in general, renders valuable services to all countries interested in these questions.

Mr. SWINNEN (Belgium) (interpretation from French): My delegation voted in favour of the resolution in document A/40/L.33, because of the importance we attach to solidarity amongst the States which have signed the Convention on the Law of the Sea, to the activities of the secretariat and to the work of the Preparatory Commission. However, this affirmative vote does not imply that we are completely satisfied with the content of the resolution. As my delegation has already stressed in its statement in the debate this morning, the resolution contains controversial elements which are likely to jeopardize the work, the aim of which is precisely to make the régime of the sea generally acceptable.

Today, as in the past, Belgium has had to dissociate itself from any attempt to weaken this undertaking. We express the hope that good sense will prevail in the further work which deserves our full support and encouragement.

Mr. PAPAJORGJI (Albania): The Albanian delegation did not participate in the voting on the resolution in document A/40/L.33 for the same reason it had when it did not participate in the voting on the text of the Convention on the Law of the Sea and in its signature.

On various occasions, the Albanian delegation clearly expressed the views of its Government on the Third Conference of the Law of the Sea and pointed out its position when previous relevant resolutions were adopted.

The People's Socialist Republic of Albania maintains its known attitude on the interpretation of some provisions of the Convention on the Law of the Sea. As in previous sessions of the General Assembly of the United Nations, when respective resolutions were adopted, now, too, the Albanian delegation would like to reiterate that the present resolution A/40/L.33 contains the same unacceptable provisions for us.

In order to save the time of the Assembly, and since we have explained our reservations on these provisions, which we still maintain, we do not deem it necessary to repeat them in detail.

Mr. RISNER (United States of America): Again, my delegation reluctantly has had to cast a negative vote on a resolution concerning the law of the sea. As we have stated in the past, the United States views the 1982 United Nations Convention on the Law of the Sea as a major accomplishment in the development of international law relating to the oceans. Unfortunately, the Convention contains one part, part XI, that runs contrary to United States policy and to the policy of others who share our views concerning the future development of resources on the bottom of the deep sea-bed. Therefore, the United States has not signed the 1982 United Nations Convention on the Law of the Sea.

One of the reasons the United States is opposed to this resolution is that it continues funding from the general budget of the United Nations for the Preparatory

(Mr. Risner, United States)

Commission on the International Sea-Bed Authority and the International Tribunal for the Law of the Sea. As we have noted in the past, the costs of the Preparatory Commission should be borne by the nations that are party to the 1982 United Nations Convention on the Law of the Sea.

The Preparatory Commission was created by a treaty separate from the United Nations Charter. Therefore, its costs cannot be assessed against all United Nations Members as part of the United Nations budget, as they do not represent legitimate "expenses of the organization" within the meaning of the Article 17 (2) of the United Nations Charter. We remain opposed to such improper assessments and are determined to resist such abuses of the United Nations budget and the United Nations Charter. Therefore, the United States will continue to withhold its pro rata share of the United Nations annual assessment from the regular budget that pertains to the funding of the Preparatory Commission, or is earmarked to support the implementation of part XI of the 1982 United Nations Convention on the Law of the Sea.

My delegation also notes that the resolution adopted this year recalls and takes note of the declaration of 30 August 1985 of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea. The declaration's interpretation of the legal effects of the 1982 United Nations Convention on the Law of the Sea is not in accord with established principles of international law. If and when the Convention enters into force, part XI of the Convention will not create legal obligations for, nor abridge the legal rights of, those nations that have not expressly consented to be bound by the Convention by ratification or accession.

The United States position on the legality of exploration and exploitation of deep sea-bed resources under international law is well known. As we have stated

(Mr. Risner, United States)

many times, the United States and its nationals, like other States and their nationals, have the legal right to explore and exploit deep sea-bed resources. Under international law such activities are a lawful exercise of high-seas freedoms. The United States and its nationals intend to exercise these rights with reasonable regard to the interests of other States in their exercise of high-seas freedoms. These rights, which the United States and its nationals have under international law, would not be abridged or diminished should the Convention eventually enter into force.

Having said this, I wish to emphasize the United States view that the 1982 United Nations Convention on the Law of the Sea has many positive aspects. The United States will continue to co-operate with the international community to ensure that the important principles enshrined in parts of the Convention, other than part XI, are widely respected.

Mr. EDWARDS (United Kingdom): My delegation abstained in the vote on resolution A/40/L.33. While not able to accept the régime for deep sea-mining as it appears to result from the Convention, we have continued to attend Preparatory Commission meetings and to work for a universally acceptable régime. The resolution adopted this morning is not in our view helpful to this objective. In particular, we cannot accept the reference to the declaration of the Preparatory Commission of 30 August 1985. It is difficult to see how, within the powers conferred on it, the Preparatory Commission could adopt such a declaration. Furthermore, we do not accept that activities relating to the sea-bed that take place outside the Convention are illegal.

It will be recalled that United Nations General Assembly resolution 2749 (XXV) states, in paragraph 9, that an international régime applying to the area and its resources, including appropriate international machinery, is to be established by

(Mr. Edwards, United Kingdom)

an international treaty of a universal character "generally agreed upon". Given the objections clearly raised during the Conference to certain aspects of the Convention, and the continuing objections of a number of States interested in deep sea-mining, this has yet to be achieved. Despite the outcome of the Conference and the Convention, in the absence of a régime which is generally accepted and is thus likely to be effective, a State retains its rights and freedom of action in relation to the sea-bed. It remains the wish of my Government that a universally acceptable régime should be established, and we shall continue to work towards that goal.

Mr. KIRSCH (Canada): Canada voted in favour of draft resolution

A/40/L.33 as renewed testimony of its support of the Convention on the Law of the Sea and its continuing commitment to the success of the work of the Preparatory Commission. We did so, however, subject to some reservations regarding this draft resolution.

Generally, my delegation is concerned that draft resolution A/40/L.33 contains elements that may make more difficult the work of the Preparatory Commission and be damaging to the Convention on the Law of the Sea process as a whole. In particular, my delegation wishes to state its position on the following aspects:

First, we wish to put on record that Canada was one of the delegations that did not support the Declaration adopted on 30 August 1985 in Geneva by the Preparatory Commission which is referred to in this draft resolution. While the draft resolution properly does not endorse but simply takes note of the Declaration, we do not consider that the cryptic footnote to operative paragraph 5 of the draft resolution, which simply refers to the Secretary-General's report, adequately reflects the reservations that a number of delegations expressed on the Declaration at the Preparatory Commission on procedural, legal and political grounds. It certainly gives no more indication of the nature of those reservations than the Secretary-General's report or, for that matter, the record of the Preparatory Commission itself. Basically, as much as we strongly support the law of the sea régime, we doubt whether the operative paragraphs of that Declaration constitute an accurate reflection of the current state of international law. We also do not believe that such statements are in accordance with the basic mandate of the Preparatory Commission, as stated in the second paragraph of resolution I, to take "all possible measures to ensure entry into effective operation" of the International Sea-Bed Authority. Their divisive effect is certainly unhelpful to the fulfilment of that mandate.

(Mr. Kirsch, Canada)

Secondly, the statements in the draft resolution calling in various forms for early implementation of resolution II and registration of pioneer investors, while being acceptable in principle, lack balance as they fail to take into account the equally important requirement to implement resolution II in a way that allows for the best possible solution to the outstanding problems related to that implementation, including the need to ensure its acceptability to all parties concerned.

My delegation will refrain from making additional comments on other specific aspects of the resolution, but wishes to make one final general observation. We do not underestimate the fact that draft resolution A/40/L.33 is the result of a long negotiating process in the course of which a number of concessions were made by all concerned. We express our appreciation to those delegations that had the opportunity to participate in every step in the process for the efforts they have made. We note, however, that resolution 39/73 of last year, which was similarly negotiated, included one new element that caused a number of long-standing sponsors of the resolution on the law of the sea, including Canada, to withdraw their sponsorship. This year, resolution 40/63 contains about 10 additional elements, some of which are forcing my delegation, among others, for the first time, to express reservations in an explanation of vote on the draft resolution.

We should be careful in the future to avoid the addition to the law of the sea draft resolutions of other elements that would create even more difficulties at the time of their adoption. In this connection, my delegation wishes to call the attention of the General Assembly as a whole, and of those delegations particularly interested and involved in the law of the sea resolutions, to the necessity to maintain a strong unity of purpose among the States that have been operating under the umbrella of the Law of the Sea Convention. This can only be achieved through

sustained, concerted efforts to understand one another's positions, and to take action based on common, not different objectives.

Mr. VILLAGRA DELGADO (Argentina) (interpretation from Spanish): My country interprets the sixth preambular paragraph and operative paragraph 4 of draft resolution A/40/L.33, recently adopted, as being in accordance with the statement Argentina made on 5 October 1984, when it signed the United Nations Convention on the Law of the Sea. The statement is contained in document C.N. 253.1984, Treatise-10, and in particular with its last paragraph.

In that connection, Argentina considers that with respect to the resolutions which for procedural reasons were adopted together with the Convention, resolutions I and II are connected to it for practical reasons and consequently the sixth preambular paragraph and operative paragraph 4 of draft resolution A/40/L.33 refer to them.*

Mr. TREVES (Italy): The Italian delegation participated actively in the negotiations on draft resolution A/40/L.33 which we have just adopted. In the light of this experience we are fully aware that it is a common denominator acceptable to all signatories to the Convention.

We voted in favour because we consider it particularly important to keep alive the unanimity of the signatories that has characterized the adoption of the resolutions on the law of the sea since the opening to signature of the United Nations Convention on the Law of the Sea.

We wish, however, to note that the resolution contains some divisive elements that may be seen as part of a trend that, if continued, might make it difficult for this unanimity to survive in the years to come.

As I had the honour to explain at length in my intervention in the debate, Italy is of the opinion that the Declaration adopted by the Preparatory Commission

*The President took the Chair.

(Mr. Treves, Italy)

on 30 August 1985 does not correctly reflect the current status of international law and does not perform a useful function in furthering the objectives of the Preparatory Commission and making the rules of the Convention on the Law of the Sea on deep sea-bed mining a truly universal régime. Thus, we are not satisfied by the prominence given in the resolution we have adopted to the Declaration and the modest visibility given to the fact that various delegations could not agree with the Declaration, even though we appreciate the neutral formulation utilized in paragraph 5.

We wish also to indicate that, while Italy can accept in principle paragraph 8 on the registration of pioneer investors, it considers it incomplete. Indeed, it should also have taken into account the necessity of ensuring that the solution of conflicts between claimants - which, as I had the opportunity to observe in my intervention, is a preliminary requirement to registration - be acceptable to all parties concerned.

Mr. van LANSCHOT (Netherlands): This morning my delegation indicated that its affirmative vote should not be interpreted as approval of each and every paragraph of draft resolution A/40/L.33. Once again we want to make clear that the Netherlands was one of the delegations that did not support the Declaration adopted by the Preparatory Commission last August in Geneva and referred to in operative paragraph 5 of the draft resolution.

While the draft resolution merely takes note of the Declaration, we do not consider that the footnote to operative paragraph 5 adequately reflects the reservations that a number of delegations made when the Declaration was adopted.

We strongly support the law-of-the-sea régime. We continue to feel, however, that the Declaration does not accurately reflect the current state of international law. Furthermore, we do not believe that statements such as the Declaration are in accordance with the basic mandate of the Preparatory Commission as described in resolution I. On the contrary, we are convinced that such statements hamper the work of the Preparatory Commission, as their main effect is to provoke negative reactions on the part of the non-signatories to the Convention.

Last year we had some misgivings about the draft resolution that became resolution 39/73. This year's resolution is even less attractive because of its reference to the Declaration.

We are worried about this trend of the law-of-the-sea resolutions, which makes it increasingly difficult for some signatories to continue to vote in favour of them.

The PRESIDENT (interpretation from Spanish): That concludes our consideration of agenda item 36.

AGENDA ITEM 16

ELECTIONS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER ELECTIONS:

- (f) ELECTION OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES: NOTE BY THE SECRETARY-GENERAL (A/40/1014)
- (b) ELECTION OF TWELVE MEMBERS OF THE WORLD FOOD COUNCIL: NOTE BY THE SECRETARY-GENERAL (A/40/404)
- (c) ELECTION OF SEVEN MEMBERS OF THE COMMITTEE FOR PROGRAMME AND CO-ORDINATION: NOTE BY THE SECRETARY-GENERAL (A/40/405 and Corr.1)
- (e) ELECTION OF NINETEEN MEMBERS OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW

The PRESIDENT (interpretation from Spanish): I draw the attention of the General Assembly to document A/40/1014, containing a Note by the Secretary-General, under agenda item 16 (f), relating to the election of the United Nations High Commissioner for Refugees.

In his Note, the Secretary-General has the honour to propose to the Assembly that it elect Mr. Jean-Pierre Hocké (Switzerland) United Nations High Commissioner for Refugees for a period of three years, beginning on 1 January 1986 and ending on 31 December 1988.

May I take it that the General Assembly approves that proposal?

It was so decided.

The PRESIDENT (interpretation from Spanish): I declare Mr. Jean-Pierre Hocké elected United Nations High Commissioner for Refugees for a three-year term beginning on 1 January 1986.

I congratulate Mr. Hocké upon his election and I wish him every success in his important task.

I now call on the representative of Burundi, who wishes to speak on behalf of the Group of African States.

Mr. BWAKIRA (Burundi) (interpretation from French): The election of the United Nations High Commissioner for Refugees is a question of great importance to the African continent. The African States, which are countries of origin as well as countries of asylum for more than 5 million persons, are constantly faced with refugee problems, whatever the origins and causes. That is why the Organization of African Unity (OAU), in its effort to make a further contribution to the study and solution of refugee problems, decided at the beginning of this year to present an African candidate with high qualifications and an international reputation. In so doing, the OAU was aware that the practice in this respect permitted the presentation of other candidates from other regions and other countries outside Africa.

The Group of African States therefore notes with satisfaction that, in accordance with the procedure laid down in paragraph 13 of the statute of the Office of the United Nations High Commissioner for Refugees, the Secretary-General proposed to the General Assembly - and the Assembly has just adopted that proposal - the election of Mr. Jean-Pierre Hocké, of Swiss nationality, as United Nations High Commissioner for Refugees for a three-year term beginning on 1 January 1986.

The Group of African States is gratified that the consultations conducted by the Secretary-General resulted in a consensus on the designation of a new United Nations High Commissioner for Refugees. There can be no doubt that Mr. Hocké's moral and intellectual qualities and experience will enable him to discharge his lofty functions as High Commissioner for Refugees to the satisfaction of everyone and in the interests of all the refugees in the world. I can immediately assure Mr. Hocké of the confidence and whole-hearted co-operation of all the African States. On behalf of the Group of African States, I wish him every success.

(Mr. Ewakira, Burundi)

I cannot conclude this brief statement without expressing, on behalf of all the African States, our gratitude to Mr. Poul Hartling, the outgoing United Nations High Commissioner for Refugees, for the efforts he made in the service of refugees not only in Africa but throughout the world.

The PRESIDENT (interpretation from Spanish): I now call on the representative of Italy, who will speak on behalf of the Group of Western European and Other States.

Mr. ZUCCONI (Italy): I should like to take this opportunity to express the most sincere and deep-felt gratitude of the Governments and peoples of the Group of Western European and Other States to Mr. Poul Hartling, who at the end of this month will conclude his eight-year term as High Commissioner for Refugees. Mr. Hartling has carried out with competence and dedication the delicate task that the international community entrusted to him. Under his able guidance the Geneva organization has coped successfully with the ever-growing phenomenon of refugees, setting high standards of efficiency and human concern. Efforts undertaken by Mr. Hartling and by the organization in the field of assistance and emergency relief to refugees during the past years have been of a highly humanitarian value, in so far as they have contributed to reducing the effects of one of the most dramatic social problems of our time.

Also on behalf of the Group of Western European and Other States, I extend our congratulations to the newly elected High Commissioner. Mr. Jean-Pierre Hocké is a citizen of a country which has an outstanding tradition in the humanitarian field. He has personally shown, through his long experience with the International Committee of the Red Cross, an uncommon capacity for concern and dedication to the well-being of people who find themselves living in adverse conditions. We wish him well in the important post to which he has just been elected.

The PRESIDENT (interpretation from Spanish): Before we conclude this item, I would like to express my sincere appreciation and thanks to Mr. Poul Hartling and wish him success in his future endeavours.

That concludes our consideration of sub-item (f) of agenda item 16.

Before proceeding to the next item on the agenda, I should like to inform members that the election of 19 members of the Governing Council of the United Nations Environment Programme will have to be postponed to a subsequent meeting, to be announced in the Journal, due to the fact that endorsed candidates have not been received from all the regional groups.

The Assembly will now consider agenda item 16 (b), entitled "Election of twelve members of the World Food Council". In this connection, the Assembly has before it, in document A/40/404, the recommendation of the Economic and Social Council.

The 12 retiring members are: Australia, Bangladesh, Ecuador, Ethiopia, German Democratic Republic, Germany, Federal Republic of, Ghana, Nicaragua, Nigeria, Union of Soviet Socialist Republics, United Arab Emirates and Venezuela.

The following States have been nominated by the Economic and Social Council: three African States for three vacancies: Guinea, Mali and Somalia; four Asian States for two vacancies: Bangladesh, Cyprus, India and the Syrian Arab Republic; three Latin American States for three vacancies: Antigua and Barbuda, Dominican Republic and Honduras; two Eastern European States for two vacancies: the German Democratic Republic and the Union of Soviet Socialist Republics; two Western European and Other States for two vacancies: Australia and the Federal Republic of Germany.

Mr. SHUKLA (India): India has decided to withdraw its candidature for the World Food Council in the spirit of accommodation and compromise. Our delegation counts on the support of the Asian Group and all other delegations when it presents its candidature for the Committee on Food Aid Policies next year.

Mr. AL-ATASSI (Syrian Arab Republic) (interpretation from Arabic): In the same spirit of consensus, due to our keen desire to maintain the unity of the group, and in order to reach an agreed list of two candidates, the Syrian Arab Republic has decided to withdraw its candidature for the World Food Council in favour of Cyprus and Bangladesh.

The PRESIDENT (interpretation from Spanish): Members have heard the statements of the representatives of India and the Syrian Arab Republic. Therefore the number of candidates from among the African group, the Asian group, the Latin American group, the group of Socialist States from Eastern Europe and the group of Western European and Other States is equal to the number of seats allocated to each of those groups.

In accordance with paragraph 16 of decision 34/401, the Assembly may dispense with balloting when the number of candidates from among the groups is equal to the number of seats allocated to each of those groups. May I take it that the Assembly wishes to declare those States elected members of the World Food Council for a three-year term beginning on 1 January 1986?

The following countries were elected members of the World Food Council for a period of three years beginning on 1 January 1986: Antigua and Barbuda, Australia, Bangladesh, Cyprus, Dominican Republic, German Democratic Republic, Germany, Federal Republic of, Guinea, Honduras, Mali, Somalia, Union of Soviet Socialist Republics.

The PRESIDENT (interpretation from Spanish): I wish to congratulate the States which have just been elected members of the World Food Council.

The Assembly has now concluded its consideration of sub-item (b) of agenda item 16.

The Assembly will now turn to agenda item 16 (c), entitled "Election of seven members of the Committee for Programme and Co-ordination". In this connection, the Assembly has before it document A/40/405 and Corr.1, which contains the nominations

(The President)

by the Economic and Social Council to fill the vacancies in the Committee which will occur as a result of the expiration on 31 December 1985 of the terms of office of the following countries: Argentina, Chile, Ethiopia, France, Nigeria, the Union of Soviet Socialist Republics and the United States of America.

The following States have been nominated by the Economic and Social Council: two African States for two vacancies: Benin and Zambia; four Latin American States for two vacancies: Argentina, Bolivia, Chile and Peru; one Eastern European State for one vacancy: the Union of Soviet Socialist Republics; two Western European and Other States for two vacancies: France and the United States of America.

Mrs. ASHTON (Bolivia) (interpretation from Spanish): Upon instructions from my Government I wish to state that, in the interests of the unity of the Latin America group, my Government has decided to withdraw Bolivia's candidacy for the Committee for Programme and Co-ordination. At the same time, my delegation hopes that it will receive the support of the Latin American and other groups for its candidacy for the Economic and Social Council during the forty-first session of the General Assembly.

Mr. GILLET (Chile) (interpretation from Spanish): Our country had for a time been a member of the Committee for Programme and Co-ordination. Over that period Chile has worked with great dedication to enhance the important work performed by that body. My country wishes to express its willingness to stand down now in favour of our brothers from Peru and Argentina, and we hope that we will thus once again be helping to increase the unity so important to our cherished Latin America.

The PRESIDENT (interpretation from Spanish): Members of the Assembly have heard the statements of the representatives of Bolivia and Chile. The number of candidates from among the African Group, the Latin American Group, the Group of Socialist States of Eastern Europe and the Group of Western European and other States is therefore equal to the number of seats allocated to each of those groups.

In accordance with paragraph 16 of decision 34/401, the Assembly may dispense with balloting when the number of candidates from among the groups is equal to the number of seats allocated to each of those groups.

May I take it that the Assembly wishes to declare those States elected members of the Committee for Programme and Co-ordination for a three-year term beginning on 1 January 1986?

The following countries were elected members of the Committee for Programme and Co-ordination for a three-year term beginning on 1 January 1985: Argentina, Benin, France, Peru, Union of Soviet Socialist Republics, United States of America and Zambia.

The PRESIDENT (interpretation from Spanish): I congratulate the States which have just been elected.

That concludes the Assembly's consideration of sub-item (c) of agenda item 16.

The General Assembly will now proceed to the election of 19 members of the United Nations Commission on International Trade Law to replace those members whose term of office expires on 15 June 1986.

The 19 outgoing members are: Cuba, Cyprus, Czechoslovakia, the Federal Republic of Germany, Guatemala, Hungary, India, Iraq, Italy, Kenya, Peru, the Philippines, Senegal, Sierra Leone, Spain, Trinidad and Tobago, Uganda, the United States of America and Yugoslavia.

Those members are eligible for immediate re-election.

(The President)

I should like to remind members of the Assembly that after 16 June 1986 the following States will still be members of the Governing Council: Algeria, Australia, Austria, Brazil, the Central African Republic, China, Egypt, France, the German Democratic Republic, Japan, Mexico, Nigeria, Singapore, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United Republic of Tanzania. Those 17 States are therefore not eligible for re-election.

Under rule 92 of the rules of procedure, all elections must be held by secret ballot and there shall be no nominations. May I, however, recall paragraph 16 of General Assembly decision 34/401, whereby the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard, unless a delegation specifically requests a vote on a given election.

In the absence of such a request, may I take it that the Assembly decides to proceed to the election on that basis?

It was so decided.

The PRESIDENT (interpretation from Spanish): The Chairmen of the regional groups have informed me of the following candidatures: for four seats from among the African Group - Kenya, Lesotho, the Libyan Arab Jamahiriya and Sierra Leone; for four seats from among the Asian Group - Cyprus, India, Iraq and the Islamic Republic of Iran; for three seats from among the Group of Socialist States of Eastern Europe - Czechoslovakia, Hungary and Yugoslavia; for four seats from among the Latin American Group - Argentina, Chile, Cuba and Uruguay; and for four seats from among the Group of Western European and other States - Italy, the Netherlands, Spain and the United States of America.

(The President)

Since the number of candidates from each group corresponds to the number of seats to be filled from that group, I declare those candidates elected members of the United Nations Commission on International Trade Law for a three-year term beginning on 16 June 1986.

The following countries were elected members of the United Nations Commission on International Trade Law for a three-year term beginning on 16 June 1986:

Argentina, Chile, Cuba, Cyprus, Czechoslovakia, Hungary, India, Iraq, Islamic Republic of Iran, Italy, Kenya, Lesotho, Libya, Netherlands, Sierra Leone, Spain, United States of America, Uruguay and Yugoslavia.

I congratulate all the States which have been elected members of the United Nations Commission on International Trade Law.

The Assembly has concluded its consideration of sub-item (e) of agenda item 16.

AGENDA ITEM 35 (continued)

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA:

- (a) REPORT OF THE SPECIAL COMMITTEE AGAINST APARTHEID (A/40/22 and Add.1-4)
- (b) REPORT OF THE AD HOC COMMITTEE ON THE DRAFTING OF AN INTERNATIONAL CONVENTION AGAINST APARTHEID IN SPORTS (A/40/36)
- (c) REPORT OF THE SECRETARY-GENERAL (A/40/780)
- (d) REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/40/805)
- (e) DRAFT RESOLUTIONS (A/40/L.26, A/40/L.27, A/40/L.28/Rev.1, A/40/L.29-A/40/L.32, A/40/L.39, A/40/L.40)
- (f) REPORT OF THE FIFTH COMMITTEE*

The PRESIDENT (interpretation from Spanish): May I remind representatives that the debate on this item was concluded at the 57th plenary meeting, on Thursday, 31 October 1985.

I shall first call upon those representatives who wish to introduce draft resolutions.

*To be issued.

Mr. GARBA (Nigeria): I have the honour, on behalf of the co-sponsors, to introduce three draft resolutions entitled respectively "Comprehensive sanctions against the racist régime of South Africa" (A/40/L.26); "Situation in South Africa and assistance to the liberation movements" (A/40/L.27); and "World Conference on sanctions against racist South Africa" (A/40/L.28/Rev.1).

We know that pressure and sanctions against racist South Africa are directly correlated to change in that country. The facts speak for themselves and the evidence is incontrovertible as well as statistically verifiable that the only time the Pretoria régime talks, albeit with dishonest intentions, about "reforms", is when it feels the weight of international pressure. It is also true that the banning by the régime of foreign electronic and print media from covering the increasingly militant position of the brave indigenous majority is due to its fear of mounting and coalescing international pressure.

It is for those reasons, and more, that I now refer to draft resolution A/40/L.26 entitled "Comprehensive sanctions against the racist régime of South Africa". That resolution underscores the imperative need for the international community to take decisive action against the apartheid régime to end apartheid. That is logical, since we already know that the only language Pretoria understands is pressure and sanctions in conjunction with militant and militarized opposition to the régime.

(Mr. Garba, Nigeria)

This draft resolution illustrates two principles: the first manifesting the deep concern of the international community against apartheid as an attack on the dignity of man, and the second demonstrating the obligation of the international community to assist the struggling people of South Africa to end apartheid.

This draft resolution contains 19 preambular paragraphs and 20 operative paragraphs. In the preambular paragraphs it recalls relevant resolutions of the General Assembly and the Security Council calling for concerted international action to force the racist régime to eliminate apartheid. It further expresses concern over the breaches of peace and the threat to international peace and security resulting from the escalation of violence against the oppressed people of South Africa by the régime. On the fortieth anniversary of the General Assembly this draft resolution is meant to reaffirm not only support for the struggle of the people of South Africa for the exercise of their inalienable right to self-determination and the establishment of a democratic and non-racial society but also to reaffirm the conviction that comprehensive and mandatory sanctions universally applied would be the most appropriate and effective peaceful means by which the international community can assist the legitimate struggle and discharge its responsibilities for the maintenance of international peace and security.

In its operative paragraphs the draft resolution condemns the racist régime for the brutal oppression, repression and violence that it is committing against the people of South Africa on a daily basis, its illegal occupation of Namibia and its repeated acts of aggression, subversion, terrorism and destabilization against independent African States. While declaring that the United Nations and the international community have special responsibilities to assist the people of South Africa, the draft resolution once again calls on the Security Council to apply comprehensive and mandatory sanctions against South Africa, while at the same time

(Mr. Garba, Nigeria)

requesting all States that have not yet done so to adopt legislative and/or other comparable measures to ensure the total isolation of South Africa.

The second draft resolution, contained in document A/40/L.27, entitled "Situation in South Africa and assistance to the liberation movements", reflects the danger and the gravity of the situation in that country. In its preambular paragraphs it recalls the many resolutions adopted by the General Assembly and the Security Council culminating in Security Council resolution 569 (1985) of 26 July 1985 in which the Security Council demands, inter alia, the cessation of the uprootings, relocation and denationalization of the indigenous African people and demanding the immediate lifting of the state of emergency. In its operative paragraphs it strongly condemns the illegitimate minority régime, again proclaims full support for the liberation movements of South Africa, commends the massive united resistance of the oppressed people of South Africa and reaffirms the legitimacy of their struggle. It further appeals to all States, intergovernmental and non-governmental organizations, anti-apartheid and solidarity movements, trade unions, religious bodies, student and other public organizations, city and local authorities and individuals to provide increased political, economic, educational, legal and other humanitarian assistance to the national liberation movements of South Africa to exercise their right of self-determination.

On the occasion of this fortieth anniversary of the United Nations, this draft resolution reaffirms that only the total eradication of apartheid and the establishment of a non-racial democratic society based on majority rule, through the full and free exercise of adult suffrage by all the people in a united and unfragmented South Africa can lead to a just and lasting solution of the explosive situation in South Africa.

(Mr. Garba, Nigeria)

The third draft resolution, entitled "World Conference on Sanctions against Racist South Africa", contained in document A/40/L.28, calls for the convening of a world conference so that the international community can in all seriousness consider measures that it can take in the absence of the Security Council's decision to apply economic and mandatory sanctions against South Africa. In its preambular part, the draft resolution takes note of the decision adopted by the Organization of African Unity and of the statement made by the Chairman of that Organization on 21 October 1985 for the convening of the world conference on sanctions against South Africa. If the Assembly adopts the decision, the Special Committee against Apartheid, in co-operation with the Organization of African Unity, will undertake the responsibility of organizing the conference, and as Chairman of that Committee I request the full co-operation of all Member States.

In my statement to the General Assembly introducing agenda item 35, I reviewed in detail the situation in South Africa, and the threat to peace and security that apartheid represents, not only to its internal population but to its neighbours, to the continent of Africa and to the international community.

Let me underscore the seriousness of the situation in South Africa and the need for concerted international action. Since September last year, the world has witnessed the brutality of apartheid that has resulted in the imprisonment and detention of many peaceful leaders, and the death of approximately 1,000 people, including women and children.

The black majority in South Africa are today watching the voting screen in this Assembly with greater attention and apprehension. It will be a disservice to their valiant struggle were the General Assembly to ignore the fundamental political objectives of this Organization and descend to subsidiary and undignified quibbles on technicalities.

(Mr. Garba, Nigeria)

In conclusion, Member States are already aware that these draft resolutions are the product of intensive and extensive consultations. It is my hope that the General Assembly will act in concert, with unity and wisdom, and thus send a clear signal to the illegal minority régime that time has indeed run out for apartheid.

Mr. BIERRING (Denmark): It is a special honour for me to introduce this afternoon this year's draft resolution on concerted international action for the elimination of apartheid contained in document A/40/L.40.

A similar draft resolution was for the first time submitted last year as the result of a joint effort by Western - including the five Nordic - and African countries and with the aim of rallying the broadest possible support of the international community without which the endeavours of this Organization to eliminate apartheid will not succeed. Also this year we have had constructive and fulfilling co-operation among the sponsors, for which I wish to express my heartfelt thanks on this occasion.

The draft has this year been brought up to date in the light both of developments within South Africa and of the rapidly increasing number of national, regional and other measures that have been introduced against the apartheid policy of South Africa.

(Mr. Bierring, Denmark)

Thus the state of emergency in South Africa, as well as the killings, the arbitrary mass arrests and the detention of members of mass organizations and individuals, are reflected in the draft resolution. These developments have given rise to considerable concern in the international community and increase the need for urgent and concerted international action to put pressure on South Africa to abolish the apartheid system. Thus the sponsors of the resolution have fully taken into account the growing threat to regional stability and international peace and security resulting from the continued oppression of the majority population in South Africa.

The draft specifically demands that the authorities of South Africa release immediately and unconditionally all political prisoners and initiate without pre-conditions a political dialogue with genuine leaders of the majority population with a view to dismantling apartheid without delay and establishing a representative government.

Our acknowledgement of the continued need for assistance both to the oppressed people of South Africa and to the neighbouring States is reflected in appeals to increase humanitarian, legal and educational assistance to the victims of apartheid as well as assistance to the front-line States and other members of the Southern African Development Co-ordination Conference (SADCC).

While continuing to favour effective mandatory sanctions by the Security Council the draft resolution, pending such action, contains appeals to increase the pressure on the apartheid régime of South Africa by implementing a large number of voluntary measures. Those have been carefully selected, taking into account not only what has already been decided by various countries and groups of countries, but also what the sponsors regard as necessary complementary action to widen the scope of the international efforts.

(Mr. Bierring, Denmark)

This year the sponsors have also been guided by the desire to ensure the broadest possible consensus in the international community on ways and means finally to convince South Africa of the need to dismantle apartheid without delay.

It is in the spirit of a concerted approach with a view to a peaceful solution and in the light of the urgent need for joint international action that we recommend this draft resolution for adoption by the General Assembly.

Mr. KRISHNAN (India): On behalf of all the sponsors, I have the honour to introduce for consideration and adoption by this Assembly the draft resolution on the policy of apartheid of the Government of South Africa entitled "Public Information and Public Action against Apartheid" in document A/40/L.29.

We note with dismay that we are no nearer to the objective declared almost four decades ago, to eradicate the evil of apartheid. In fact one of the darkest and most shameful chapters of history is being enacted by the illegal South African régime, which is unleashing with savage ferocity a criminal system of organized brutality and terror on millions of innocent men, women and children.

At the same time, we are inspired by the spirit of defiance, courage and heroism of the people of all backgrounds - African, Asian and even European - in the struggle against the monstrous evil of racism for a future in which all the people, irrespective of race, colour or creed may live together in peace and harmony. Their growing unity in struggle has left the minority régime in considerable disarray and will eventually bring it down. But the violence and bloodshed will continue unless there is urgent and decisive international action against the racist régime in support of the people's struggle.

The power of knowledge must be effectively directed against the apartheid régime. People all over the world must be informed of the horrors of the apartheid system. It is essential that the international community be kept fully informed

(Mr. Krishnan, India)

about developments in South Africa by a continuous exposure of the régime's brutality and inhumanity.

The press censorship imposed by the racist régime must be overwhelmingly condemned by all those who cherish the concept of the freedom of the press and the right to inform. The news black-out places an even greater responsibility on the international information media. They must rise above the politics of ideology and become the torch bearers of humanity, of freedom and of justice. They must arouse the conscience of the peoples throughout the world and thereby ensure international action against the apartheid régime.

The text of the draft resolution requires no elucidation. Public information and involvement can be used as a very effective means in the struggle for the elimination of apartheid. The resolution seeks to promote that by a wider dissemination of information on the evils of apartheid. In that task, the Department of Public Information and all United Nations offices and agencies should co-operate fully with the Special Committee and the Centre against Apartheid. The resolution appeals to all Governments, information media, non-governmental organizations, intellectuals and other public leaders and, indeed, all individuals to join in this effort to arouse the conscience of the world against apartheid and to intensify further the international campaign for the release of Nelson Mandela, Zephania Motopeng and all South African political prisoners and detainees. There is also a renewed appeal for more generous contributions to the United Nations Trust Fund for publicity against apartheid.

On behalf of the sponsors, including my own delegation, I express the sincere hope that the draft resolution will receive the unanimous support of all the delegations present, representing countries which cherish freedom, equality and human dignity.

Mr. HAMRA (Sudan) (interpretation from Arabic): My delegation is pleased to present draft resolution A/40/L.30 concerning relations between Israel and South Africa under item 35, the Policies of Apartheid of the Government of South Africa.

I do not wish on behalf of sponsors to delve at this stage into an enumeration of the negative implications of the broadening of the relationships between Israel and South Africa. That aspect is contained in the report of the Special Committee Against Apartheid that has already been submitted to this Assembly.

The draft resolution before the Assembly states that the General Assembly reaffirms its previous resolutions on this issue and notes with appreciation the efforts of the Special Committee to expose the increasing and continuing collaboration between Israel and South Africa. It also reiterates that the increasing collaboration, especially in the military and nuclear fields, is in defiance of resolutions of the General Assembly and the Security Council and is a serious hindrance to international action for the eradication of apartheid; it is also an encouragement to the racist régime of South Africa to persist in its criminal policy of apartheid. It constitutes a hostile act against the oppressed peoples of South Africa and the entire African continent and poses a threat to international peace and security.

(Mr. Hamra, Sudan)

In the operative part, the General Assembly commends the Special Committee against Apartheid for publicizing the growing relations between Israel and South Africa, condemns such collaboration in the military and nuclear fields, and demands that Israel desist from collaboration with South Africa forthwith and abide scrupulously by the relevant resolutions of the General Assembly and the Security Council.

The draft resolution calls upon all Governments and organizations to influence Israel to refrain from such collaboration. It also requests the Special Committee to continue to publicize, as widely as possible, information on relations between Israel and South Africa, and again requests the Secretary-General to render all possible assistance to the Committee in this respect.

The Assembly further requests the Special Committee to keep the matter under constant review and to report to the General Assembly and the Security Council as appropriate.

My delegation, since it has introduced the draft resolution, wishes to confirm that the support of member countries will have positive implications for our common efforts aimed at the eradication of the hideous apartheid régime.

The PRESIDENT (interpretation from Spanish): I now call on the representative of Burundi who will introduce draft resolution A/40/L.31.

Mr. BWAKIRA (Burundi) (interpretation from French): I have the honour to introduce draft resolution A/40/L.31 entitled "Policies of Apartheid of the Government of South Africa" and "Programme of Work of the Special Committee against Apartheid", on behalf of the following sponsors: Afghanistan, Algeria, Angola, Benin, Burkina Faso, Cameroon, Chad, Comoros, Congo, Cuba, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Iran (Islamic Republic of), Iraq, Lebanon,

(Mr. Bwakira, Burundi)

Liberia, Madagascar, Mali, Mauritania, Mauritius, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Papua New Guinea, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Sudan, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Tanzania, Zaire, Zambia, Zimbabwe and my country, Burundi.

The essence of this draft resolution comes from the relevant report of the Special Committee against Apartheid, reference to which is made in the sole preambular paragraph. As members present here will recall, all speakers expressed their satisfaction with the praiseworthy work of this Committee during the debate on the question of apartheid and encouraged it to intensify its activities given the aggravation of the situation in South Africa, which continues to concern the international community.

By adopting the operative part of the draft resolution, made up of five paragraphs, the General Assembly, paying tribute to the work of the Special Committee against Apartheid, will seek to ensure the implementation of its programme of activities as contained in paragraphs 400 to 404 of its report. In operative paragraph 1, the General Assembly will commend the Special Committee against Apartheid for its efforts to promote concerted international action in support of the legitimate aspirations of the oppressed people of South Africa and in implementation of the relevant resolutions of the United Nations.

In operative paragraph 2 the General Assembly will endorse the recommendations of the Special Committee contained in paragraphs 400 to 404 of its report relating to its programme of work and activities to promote the international campaign against apartheid. By adopting operative paragraph 3, the General Assembly will authorize the Special Committee to organize or co-sponsor conferences, seminars or other events or missions of information or campaigns against apartheid within the

(Mr. Bwakira, Burundi)

financial resources allocated under this resolution and will authorize the Secretary-General to provide the necessary staff and services for these activities which, as all speakers stressed during the debates on this question, are of great importance in eradicating apartheid, one of the main objectives of our Organization.

In operative paragraph 4 the General Assembly decides to make a special allocation to the Special Committee for 1986 of \$US 500,000 from the regular budget of the United Nations, to finance its special projects.

The sponsors of this draft resolution, stimulating in this way the awareness of international opinion and of Governments and international companies which are envisaging the application of limited sanctions or disinvestment measures against the apartheid régime, consider that these additional means will enable the Committee to intensify its activities in order to increase international awareness so as to eliminate as soon as possible the inhuman system of apartheid, whose survival is a shame for mankind.

Finally, in the last paragraph, the General Assembly again requests Governments and organizations to give their support, particularly financial, to the work of the Special Committee.

The sponsors of this draft resolution hope that it will be adopted by consensus, thus testifying to the importance which the international community attaches to the elimination of the hateful system of apartheid.

The PRESIDENT (interpretation from Spanish): I now call on the representative of Barbados to introduce draft resolution A/40/L.32.

Mr. MAYCOCK (Barbados): I have the honour, on behalf of the 61 sponsors, to introduce the draft resolution in document A/40/L.32.

(Mr. Maycock, Barbados)

I must say from the outset that the draft convention annexed to draft resolution A/40/L.32 is the result of good will and of persistence. Despite differing concerns and, in some cases, conflicting interests, the members of the Ad Hoc Committee constantly kept in mind the ultimate objective of the exercise and co-operated to produce this final draft.

The draft convention seeks, in draft articles 3, 4, 5 and 6, to establish certain obligations for States parties in respect of their own nationals, all aimed at discouraging and/or preventing sports contacts between their nationals and apartheid sport.

(Mr. Maycock, Barbados)

In draft articles 7 and 8 and paragraph 3 of draft article 10, States parties are required to take action aimed at the isolation of apartheid sport. Draft article 9 and paragraphs 1, 2 and 4 of draft article 10 envisage collective action on the part of States parties in the event that apologists for and supporters of apartheid sport seek to negate the aims and objectives of the draft convention. Draft articles 11, 12, 13 and 14 address the operation of the commission against apartheid in sports, which is expected to play a significant role in ensuring proper implementation of the provisions of the draft convention. The final provisions, in draft articles 15 through 22, conform with current practice. I think it only fair to make the point that the draft convention conforms in large measure with current practice in the ongoing campaign against apartheid sports. States parties will not be called upon to impose draconian measures on their citizens, and measures to be taken against non-citizens have been carefully and clearly defined. I think it is also important to note that the Ad Hoc Committee did not want to pre-empt the functioning of the international commission and therefore left the establishment of rules and procedures to the commission itself. It was clear, however, that the general feeling in the Ad Hoc Committee was that the commission would best perform its duties by reaching decisions on the basis of consensus.

The draft resolution contains eleven preambular and five operative paragraphs. The preambular paragraphs recall previous General Assembly resolutions and the International Convention on the Suppression and Punishment of the Crime of Apartheid; emphasize the special responsibility of the United Nations to eliminate apartheid and racial discrimination in sports and in society; reaffirm unqualified support for the Olympic principle of non-discrimination in sports and the necessity of ensuring the continuation of the boycott of apartheid sport; commend the Special Committee against Apartheid for its efforts to isolate apartheid sport and in

(Mr. Maycock, Barbados)

particular for the publication of the Register of Sports Contacts with South Africa; and commends sports bodies, teams and individuals that have denounced sports contacts with South Africa. The preambular paragraphs also express the conviction that the international convention will be an important instrument in the campaign to isolate apartheid sport.

Operative paragraph 1 would have the General Assembly adopt and open for signature and ratification the international convention against apartheid in sports.

Operative paragraph 2 appeals to all States to sign and ratify the convention as soon as possible.

Operative paragraph 3 requests all Governments and intergovernmental and non-governmental organizations to disseminate the text of the convention as widely as possible.

Operative paragraph 4 requests the Secretary-General to ensure urgent and wide circulation of the text of the convention.

Operative paragraph 5 commends the efforts of the Special Committee against Apartheid and requests it to continue to publish the Register of Sports Contacts with South Africa until the establishment of the commission against apartheid in sports.

It is particularly timely, I believe, that we have been able to reach agreement on the draft convention at this stage when the evil system of apartheid is under such diverse pressure. Let us hope that this draft convention, when adopted by the General Assembly, will help to make a significant contribution to the early demise of that system. Of course, it would also be appropriate, to my mind, for the draft convention to be adopted by the General Assembly during the current session, which is also the fortieth anniversary of the United Nations.

(Mr. Maycock, Barbados)

I should like to express my gratitude to the members of the Secretariat, to the members of the Working Group, as well as some very active and articulate observers who attended the meetings of the Working Group, and particularly to the officers of the Committee for the unstinting support which they provided during the year.

I commend draft resolution A/40/L.32 to the General Assembly for favourable consideration.

Mr. HALINEN (Finland): On behalf of the sponsors, I have the honour to introduce draft resolution A/40/L.39, on the United Nations Trust Fund for South Africa.

The main objective of the United Nations Trust Fund for South Africa, which the General Assembly established in 1965, is to alleviate the suffering caused by the policy of apartheid of the Government of South Africa and to assist the victims of apartheid. The Fund is made up of voluntary contributions from States, organizations and individuals. Since its inception the Trust Fund has been able to give assistance to the following purposes: first, legal assistance to persons persecuted under the repressive and discriminatory legislation of South Africa; secondly, relief to such persons and their dependants; thirdly, the education of such persons and their dependants; fourthly, relief for refugees from South Africa; and, fifthly, relief and assistance to persons persecuted under the repressive and discriminatory legislation in Namibia.

The fight against apartheid is one of the few issues on which the international community stands united. We are gravely concerned about the imposition of the state of emergency, the widening repression and the growing number of political trials and detentions and the harsh sentences, including the death penalty, imposed on opponents of apartheid. Increased humanitarian assistance to those persecuted under the repressive and discriminatory legislation

(Mr. Halinen, Finland)

is essential. The international community has responded positively to the growing need for such assistance. However, there is a continuing need for contributions and we are appealing to all Member States to contribute generously to the Trust Fund. Furthermore, the sponsors hope that the General Assembly will again this year demonstrate its solidarity with the victims of apartheid by adopting this draft resolution unanimously.

The PRESIDENT (interpretation from Spanish): I shall now call on those representatives who wish to explain their vote before the voting on any or all of the nine draft resolutions. Representatives will also have an opportunity to explain their vote after all the votes have been taken.

I should like to remind the Assembly that, under rule 88 of the rules of procedure, the President shall not permit the proposer of a proposal or of an amendment to explain his vote on his own proposal or amendment.

I also remind representatives that statements in explanation of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. ENGO (Cameroon): We feel compelled by the pressing imperatives of this historic moment to explain the perspectives that condition our voting on issues relating to southern Africa. If only the draft resolutions presented by a number of African States and friends had been before the Assembly, I would not have spoken, but, looking at the whole spectrum of draft resolutions that have been placed before the General Assembly, we feel obliged to explain the perspectives from which we see the problems.

(Mr. Enco, Cameroon)

We shall vote, of course, for the overall draft resolutions because, politically as well as in the nature of things, we do not have much choice. The single option presented to us constitutes a bully by circumstance; indeed a bitter pill to swallow.

Once again we are assembled here stirred by yet another illusion of triumph to adopt more draft resolutions that define our incapacities and the scope of our unwillingness to address the central issues in southern Africa. We seem to anticipate satisfaction that our labour is done and therefore that the sacred duty performed by the mere adoption of resolutions. We fail to address the worthlessness or the worthiness of the diatribe that led to draft resolutions that we cannot adopt unanimously or by consensus, in which we spoke at instead of to one another and accused one another of not moving far enough. Instead of encompassing a review and a debate on critical issues, our endeavours were characterized by attempts to apportion blame to others, the powerful accusing the weaker nations of impatience, of lack of understanding and of mounting the tyranny of the powerful majority; the weak, in return, accusing them of hypocrisy and indifference. In some instances there was a hint of racism, each side embracing self-righteousness at its most obvious and ridiculous.

In this process we have all failed to use the facilities of this universal body as a centre for the harmonization of the action and even the perspectives of States. Instead, we have tended to convert this Organization into a centre for fanning the flames of disharmonism.

If these conditions were simply academic we would disregard the arrogance, the undesirable generalizations, the cries of frustration. But, no, these diversionary passions have successfully diverted our collective efforts from the noble role of seeking the firm arrest of conditions of war and destruction, of death and suffering, of doors being steadily shut to possibilities for freedom, to

(Mr. Engo, Cameroon)

fundamental freedoms, to the right to life and to a decent living, to the opportunity for peoples to live in peace, rid of oppressive racist forces, to a rational definition of the true meaning of the sufferings and the potential explosion in that subcontinent.

We therefore vote without contentment of heart. In a commemorative year we would have expected resolutions which declare our joint resolve to save generations of our brothers and sisters in southern Africa from the scourge of injustice, oppression, deprivation, death and destruction. Let us not be railroaded helplessly year after year into repetitive declarations which spell out the scope of our own indifference. Let us curse one another in our speeches to soothe the passions we nurture within ourselves. But, when we declare or adopt our resolutions, let us ask or first determine their worth; let us ourselves ask the granting of that which we seek for ourselves in truth. If we fail to do this, we serve the gratification of the oppressors, not their victims, in southern Africa.

As we approach this festive season of Christmas, the Christian world, including supposedly the South African racists and those who find cause to show them complaisancy or support, unites to sing praises to God for sending down a Man of peace - Jesus. We chant hymns of adoration, wishing for peace on earth, good will to men. We express gratitude to God for our so-called liberty in a world enslaved by institutionalized barbarism of the spirit, at a moment in history when cruelty, murder and injustice find full gratification in the actions and passions of man. Those in whose hands history has put batons of contemporary power fail to safeguard the imaginations of the great among their ancestors, defeating values claimed and the promise held out to the present generations of peace, security and progress in development. Our lives are littered with unfulfilled hopes.

While the hypocrisy and the commercialization of Christmas persist, some frightening and lamentable prophecies of many a great writer are fulfilled in the

(Mr. Engo, Cameroon)

realities of the black man's predicament in southern Africa. The prophecy of Tennyson, who sighed: "Ah, what shall this world be at 50, if the world is so bad when I am but 25?". That of Shakespeare who, through the mouth of Mark Antony, predicted in similar circumstances,

"That mothers shall but smile when they behold,

Their infants quartered with the hands of war". (Julius Caesar, III:i)

Those circumstances were such that "Blood and destruction shall be so in use, and dreadful objects so familiar".

We should take a look at the films of mounting civil strife in South Africa today and see how indeed mothers are but smiling at the heroic sacrifice and death of the young, who find no comfort in this type of imposed peace.

We should take stock of our attitudes and our responses to the atrocities designed in Pretoria. For while we show arrogance of power; while we call names, selectively or collectively; while we call for resolutions we know well we cannot all participate in supporting; while we adopt obstructive measures to prevent a consensus on effective action in forums established under the United Nations Charter; while we shout at one another instead of reasoning and talking with sobriety and humility to one another, blood, human blood, flows senselessly. We owe it to ourselves, to our Charter and to generations to come to present a better record of concern and commensurate action.

We cannot cease to appeal to the great Powers of this age to use their privileged circumstances to end the torture and death that haunt the conscience of our generation. The two super-Powers raised hopes by their recent summit meeting in Geneva in this commemorative year. We ask them to meet the aspirations to disarmament and peace in southern Africa. We would vote with them and the developed and developing countries to launch a new and effective programme for lasting peace and security in the area.

(Mr. Engo, Cameroon)

International public opinion is already mobilized against the evils of apartheid. Governments and legislatures are instituted to implement the wishes of their people. We ask them to do this now. The future is distant and will bring medicinal peace when it is too late for good race relations.

We shall not vote for anything that has not improved the lot of our peoples in the past. We ask that our vote be judged in the light of our perspectives. Let us translate the expressions of resentment and emotions of frustration into a forward march - indeed a new movement to establish and maintain conditions of lasting peace and security in southern Africa.

Mr. PHILIPPE (Luxembourg) (interpretation from French): During the debate on the policies of apartheid of the South African Government the 10 member States of the European Community, Spain and Portugal, whole-heartedly condemned the apartheid régime in South Africa. Therefore our attitude should not give rise to the slightest ambiguity for our objective is the total dismantling of apartheid and its replacement by a system of government based on the principles of representative democracy. Consequently, we regret that some of the wording of the report of the Special Committee against Apartheid (A/40/22), calls into question our determination to make a contribution to the abolition of apartheid, and gives an incorrect picture of our common position. We feel that the United Nations has a primary role to play in eliminating the inhuman system of apartheid.

(Mr. Philippe, Luxembourg)

The debate has shown that the Assembly's opposition to apartheid is unanimous. It seems to us, therefore, that an effort should have been made to reflect this general opposition more faithfully in texts that could be approved by all members. We regret that once again elements of disagreement alien to the debate have been retained in some of the texts.

The Ten and Spain and Portugal believe that, in accordance with the division of competence between the General Assembly and the Security Council, as laid down by the United Nations Charter, only the Security Council is empowered to adopt decisions binding on Member States. We wish to state again, moreover, that universality is one of the fundamental principles of the United Nations, and we cannot accept its being called into question. The universal character of the specialized agencies and the provisions of their rules should also be respected.

Although we understand the despair of the people of South Africa, and even if the persistence of the system of apartheid might lead some to think that only armed struggle can put an end to the system, we remain convinced that a process of peaceful change is still possible there and that the United Nations has the obligation to promote such a process, in accordance with the Charter. For that reason, we cannot agree that resolutions adopted by the General Assembly should endorse the use of force.

The Ten and Spain and Portugal do not believe that the situation in South Africa is a problem of decolonization. Our opposition to apartheid aims at the establishment in South Africa of a multiracial, free and democratic society.

We cannot support the calls for the breaking of all relations with South Africa, because isolating it would be contrary to the goal sought by the Assembly: the total elimination of apartheid. Channels of communication with South Africa must remain open in order to enable the outside world to maintain and increase its

(Mr. Philippe, Luxembourg)

pressure on the South African Government for the establishment of a free and democratic society, without any racial oppression.

The Ten and Spain and Portugal remain faithful to the Olympic ideal of non-discrimination, and they reject all forms of apartheid in sports. They recall, however, that sports activities are organized in their respective countries on private initiative. The sports organizations there are aware of the opposition by Governments to sports competitions that violate the Olympic ideal. The Governments of the Ten and Spain and Portugal continue firmly to discourage all sports contacts that have any implication of racial discrimination, out of their respect for the fundamental rights of their citizens.

The Ten and Spain and Portugal reject all arbitrary and unjustified attacks, whether by name or implicitly, on Member States or groups of countries.

The Ten and Spain and Portugal regret that, for the reasons I have just stated, they will not be able to vote in favour of all the draft resolutions submitted under this agenda item. They repeat their commitment to act collectively and individually to exert pressure on the South African Government to induce it to put an end to the system of apartheid and to introduce the basic changes demanded by the international community.

Mr. TELLMANN (Norway): I have the honour to make a statement in explanation of vote on behalf of the five Nordic countries: Denmark, Finland, Iceland, Sweden and my own country, Norway.

The Nordic countries have consistently condemned the apartheid policy of the South African Government as a violation of fundamental human rights as laid down in the United Nations Charter and the Universal Declaration of Human Rights. In the view of the Nordic countries, apartheid also constitutes a serious threat to international peace and security. Consequently, the Security Council should adopt

(Mr. Tellmann, Norway)

mandatory sanctions against South Africa as a means to achieve the peaceful abolition of apartheid.

Pending such sanctions, the Nordic countries hold the opinion that individual countries should adopt unilateral measures in order to increase the pressure upon the Government of South Africa to abolish apartheid. For that reason the Nordic Foreign Ministers, at their meeting in Oslo on 17 and 18 September this year, adopted an extended Nordic Programme of Action against South Africa, which has been circulated as document A/40/784.

In essence the extended programme contains measures to increase the pressure on South Africa both through action by the United Nations - in particular the Security Council - and through further national measures. An increasing number of unilateral measures are introduced in order to put pressure on South Africa. These measures are aimed at further isolating the apartheid régime in the fields of sports, culture and science and at reducing trade and other commercial links with South Africa. Furthermore, the Nordic countries have decided to increase humanitarian assistance to refugees and liberation movements as well as development assistance to the front-line States and the Southern African Development Co-ordination Conference (SADCC).

The Nordic countries agree with the main thrust of the draft resolutions. Regrettably, some of them continue to raise difficulties concerning important questions of principle. I shall briefly describe them:

First, the Nordic countries consider universality as a basic principle with respect to the United Nations organizations and we cannot, therefore, accept any formulation that in one way or another seems to put this principle in doubt.

Secondly, peaceful solutions to conflicts is a fundamental principle of the Charter of the United Nations. Therefore, we cannot accept endorsement by the United Nations of the use of armed struggle.

(Mr. Tellmann, Norway)

Thirdly, the Nordic countries deplore the continued practice of selectively singling out individual countries and groups of countries as responsible for the policies pursued by the South African Government. This practice - most evident in the draft resolution (A/40/L.30) on relations between Israel and South Africa - makes it all the more difficult to achieve international consensus in the struggle against apartheid.

Fourthly, because of the strict adherence of the Nordic countries to the provisions of the Charter, we must reserve our position with regard to formulations which fail to take into account the fact that only the Security Council can adopt decisions binding on Member States.

Fifthly, the implementation of some of the draft resolutions would encroach upon the constitutional freedoms and rights of Nordic citizens and private organizations. This applies in particular to the proposed International Convention for the Prevention of Apartheid in Sports. In view of the strict and active policy of the Nordic countries against sports contacts with South Africa, the Nordic countries regret that they cannot endorse the draft convention.

The situation in South Africa has deteriorated further. Hundreds of people have lost their lives during the past year, and hundreds of political opponents have been detained. Without fundamental political reforms in South Africa, leading to the eradication of apartheid and the establishment of a democratic society, a further escalation of violence seems inevitable. The responsibility for this situation rests with the South African Government, but the world community cannot remain indifferent to the suffering of the people of South Africa. The world community must continue to voice its condemnation of apartheid and strive to agree on concrete steps to promote a free and democratic society in South Africa.

Mr. LEGWAILA (Botswana): The harsh geopolitical circumstances in which we find ourselves today in southern Africa, compounded by the equally harsh realities of history, make it impracticable for Botswana at this stage of its economic development to participate in any meaningful way in the imposition of comprehensive mandatory sanctions against South Africa. We are therefore constrained to reserve our position on any paragraph in the draft resolutions under consideration which seeks the imposition of economic sanctions against South Africa.

(Mr. Legwaila, Botswana)

But, lest our position on sanctions be misconstrued, allow us to set the record straight. While we value highly international sympathy for our predicament, we should not be understood to wish that those who enjoy the comfort of distance and whose fates are not so closely linked with that of South Africa should seek refuge behind that sympathy by opposing sanctions against South Africa ostensibly for our sake. They should not use our predicament to conceal their true intentions towards South Africa and to shed their responsibilities. We are not opposed to sanctions, even if the necessity of their imposition against a South Africa which violently refuses to listen to reason puts the fear of God into us. We are none the less prepared to suffer the consequences if in the end a new South Africa could be brought into being with the barest minimum of violence. In other words, we fear more the consequences of perpetual violence in South Africa than the transitory dislocations of economic sanctions.

Mr. JOFFE (Israel): Our revulsion and opposition to apartheid has been expressed often and in many forums by Israel's representatives and our leaders. Because of our moral origins we, as Jews, have always identified with the sufferings of others, and foremost of all with the victims of slavery and racial discrimination. Our identification with the blacks suffering today under apartheid is also the result of our historical experience in the two millennia since the period of our prophets. We suffered in our exile incomparable oppression, degradation, humiliation, mutilation and butchery at the hands of others, culminating in the holocaust, in which six million of our brethren were burned in the ovens of nazism.

In commemoration of the fortieth anniversary of the liberation of the Auschwitz death camp the Secretary-General of the United Nations has officially opened, today at 5 p.m., an exhibition in the General Assembly public lobby.

(Mr. Joffe, Israel)

Israel's genuine affinity with the struggle of blacks is what led us to share our newly found experience in nation-building with the newly independent African States.

The false accusation of Israel supporting apartheid is not an ordinary trampling of the truth. It is propagated by the worst offenders in history against the rights of blacks: by the Arab slave-traders. According to Livingstone, the number of Africans who were captured, killed or exported during the four and a half centuries of the slave trade amounted to 120 million.

The same distortion and hypocrisy characterize the discussion about Israel's attitude towards South Africa. We are accused of conducting massive trade with South Africa and we are singled out as if we have a unique co-operation with Pretoria. Until recently, the Arab States enjoyed immunity from public exposure of their trade with South Africa. There was a kind of conspiracy of silence in the international community to shield the truth. While trading in the billions with South Africa the Arabs hurled accusations at others, particularly at Israel, for the practices they themselves were involved in up to their necks. Arab oil exports to South Africa reach about \$2.2 billion per year. Supportive documentation and evidence have been presented by us in the plenary meetings and in the various committees describing sophisticated methods of camouflage and oil-blending. It is time now to tear off the mask of Arab hypocrisy.

We note with interest the new operative paragraph 20 of draft resolution A/40/L.26, which states:

"Further requests the Special Committee to keep the matter of collaboration between South Africa and Israel and between South Africa and any other State under constant review...".

Apartheid is too great an evil to be cynically manipulated as a tool of obsessive hatred for Israel. Racism is indivisible; so is the battle against

(Mr. Joffe, Israel)

apartheid. Unity and common effort is the order of the day.

All the various draft resolutions related to item 35 should have been adopted by consensus. Only consensus can give them the moral and international support that the fight against apartheid deserves. Unfortunately, the virulent campaign of defamation and slander, false accusation and singling out makes it impossible to reach this goal. Rather than a united stand in this United Nations, we will once again witness the negative votes and the abstentions with which we have all become familiar.

Sir John THOMSON (United Kingdom): As the representative of Luxembourg, speaking on behalf of the members of the European Community, has already expressed views shared by my Government, I need comment only briefly on the reasons why the United Kingdom will not be able to support most of the draft resolutions before the Assembly.

Four of the draft resolutions concern themselves with the application of mandatory sanctions against South Africa. My delegation's views on the matter were explained with great care in our statement during the plenary debate on apartheid. For us, the essential question is whether mandatory sanctions would be an effective means of achieving the common objective of dismantling apartheid or whether they might have the reverse effect of consolidating support for apartheid. No one can answer these questions with certainty. Those who claim that they know that mandatory sanctions will bring down apartheid should consider the history both of sanctions and of South Africa. Some who have studied those histories argue, nevertheless, that mandatory sanctions should be tried in case they work. I can understand that, but I ask them to understand that we are concerned that they will work the wrong way. A close study of the evidence of history and of the circumstances of South Africa leads us to that conclusion. Far from hastening the end of apartheid, mandatory sanctions would probably delay it. Therefore we do not vote for them.

(Sir John Thomson, United Kingdom)

In October and November, in this very hall, the nations of the world devoted seven working days and 200 speeches to a discussion of sanctions against South Africa. Non-governmental organizations gave their views in the Special Political Committee. The Fourth Committee gave its views. The pattern will be repeated next year. The Security Council confers frequently on this subject, again with many speakers. Accordingly, we see expensive duplication in the proposal in draft resolution A/40/L.28/Rev.1 for a World Conference on Sanctions against Racist South Africa. What will be said and done there that is not already said and done here many times over? Is it the task of the United Nations to reproduce in an endless series of gilded mirrors the work of the United Nations?

There is a host of causes, many of them in Africa, where there is a grave need for United Nations action to help those in distress. If there is any spare cash, it should go for that sort of cause. We should not be spending \$900,000 or more on expensive travel and luxury hotels to discuss a subject which is properly and almost continuously discussed in this building.

We very much regret that the Special Committee against Apartheid has failed to heed the swelling chorus of disapproval which has been heard in this Assembly over the past few years and which will be reflected in the inability of my delegation to approve that Committee's programme of work.

(Sir John Thomson,
United Kingdom)

The report presented to the Assembly this year (A/40/22) is a lamentable example of that tendency. We reject utterly that report's distortion and criticism of the policy of members of the European Community, of the Luxembourg measures, of the visit to South Africa by three European foreign ministers and of the code of conduct for businesses.

Finally, with regard to the proposed draft international convention against apartheid in sports, I reiterate that my Government's attitude is unchanged. For many years now, in accordance with the Gleneagles Agreement with the Commonwealth, we have discouraged sporting contacts with South Africa. However, certain provisions of the proposed convention, notably those which would restrict freedom of movement, are unacceptable to my Government and would infringe the liberties of the individual.

Mr. MAKEKA (Lesotho): My delegation will vote in favour of some of these resolutions because of our revulsion against the inhuman policies of apartheid. However, we shall abstain on those dealing with sanctions, for the simple reason that because of our geographical position we are not in a position to impose sanctions against the apartheid system. We would like to make it very clear that we do not accept to be used as a shield or as a hostage either by South Africa or by any other country to justify inaction against apartheid, which has been declared a crime against humanity.

Mr. McDONAGH (Ireland): The Irish Government's condemnation of apartheid was most recently expressed in our statement on 28 October 1985, in the general debate on this issue. In keeping with the views set out in that statement the delegation of Ireland was pleased to be a sponsor of two of the draft resolutions before us today, A/40/L.39, on the United Nations Trust Fund for South Africa and A/40/L.40, on concerted international action for the elimination of apartheid.

(Mr. McDonagh, Ireland)

Unfortunately, however, we are unable to support all of the draft resolutions under this item, since they contain some formulations and ideas which are not consistent with the approach of my Government to apartheid. I would also say that we share the reservations held in common by the Member States of the European Community plus Spain and Portugal, which have just been set out by the representative of Luxembourg.

I turn first to the draft resolutions which Ireland will support.

My delegation will support draft resolution A/40/L.28/rev.1, dealing with a world conference on sanctions against South Africa. As the Minister for Foreign Affairs of Ireland indicated in his statement to the General Assembly on 27 September this year, Ireland believes that only collective action by the international community as a whole will eventually succeed in persuading those who hold power in South Africa to make the commitment to abandon apartheid. Ireland has frequently indicated in this Assembly and elsewhere that it would favour the imposition of carefully chosen, graduated, mandatory sanctions against South Africa, to be imposed by the United Nations Security Council and to be fully implemented by all. From past experience we know that it is not always easy to achieve results by these means. However, if it is properly handled and carefully directed, we believe that the international pressure we might bring to bear on South Africa in this manner could be made effective.

Ireland will vote in favour of draft resolution A/40/L.29, on public information and public action against apartheid. My Government believes it to be of the utmost importance that information about the abominable practices of apartheid should have the widest possible dissemination. We are deeply concerned at recent restrictions on the press and information media in South Africa in relation to their reporting of the situation there. The plight of political prisoners in South

(Mr. McDonagh, Ireland)

Africa is also of major concern to my Government and we will continue to give our support to all appropriate efforts for their release.

Ireland will vote in favour of draft resolution A/40/L.31, on the programme of work of the Special Committee against Apartheid. Of course our attitude to the recommendations in the report of the Special Committee must be understood in accordance with the general policy of my Government on apartheid, outlined in this and previous statements of our position.

Ireland will abstain on draft resolution A/40/L.27, on the situation in South Africa and assistance to the liberation movements. My delegation would have wished to be able to vote in favour of this draft resolution, which contains so many provisions which we support. However, we cannot accept the explicit endorsement of the armed struggle in this resolution. My delegation has made it clear in the past that we do not wish to see this Assembly endorse violence. Even if we can understand the sense of growing hopelessness and bitter frustration from which such violence may spring, my Government cannot condone it.

Ireland will abstain on draft resolution A/40/L.32, on the international convention against apartheid in sports. We would have wished to be able to support this draft resolution as we have consistently supported the drafting of an international convention on this topic. Ireland supports the principle of non-discrimination in sport. The Irish Government, therefore, will do everything possible to prevent international sporting contacts between Ireland and South Africa and refuse to give financial aid to Irish sports organizations which engage in contacts with South Africa. The Government has also prevented representative South African teams from taking part in sports competitions in Ireland. There is much, therefore, in the draft convention annexed to draft resolution A/40/L.32 which Ireland could support. Regrettably, however, it also contains a number of

(Mr. McDonagh, Ireland)

provisions - for example, article 3, 6 and 10 - which are incompatible with the Irish Constitution.

Ireland will vote against draft resolution A/40/L.28, on comprehensive sanctions against the racist régime of South Africa. There are many elements in this text which do not accord with the approach of my Government to apartheid. Ireland's commitment to the principle of universality of international organizations is well known. We also believe that under a policy of total isolation of South Africa, as called for by this draft resolution, the outside world would have increased difficulty in continuing to monitor the situation of black South Africans. In such circumstances Ireland would have the gravest fears for their welfare, especially in view of the tragic events which the world community has recently witnessed in South Africa. It is our firm belief that the complete severance of all contact with South Africa would only have the effect of abandoning black South Africans to the whim of the South African authorities, who without the reprobation of the international community would be even freer from restraints on their treatment of black South Africans.

As I indicated earlier, Ireland supports the application by the Security Council of selective mandatory sanctions against South Africa. We would have been able to support many of the specific measures itemized in operative paragraph 7 of that draft resolution, which are in accord with our policy on apartheid. We continue to have doubts, however, about the wisdom of calls for comprehensive sanctions at the present juncture. We believe that the right policy for the international community is one of steady and graduated pressure for change through carefully chosen, selective, mandatory sanctions, to be properly implemented by all.

As in previous years, Ireland will vote against the draft resolution on relations between Israel and South Africa, in view of its selective singling out of one Member State of this Assembly for condemnation.

Miss DEVER (Belgium) (interpretation from French): Two months ago, from the General Assembly rostrum, Mr. Leo Tindemans, the Belgian Minister for Foreign Affairs, referred in the following terms to the events which had occurred in South Africa over the previous six months:

"Racial discrimination leads to violent confrontation, with the number of innocent victims running into the hundreds. The threat of civil war looms larger with its train of suffering and misery leading to the economic collapse of half the continent. Like so many others, I, too, should like to appeal, from this rostrum, to the Government of the Republic of South Africa to undertake forthwith the dismantling of apartheid which Belgium condemns unreservedly." (A/40/PV.11, p. 31)

As in every previous year, my delegation had hoped to be able to join unreservedly with the international community in expressing its absolute repudiation of the policy of apartheid and its growing disappointment at the slow and inadequate nature of the measures announced by the South African authorities to put an end to that system.

(Miss Dever, Belgium)

Unfortunately, the draft resolutions before us continue to link the justified condemnation of apartheid with a number of formulae which it is hard for my country to accept. I am referring to those which depart from the peaceful, conciliatory approach which reflects the very essence of our Organization. I am also referring to those which divert the draft resolutions from their major concern, namely, the abolition of apartheid, in order to attack certain countries or abusively introduce the elements of a national political solution, something which can be debated and defined in a democratic context only by the South Africans themselves.

The observations which the Permanent Representative of Luxembourg has just made on behalf of the European Economic Community clearly reflect the views of my delegation. I shall therefore refrain from reverting to all the matters dealt with.

My Government is convinced that the treatment of the question of apartheid and of South Africa's problems must not be influenced by considerations connected with East-West confrontations. If that conviction is really shared by the great majority of Members in our Assembly, the draft resolutions presented to us should have reflected this and should have expressed above all the unanimity which binds us.

My delegation particularly regrets the terms in which the report of the Special Committee described the steps taken by the member countries of the European Community in respect of South Africa. Those measures which recognize and are intended to promote the rights of the majority of South Africa's citizens, restrict freedom of trade in certain sensitive sectors and represent a real warning to the South African authorities. Do they therefore deserve to be dismissed so lightly?

Many Member countries which, for reasons of geography or history, have never had sustained relations with South Africa adopt a resolute attitude in favour of an inflexible approach and comprehensive sanctions against South Africa. My country

(Miss Dever, Belgium)

respects the attitude adopted by such sovereign States, but it expects its own position to be considered objectively from a standpoint which takes into account not merely the past but also and above all the future of all the inhabitants after South Africa has been delivered from the scourge of apartheid. If we are all agreed about the need to eliminate apartheid, there are differences of opinion as to the best way of actually bringing that about.

For the reasons mentioned above, my delegation will vote against draft resolutions A/40/L.26, L.27, L.28 and L.30, entitled respectively, "Comprehensive sanctions against the racist régime", "Situation in South Africa and assistance to liberation movements", "World conference on sanctions" and "Relations between Israel and South Africa". It will abstain on draft resolution A/40/L.31, relating to the Special Committee's programme of work.

It will also abstain on draft resolution A/40/L.32 relating to the International Convention against apartheid in sports. For constitutional reasons, certain clauses of that Convention are clearly impeding its ultimate ratification by the Belgian Parliament. The authorities will continue, however, to discourage sports contacts with South Africa and will continue to ban the entry into Belgium of South African sportsmen and women who wish to take part in sports competitions there.

Belgium's commitment within the context of United Nations action to bring about the abolition of apartheid will lead it to vote for draft resolution A/40/L.29 entitled "Public information and public action against apartheid", as well as for draft resolution A/40/L.40 on international action against apartheid, notwithstanding the serious reservations it has on some of the paragraphs.

Mr. MEESMAN (Netherlands): In the debate on the question of apartheid the views of the Netherlands concerning South Africa's system of institutionalized racial segregation and repression have already been put on record. With regard to the draft resolutions before us, the Permanent Representative of Luxembourg has set forth certain principles to which the Ten, and Spain and Portugal, commonly adhere. We fully endorse that statement.

In our view, the only hope for achieving peaceful and rapid change in South Africa lies in collective action aimed at bringing to bear effective pressure on the Government of South Africa. The Netherlands Government stands ready to contribute to that end. My delegation also firmly believes that, in the final analysis, the successful outcome of our endeavours will be determined by our willingness to translate the existing broad consensus regarding the evils of apartheid into a statement of principles and a programme of action which will have widespread support.

Unfortunately not all of the texts before us seem to have been drafted with this precept in mind. First of all, the Netherlands rejects name-calling and unwarranted criticism directed at one particular group of countries. This can only poison the atmosphere in which the deliberations of this body take place and tends to divert attention from the subject under consideration to other unrelated areas of international rivalry. My delegation also disagrees with some of the other elements in the draft resolutions. Under the Charter of the United Nations we are specifically bound to refrain from the use of armed force and to promote the settlement of disputes or situations which threaten international peace and security by peaceful means. Therefore we cannot endorse expressions of support for the concept of armed struggle. Furthermore, the situation in South Africa does not fit the terminology of decolonization. Hence, the Netherlands regards the African National Congress and the Pan Africanist Congress of Azania as anti-apartheid

(Mr. Meesman, Netherlands)

movements, but we do not recognize them as liberation movements. In this context we wish to express our reservations about the applicability of prisoner of war status under the Geneva Convention of 1949 and the Additional Protocol of 1977.

These considerations apply specifically to the draft resolutions on comprehensive sanctions and on the situation in South Africa and assistance to the liberation movements. We cannot subscribe to the general thrust of the latter draft resolution, which postulates the existence of a colonial situation in South Africa and refers to armed struggle as a legitimate means of addressing South Africa's problems. On the other hand, the Netherlands has on numerous occasions voiced its strong support for a number of the important and concrete demands listed in the draft resolution, such as the unconditional and immediate release of all political prisoners and detainees, including Mr. Nelson Mandela, and the immediate lifting of the state of emergency. These considerations will lead us to abstain.

My delegation finds itself in disagreement with many elements in the draft resolution on comprehensive sanctions, and we shall therefore vote against it. In all probability the total isolation of South Africa and the imposition of comprehensive sanctions would bring about an uncontrollable situation and exacerbate tensions throughout the region, while South Africa's people and those of neighbouring States would be subjected to great hardships. Why should we embark on this extreme course? If we wish to promote a peaceful transition to a non-racial, democratic society in South Africa, there is a whole range of as yet untested selective measures which could be applied in order to bring to bear the required pressure on the South African Government. For these measures to be effective, however, they must be based on mandatory decisions of the Security Council or be applied by a significant number of relevant countries.

(Mr. Meesman, Netherlands)

In our view, some of the measures called for in operative paragraph 7 could lend themselves to such a selective approach. The Netherlands strictly observes the mandatory arms embargo against South Africa established by resolution 418 (1977) and during its membership of the Security Council it initiated the consultations leading to the adoption of resolution 558 (1984), which bans the import of arms from South Africa. Furthermore, my country has consistently advocated the establishment of a mandatory oil boycott against South Africa and, within the context of the European political co-operation procedure, has firmly supported the measures agreed upon with our partners of the Ten to cease oil exports to South Africa.

As we did last year on a similar resolution, we shall vote in favour of draft resolution A/40/L.40, on concerted international action for the elimination of apartheid. In our opinion this draft resolution represents a very welcome effort to combine a number of widely shared principles and concrete measures into a programme for political action designed to attract the broadest possible support. My Government also appreciates that the drafters of the text have deliberately avoided unnecessarily controversial elements in order to preserve the draft resolution's consensus-building potential. The Netherlands whole-heartedly subscribes to the demands formulated in operative paragraph 4.

Operative paragraph 8 fully accords with the Netherlands traditional policy of encouraging the forces of peaceful change in South Africa and alleviating the suffering of the victims of apartheid. In this context it should be mentioned that my Government, during its forthcoming presidency of the Twelve, hopes to contribute to the successful outcome of the meeting between the front-line States and the member States of the European Community which will be convened early next year.

However, our support for this draft resolution needs to be qualified in relation to a few points. Apart from the reservations on the general principles

(Mr. Meesman, Netherlands)

mentioned earlier in my statement, my Government cannot endorse certain aspects of operative paragraph 7, such as subparagraphs (a) and (e). My Government believes that the collective action of the international community to curtail further investments in South Africa could be an important step towards increasing the pressure on that country's Government. For such a measure to be truly effective, however, it must be based on a mandatory decision of the Security Council, or at least enjoy the support of a significant number of countries with economic interests in South Africa.

Also, the Netherlands considers it imperative that South Africa be denied any military nuclear capability. It would have been proper, therefore, to call on South Africa to accede to the Non-Proliferation Treaty or to accept full-scope safeguards on all its nuclear installations. I wish to recall that in September of this year the Ten, together with Spain and Portugal, decided to harmonize their attitude on the prohibition of all new collaboration with South Africa in the nuclear sector.

I shall now turn briefly to some of the remaining draft resolutions. The Netherlands will abstain on draft resolution A/40/L.31, concerning the programme of work of the Special Committee against Apartheid, because of our growing uneasiness at the content of the Committee's report. We deeply regret that the report of the Special Committee against Apartheid contains, even more than past reports, a great deal of unwarranted criticism of a particular group of countries. The 10 member States of the European Community have already reacted in writing to the report's distorted presentation of the common measures taken by the Ten against South Africa.

We also note that the allocation to the Special Committee has been increased in spite of the pressing need for budgetary restraint. My delegation does not favour the convening of a world conference on sanctions against South Africa and

(Mr. Meesman, Netherlands)

will abstain on draft resolution A/40/L.28/Rev.1, concerning this proposed event. As I have explained, the Netherlands has consistently advocated the imposition of selective mandatory sanctions by the Security Council. It seems open to serious doubt, however, that the proposed conference could make a helpful contribution towards that end and would justify the expenditure involved.

In conclusion, the Netherlands will abstain on draft resolution A/40/L.32, on the international convention against apartheid in sports because some provisions of the proposed convention infringe upon certain constitutionally guaranteed freedoms in my country. However, my Government believes that a sports boycott is an effective instrument in international efforts to eradicate apartheid. Accordingly, the Netherlands has introduced visa requirements for South Africans, enabling the Netherlands authorities to bring South African participation in sporting events in the country virtually to a halt.

Mr. McDOWELL (New Zealand): New Zealand's rejection of South Africa's policy of apartheid was stated unequivocally when my Prime Minister spoke recently to the Special Committee against Apartheid. That rejection is confirmed in practical terms by New Zealand's support for the Commonwealth Accord, adopted in Nassau in October, and by the concrete measures recently put into effect by the New Zealand Government. It will be made clear again in our votes on the draft resolutions before us.

In particular, New Zealand's sponsorship of draft resolution A/40/L.40, eloquently introduced by the representative of Denmark, is an affirmation of our determination to see carefully conceived and carefully targeted international action taken to bring an end to the offensive system of apartheid.

In line with the general thrust of our policy, New Zealand will vote for draft resolution A/40/L.28, although we regard the expenditure required to hold the world conference on sanctions to be higher than necessary.

(Mr. McDowell, New Zealand)

Similarly, to demonstrate our support for the objectives of the Special Committee against Apartheid, we shall vote for draft resolutions A/40/L.29 and A/40/L.31, despite some reservations about the aspects of the work programme in draft resolution A/40/L.31 and the funding sought in paragraph 4 of that draft resolution.

My delegation will abstain on draft resolutions A/40/L.26 and A/40/L.27. Although we support many of their essential proposals, we have reservations about some of the extravagant rhetoric they include. We do not support the call for this Assembly to endorse armed struggle; we doubt that the purposes of the international community would be well served by the exclusion of South Africa from all international organizations; and we see little merit in the assertion that every country that maintains any sort of relationship with South Africa is guilty of aiding and abetting the commission of human rights violations or of encouraging the South African Government to intensify oppression or undertake aggression.

New Zealand has closely followed the deliberations of the Ad Hoc Committee on the Drafting of an International Convention against Apartheid in Sports. The New Zealand Government has actively discouraged New Zealand sportsmen and sportswomen from having contact with South Africa until such time as apartheid is abolished. It will continue to do so. Many of the provisions of the draft convention, including the denial of visas to South African sportsmen to compete in New Zealand, form part of New Zealand's policy on sporting contacts with South Africa. We see a number of difficulties, however, in the draft convention, in particular its incompatibility with certain fundamental rights to the observance of which New Zealand is committed. New Zealand must therefore abstain on draft resolution A/40/L.32, although it reiterates its general support for the broad objectives of those that drafted the convention.

Mr. MONTEIRO (Portugal): The Permanent Representative of Luxemburg, speaking on behalf of the 10 Member States of the European Community, as well as Portugal and Spain, has already commented on the draft resolutions on which we are about to vote, recalling crucial principles shared by all those countries.

My delegation has frequently expressed Portugal's opposition to all forms of racism and to the principles inherent in any society which is based on racial exclusivity or superiority. We have also often reiterated our support for any initiatives whose purpose is to promote the structural changes necessary for the creation of a social system that will eliminate the tensions originating in a régime based on the systematic and institutionalized practice of discrimination. The Portuguese Government has always worked to attain that goal by peaceful means, believing that resort to indiscriminate violence is not a valid way of making South Africa a free, democratic and multi-racial society and at the same time bringing peace and prosperity to southern Africa.

Similarly, the Portuguese delegation does not believe that the total isolation of South Africa can serve our essential purpose of bringing about the fundamental changes that we have called on that country to make. We are, however, profoundly convinced that it is necessary for the international community to remain constantly mobilized in its efforts against apartheid.

(Mr. Monteiro, Portugal)

In this context my delegation will not change the votes it has often cast in the General Assembly. We have reservations about certain aspects of these draft resolutions, which encourage violence and contain discriminatory and unjustified references, as well as arbitrary language. As last year, my delegation will vote in favour of draft resolution A/40/L.40, on concerted international action for the elimination of apartheid. However, my delegation would like to stress that it has reservations on certain of its formulations such as those in paragraphs 5 and 7 and, in particular, paragraph 1, since Portugal does not consider the situation in South Africa to be a problem of decolonization.

Mr. de KEMOULARIA (France) (interpretation from French): The French delegation would like to add the following comments to the statement made by the representative of Luxembourg on behalf of the 10 members of the European Community, Spain and Portugal.

France unequivocally and wholeheartedly condemns the South African Government's policy of apartheid, which it regards as an intolerable attack on fundamental human rights. The French Prime Minister had the opportunity solemnly to recall that well-known position in his statement of 24 July 1985.

Mr. Laurent Fabius spoke in the following terms:

"For all persons devoted to justice and human rights, the apartheid régime in South Africa is inadmissible. It institutionalizes racial discrimination; it attacks the moral and political principles that underpin our society."

Greatly concerned by the deterioration of the situation and by the unleashing of violence provoked by the system, the French Government decided to recall its Ambassador from South Africa and to suspend all new French investment in that country. My Government also informed the Security Council, which on 26 July 1985 adopted, on my Government's proposal, its resolution 569 (1985). That resolution strongly condemns the system of apartheid and the policies and practices deriving

(Mr. de Kemoullaria, France)

therefrom; calls for the immediate lifting of the state of emergency and for the unconditional release of all political prisoners, and above all

Mr. Nelson Mandela. Moreover it calls on Member States to take a number of voluntary measures against South Africa. Since its adoption France has worked for a unified position on the part of the countries of the European Community, which decided on a programme of measures in Luxembourg on 10 September 1985.

In response to the same concerns, my delegation will support draft resolution A/40/L.40, on international concerted action to eliminate apartheid. This positive vote confirms our commitment to a policy of pressure on the South African Government. Support for that draft resolution should not, however, be interpreted as suggesting that the competence which the Charter grants the Security Council alone is being called into question. Moreover, the voluntary measures recommended in paragraph 7 do not necessarily cover the national measures which France might decide to take in order to exert pressure on South Africa. In that spirit, any measure against Pretoria should meet the twofold concern of progressiveness and respect for commitments assumed.

Likewise, my delegation will support draft resolution A/40/L.29, which encourages the United Nations to promote information and action by the public against apartheid. The French Government has expressed its support for such action, and hopes it will be developed.

Although it is totally opposed to all practices of apartheid in sports, my delegation will have to abstain on draft resolution A/40/L.32, on the International Convention against Apartheid in Sports. My country quite recently adopted measures to discourage sporting contacts with South Africa, but it cannot without prior in-depth consideration approve a convention containing elements likely to cause serious problems of compatibility with its Constitution and legislation.

(Mr. de Kemoullaria, France)

France supports the Special Committee Against Apartheid in its continuing work of providing information and denouncing that policy and its consequences. However, my delegation regrets the arbitrary and systematic criticisms made in the Committee's report of certain countries, and particularly the European Community. It is for that reason that my delegation will abstain on draft resolution A/40/L.31, relating to the Committee's programme of work.

In general, France would have liked to have been able to support all the draft resolutions submitted to the General Assembly on the question of apartheid. My delegation regrets that some of the wording contained in the draft resolutions before us weakens their scope and make it impossible for them to receive the support of all the members of the Assembly.

Apartheid is condemned unanimously in this Assembly. A unanimous vote on the texts adopted would have given them an indisputable impact, and that would have been a major political signal to the South African Government. That would have been - and I stress this - a desirable goal. My delegation regrets that it has not been reached.

Mr. STEFANINI (Italy): In his earlier statement the Permanent Representative of Luxembourg expressed the views of the 10 member States of the European Community, as well as Spain and Portugal, on the draft resolutions before us under agenda item 35.

Italy entirely supports his remarks, and is actively involved in the follow-up of the measures towards South Africa adopted by all the 12 countries in September last. With those measures, specific and concrete steps have been taken to put pressure on South Africa and promote an early and peaceful change in that country. Regrettably our efforts are not adequately reflected in the report of the Special Committee to the fortieth session (A/40/22). In particular, the presentation of the troika mission to Pretoria, which led to the measure of

(Mr. Stefanini, Italy)

10 September, seems to be rather misleading. The criticism that prevails in the report is hardly justified, as several African countries, especially the front-line States, have commented positively on our recent stand and on our initiatives towards South Africa.

We also believe that the Special Committee should adopt a more positive attitude towards the action that Italy and the Community have taken to bring about the prompt termination of the segregation policy, a goal we all share and endorse, and the start of a constructive dialogue in South Africa.

Italy hopes that the Special Committee will take those remarks into consideration. We generally support its activity, and we would have liked to vote in favour of the relevant draft resolution contained in document A/40/L.31. However, because of the unbalanced comments in the report that I have just mentioned, we shall abstain.

Let me turn now to draft resolution A/40/L.32. Italy is strongly opposed to any practice of apartheid. With regard to sports, we support the principle of establishing a set of international measures to eliminate all forms of racial discrimination. Bearing in mind that goal, we voted in favour of previous General Assembly resolutions on the drafting of the Convention against Apartheid in Sports.

(Mr. Stefanini, Italy)

However, we find some unacceptable elements in the draft convention contained in the report of the Ad Hoc Committee (A/40/36). We refer in particular to articles 3, 4, 6, 7 and 10, which are incompatible with the Italian Constitution and political system. At the national level, Italy has long been taking effective steps to oppose apartheid in sports and to discourage sporting contacts with countries practising racial discrimination. We shall continue to do so. In that context, we want to stress our positive assessment of parts of draft convention, namely articles 2, 5 and 9. Italy intends to draw the attention of its national organizations, which have full jurisdiction in this matter, to these elements and to recommend that they be implemented.

Italy will support the draft resolution on concerted international action for the elimination of apartheid, because we share its main objectives and thrust, if not all its elements. The elimination of apartheid is a must for the international community. In that context, I want to recall once again the European measures of 10 September, as they represent a concrete contribution to increasing pressure on South Africa. In the text before us, the sponsors have tried to avoid the inclusion of the extraneous and divisive elements that are found in many other draft resolutions.

However, Italy wants to put on record its strong reservations concerning paragraph 5 and some elements of paragraph 7. As for paragraph 5, we believe the matter of mandatory sanctions to be within the exclusive competence of the Security Council. With regard to paragraph 7, our reservations relate not only to some of the measures listed therein but also to our concern that the paragraph does not take into account the negative effect that the measures envisaged could have on the populations which are the victims of apartheid and on neighbouring States.

Ms. BYRNE (United States of America): The United States joins other members of the General Assembly in condemning without reservation the system of apartheid institutionalized by the South African Government. As we have stated throughout the United Nations system on numerous occasions, apartheid is socially unjustifiable, politically impracticable and psychologically demeaning. It is a system that drowns hope and cuts man off from his inalienable right to stand as an equal among his fellow men.

Once again, we find ourselves constrained to vote against many of the draft resolutions before us. The draft resolution on comprehensive sanctions reaffirms that:

"comprehensive and mandatory sanctions imposed by the Security Council under Chapter VII of the Charter ... would be the most appropriate and effective and peaceful means"

to assist the people of South Africa. The draft resolution asserts that by imposing sanctions we can discharge our "responsibilities for the maintenance of international peace and security" (A/40/L.26, eighth preambular para.). Can we? Can acts that lead to a hardening of positions on both sides really contribute to a peaceful resolution of the problems of apartheid? Are blanket economic sanctions and the total isolation of South Africa effective in promoting reconciliation?

Furthermore, the United States makes no apology for constructive engagement, which is condemned so unjustly in this draft resolution. On the contrary, we believe that it has contributed directly to the very limited improvements that have been effected so far in the lives of oppressed South Africans.

On that same basis, we shall vote against the draft resolution on concerted international action for the elimination of apartheid. It too urges the Security Council to adopt mandatory sanctions.

The draft resolution on the situation in South Africa also requests the Security Council to:

(Ms. Byrne, United States)

"take all ... measures, in accordance with Chapter VII of the Charter ..., to avert the further aggravation of tension and conflict in South Africa".

(A/40/L.27, para. 15)

Again, let me state that we fail to understand how the imposition of Chapter VII sanctions will lessen tension or promote dialogue and negotiations.

Nor can we support the calling of a world conference on sanctions against South Africa, as urged in another draft resolution. Since that draft resolution regrets "that the Security Council has thus far failed to take ... action under Chapter VII of the Charter" (A/40/L.28/Rev.1, fourth preambular para.), we assume that any conference will focus on the unacceptable goal of mandatory sanctions and will be ineluctably and unfairly destined to condemn the United States and other permanent members of the Security Council. We believe that each State should be free to impose the peaceful measures it deems to be most appropriate for bringing about change in South Africa.

My delegation will also vote against the draft resolution on relations between Israel and South Africa, because we believe it unjust to single out one State when, as this body well knows, numerous countries around the world, including many countries on the African continent, continue to co-operate with South Africa, especially in matters of trade.

As regards the draft resolution on the Special Committee against Apartheid, we are unable to support a draft resolution that commends the work of a Committee advocating mandatory sanctions. Furthermore, we do not believe that under the phase of austerity currently confronting both the United Nations and its Member States it is desirable to authorize a special compulsory allocation of \$500,000 to promote the goal - no matter how laudable - of campaigns against apartheid.

(Ms. Byrne, United States)

My delegation will abstain in the vote on the draft resolution on public information and public action against apartheid, as we have on similar texts in previous years, because we do not believe that States' reactions to apartheid, however hateful the system may be, should be mandated by this body.

Likewise, we shall abstain in the vote on the draft resolution on the international convention against apartheid in sports. We cannot vote in favour of a draft resolution that urges States to adopt legal measures contrary to our own laws. The United States will not sign that flawed convention.

My delegation will join a consensus in favour of the draft resolution on the United Nations Trust Fund for South Africa. We supported the 1965 resolution that set up the Fund, and we contribute generously to it each year.

Much of the language in the draft resolutions under consideration here today we support. For instance, we wish to see a halt to violence, killings and mass arrests. We are working, and will continue to work, for the total eradication of apartheid and for a system of government in South Africa based on the consent of all of the governed. We have implemented an arms embargo and have imposed selective measures to impress upon the South African Government the seriousness of our opposition to its unacceptable political system. We agree that apartheid is a highly destabilizing force that is doomed to failure. Thus, we regret sincerely that many of this year's crop of draft resolutions, as in the past, are overly simplistic and not conducive to the goal of eradicating apartheid. In some cases, in fact, they are unhelpful.

The United States remains as committed as ever to the establishment of a free, just and democratic society in South Africa. We are working to achieve that goal and shall continue to do so. We remain convinced that the six draft resolutions which we are compelled to vote against will serve merely to harden positions. They are detrimental to a peaceful resolution of South Africa's problems.

Mr. FISCHER (Austria): Austria is on record as having consistently condemned and opposed the practice of apartheid as a particularly serious violation of human rights. In light of the principles of equal rights and justice there can be no justification for a political system that deprives the majority of South Africa's citizens of their political and civil rights. We therefore hold the view that the abolition of that system of institutionalized racial segregation remains one of the important challenges confronting the United Nations.

For those reasons we find ourselves in agreement with the general thrust of the draft resolutions submitted under this agenda item. There are, however, a number of provisions in the draft resolutions that Austria cannot support.

Austria has always held the view that the United Nations should concentrate all its efforts on bringing about political and social change by peaceful means, and it cannot therefore support the concept of armed struggle. Moreover, Austria opposes any provision that runs counter to the recognized goal of universal membership in the United Nations and its specialized agencies.

Furthermore, Austria believes that the General Assembly should respect the prerogatives of the Security Council with regard to coercive measures. In this context I should like to refer to the decision of the Austrian Government to adopt six autonomous measures in accordance with Security Council resolutions 566 (1985) and 569 (1985), as mentioned in Austria's statement in the general debate on this agenda item.

Finally, I should like to reiterate that Austria, as a matter of principle, is against singling out Member States in General Assembly resolutions.

In the light of those considerations, the Austrian delegation will vote in favour of draft resolutions A/40/L.29 and L.31. Furthermore, Austria is a sponsor of draft resolution A/40/L.39 and L.40. Austria will abstain in the voting on draft resolutions A/40/L.26 and L.27.

(Mr. Fischer, Austria)

As for the proposed convening of a world conference on sanctions against South Africa, Austria believes that the prerogatives of the Security Council in this regard have to be respected. Austria will therefore abstain in the voting on draft resolution A/40/L.28.

Although Austria has already taken additional measures aimed at further limiting sports relations with South Africa, Austria feels obliged for legal and constitutional reasons to abstain in the voting on draft resolution A/40/L.32. Austria, for reasons I have already stated, will cast a negative vote in the voting on draft resolution A/40/L.30.

Our votes on those draft resolutions have to be seen as an expression of support for all the efforts deployed to bring democracy to all the peoples of South Africa.

Mrs. CASTRO de BARISH (Costa Rica) (interpretation from Spanish): In view of the fact that the position of Costa Rica expressed during the general debate on agenda item 35, Policies of apartheid of the Government of South Africa is fully in keeping with the views contained in draft resolution A/40/L.40, submitted by the delegation of Denmark, my delegation wishes to join the sponsors of that draft resolution, who seek a concerted international approach in dealing with this serious problem confronting the international community in its efforts to establish "a non-racial, democratic society in South Africa in accordance with the the principles of the Universal Declaration of Human Rights," as stated in operative paragraph 12 of that draft resolution.

For the same reasons, we would also like to associate ourselves with the sponsors of draft resolution A/40/L.39 on the United Nations Trust Fund for South Africa. We shall abstain in the voting on draft resolution A/40/L.30 because we are not in favour of selectively singling out particular States in connection with situations in which Israel and certain Western States are not the only States to

(Mrs. Castro de Barish, Costa Rica)

co-operate with South Africa in different ways in various areas. Were separate votes to be taken on operative paragraphs 2 and 3 of that draft resolution, Costa Rica will vote against them and abstain in the voting on the draft resolution as a whole.

In connection with draft resolution A/40/L.26, Costa Rica would for the same reasons abstain in the voting were the twelfth preambular paragraph and operative paragraph 20 to be put to a separate vote. However, we support most of the provisions of that draft resolution, and we will therefore vote in favour of it. We will also vote in favour of draft resolution A.40/L.32 on the International Convention against Apartheid in Sports introduced by the delegation of Barbados, but we wish to say that the signature and ratification of that legal instrument will be subject to legislative approval by the Costa Rican Legislative Assembly.

In the same spirit of solidarity, Costa Rica will vote in favour of the other draft resolutions on agenda item 35.

Mr. LUPINACCI (Uruguay) (interpretation from Spanish): My delegation will vote in favour of draft resolution A/40/L.27, with whose contents we are in general agreement. With regard to operative paragraph 9, however, we should like to say that the foreign policy of my country is to support the peaceful settlement of disputes without the use of force.

The PRESIDENT (interpretation from Spanish): The General Assembly will now begin the voting process and take a decision on the various draft resolutions before it. The report of the Fifth Committee on the programme budget implications of these draft resolutions is contained document A/40/1022. Recorded votes have been requested on all the draft resolutions except A/40/L.39.

The Assembly will first take a decision on draft resolution A/40/L.26 and Corr.1, "Comprehensive sanctions against the racist régime of South Africa". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, 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, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, Canada, Denmark, France, Germany, Federal Republic of, Grenada, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Botswana, Fiji, Finland, Greece, Ivory Coast, Lesotho, Malawi, New Zealand, Samoa, Solomon Islands, Swaziland, Sweden

Draft resolution A/40/L.26 and Corr.1 was adopted by 122 votes to 18, with 14 abstentions (resolution 40/64 A).

The PRESIDENT (interpretation from Spanish): We turn next to draft resolution A/40/L.27 and Corr.1, entitled "Situation in South Africa and assistance to the liberation movements".

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, 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, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, France, Germany, Federal Republic of, Italy, Luxembourg, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Canada, Denmark, Finland, Grenada, Guatemala, Honduras, Iceland, Ireland, Israel, Japan, Malawi, Netherlands, New Zealand, Norway, Spain, Sweden

Draft resolution A/40/L.27 and Corr.1 was adopted by 128 votes to 8, with 18 abstentions (resolution 40/64 B).

The PRESIDENT (interpretation from Spanish): We turn next to draft resolution A/40/L.28/Rev.1 and Corr.1, which is entitled "World conference on sanctions against racist South Africa".

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, 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, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, Germany, Federal Republic of, Italy, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Austria, Belize, Canada, France, Grenada, Israel, Luxembourg, Malawi, Netherlands, Spain

Draft resolution A/40/L.28/Rev.1 and Corr.1 was adopted by 137 votes to 6, with 10 abstentions (resolution 40/64 C).

The PRESIDENT (interpretation from Spanish): The Assembly will now turn to draft resolution A/40/L.29 and Corr.1 entitled "Public information and public action against apartheid".

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, 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, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: None

Abstaining: Grenada, Israel, Malawi, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution A/40/L.29 and Corr.1 was adopted by 150 votes to none, with 5 abstentions (resolution 40/64 D).

The PRESIDENT (interpretation from Spanish): We turn now to draft resolution A/40/L.30 and Corr.1, entitled "Relations between Israel and South Africa".

a recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Grenada, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Bahamas, Barbados, Belize, Burma, Cameroon, Chile, Colombia, Costa Rica, Dominican Republic, Equatorial Guinea, Fiji, Greece, Guatemala, Honduras, Ivory Coast, Jamaica, Japan, Liberia, Malawi, Nepal, Panama, Portugal, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Spain, Swaziland, Uruguay, Zaire

Draft resolution A/40/L.30 and Corr.1 was adopted by 102 votes to 20, with 30 abstentions (resolution 40/64 E).

The PRESIDENT (interpretation from Spanish): We now turn to draft resolution A/40/L.31 and Corr.1, entitled "Programme of work of the Special Committee against Apartheid".

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, 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, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Belgium, Belize, France, Germany, Federal Republic of, Grenada, Israel, Italy, Luxembourg, Malawi, Netherlands, Portugal, Spain

Draft resolution A/40/L.31 and Corr.1 was adopted by 141 votes to 2, with 12 abstentions (resolution 40/64 F).

The PRESIDENT (interpretation from Spanish): We turn now to draft resolution A/40/L.32 and Corr.1, entitled "International convention against apartheid in sports".

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, 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, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: None

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Solomon Islands, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution A/40/L.32 and Corr.1 was adopted by 125 votes to none, with 24 abstentions (resolution 40/64 G).*

The PRESIDENT (interpretation from Spanish): We now turn to draft resolution A/40/L.39, entitled "The United Nations Trust Fund for South Africa". May I take it that the General Assembly decides to adopt that draft resolution?

Draft resolution A/40/L.39 was adopted (resolution 40/64 H).

*Subsequently the delegation of Suriname advised the Secretariat that it had intended to vote in favour.

The PRESIDENT (interpretation from Spanish): The Assembly will now vote on draft resolution A/40/L.40, entitled "Concerted international action for the elimination of apartheid".

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, 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, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Germany, Federal Republic of, Grenada, Israel, Malawi

Draft resolution A.40/L.40 was adopted by 149 votes to 2, with 4 abstentions (resolution 40/64 I).

The PRESIDENT (interpretation from Spanish): I shall now call on delegations wishing to explain their votes.*

*Mr. Sarré (Senegal), Vice-President, took the Chair.

Mr. AKYOL (Turkey) (interpretation from French): My Government's views on South Africa's policies and practices, which underlie the apartheid system, were set forth in detail in our statement of 29 October 1985 before the Assembly. Like the very great majority of Member States, Turkey has indicated that it also firmly undertook to make joint efforts with other States to eliminate this abominable practice which violates the conscience and values of mankind.

That is why my delegation has just voted for all the draft resolutions in documents A/40/L.26 to L.32, and L.39 and L.40 concerning the apartheid policy of the South African Government. We are also happy to be one of the sponsors of draft resolution A/40/L.39 on the United Nations Trust Fund for South Africa.

Our firm support for these draft resolutions reflects our desire to participate in the efforts of the international community to eliminate apartheid. However, I must enter certain reservations with respect to some paragraphs of these draft resolutions.

Thus, as regards draft resolution A/40/L.26, my delegation feels that the eleventh and twelfth preambular paragraphs and operative paragraph 4 have not been drafted in a balanced way. On the other hand, generally speaking we do not approve of express mention being made of certain countries or groups of countries when it is difficult to make definitive determinations of respective responsibilities. More specifically, my delegation has reservations about the references to Western countries in some paragraphs of the resolutions in question.

Mr. IKOSIPENDARHOS (Greece) (interpretation from Spanish): The Greek delegation abstained in the vote on draft resolution A/40/L.32 because of certain elements which it contained and to which we object owing to certain constitutional constraints. Had these elements not been included in the text we would have voted in favour of the draft resolution.

(Mr. Ikosipendarhos, Greece)

It is not necessary to stress the fact that Greece has been firmly and consistently attached to the Olympic ideal and its universality, namely, that no discrimination be allowed on grounds of race or colour in sports activities. This attitude is due not only to the fact that Greece is the country where the Olympic Games originated, but also to our traditional respect for human rights throughout the world, the most important of which are those that protect the principle of non-discrimination on the basis of race or colour.

Mr. SVOBODA (Canada): I should like to explain for the record Canada's votes on the various draft resolutions under this item. My explanation will cover in particular those draft resolutions on which we abstained. In most other cases our vote speaks for itself.

With regard to draft resolution A/40/L.27, on the situation in South Africa and assistance to the liberation movements, Canada's abstention should not be misinterpreted. There was much in this draft resolution which we supported, including the call for the release of political prisoners and the condemnation of the imposition of a state of emergency.

Canadian leaders have called on the Government of South Africa to enter into a dialogue with credible black leaders, including the leaders of the liberation movements. At the same time our policy is to promote peaceful change and reconciliation, not destructive violence. For this reason, we had difficulty supporting references to the legitimacy of the "armed struggle", which is moreover contrary to the fundamental principle of the United Nations Charter to settle disputes peacefully. Reference in this resolution to the additional protocols to the Geneva Convention also appeared inappropriate in this context.

Regarding draft resolution A/40/L.28/Rev.1, on the World Conference on Sanctions against Racist South Africa, my delegation abstained. While we have

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adopted many sanctions against South Africa on a national basis, and total sanctions have not been ruled out, we believe that the Security Council is the appropriate forum for discussing actions under Chapter VII of the Charter. We also regard the proposed cost of this Conference to be higher than necessary, especially in view of the other priorities facing this Organization.

My delegation was also obliged to abstain on draft resolution A/40/L.32, that is, the International Convention against Apartheid in Sports. I would emphasize that Canada supports the principle of sporting boycotts against South Africa and indeed already applies many of them. There are, however, legal and policy impediments which preclude the Canadian Government from ratifying the proposed convention at this time.

Finally, I would like to explain Canada's vote on draft resolution A/40/L.40, Concerted International Action. My delegation voted in favour of this draft resolution because it is consistent with our policy of promoting an end to apartheid by peaceful means and providing assistance to the victims of apartheid.

We also believe that sustained pressure on the South African Government is required and have, for our part, already adopted most of the measures listed in paragraph 7. Other actions are under study. We fully support the demands for the release of political prisoners, the abrogation of discriminatory laws, and the dismantling of the Bantustan structures. We have some question as to which new mandatory sanctions, as called for in operative paragraph 5, might be relevant and effective at this time. That would require careful consideration by the Security Council.

Regarding operative paragraph 9, we continue to reject the premise that individual contacts or relations support apartheid. Open and frank exchanges might, however, help change people's minds, and complete isolation, on the other

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hand, might very well make change more difficult. We do not therefore interpret this paragraph, as worded, to endorse termination of all contacts.

In conclusion, we would note that 1985 has been a year of both tragedy and hope in which the pace of events in South Africa has accelerated. As these resolutions are implemented, the United Nations must do its part to promote peaceful change and encourage those inside South Africa who are struggling for justice. That work must continue until apartheid is relegated to the darker chapters of human history.

The PRESIDENT (interpretation from French): We have heard the last speaker in explanation of vote. The Assembly has thus concluded its consideration of agenda item 35.

The meeting rose at 6.50 p.m.