



SUMMARY RECORD OF THE 8th MEETING

Chairman: Mr. JESUS (Cape Verde)

CONTENTS

AGENDA ITEM 121: OBSERVER STATUS OF NATIONAL LIBERATION MOVEMENTS RECOGNIZED BY THE ORGANIZATION OF AFRICAN UNITY AND/OR BY THE LEAGUE OF ARAB STATES; REPORT OF THE SECRETARY-GENERAL

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The meeting was called to order at 10.35 a.m.

AGENDA ITEM 121: OBSERVER STATUS OF NATIONAL LIBERATION MOVEMENTS RECOGNIZED BY THE ORGANIZATION OF AFRICAN UNITY AND/OR BY THE LEAGUE OF ARAB STATES: REPORT OF THE SECRETARY-GENERAL (A/41/534)

1. Mr. FLEISCHHAUER (Under-Secretary-General, the Legal Counsel), introducing the Secretary-General's report (A/41/534), noted that the item had been included for the first time in the agenda of the General Assembly at its thirtieth session, at the request of the Secretary-General. Subsequently, in its resolutions 31/408, 32/439, 33/423 and 34/433, the General Assembly had repeatedly postponed consideration of the item.

2. Later, in its resolutions 35/167 and 37/104, the General Assembly had invited all States that had not yet done so, in particular those that were hosts to international organizations or to conferences convened by, or held under the auspices of, international organizations of a universal character, to consider as soon as possible the question of ratifying, or acceding to, the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character. In both resolutions, the General Assembly had called upon the States concerned to accord to the delegations of the national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States, and accorded observer status by international organizations, the facilities, privileges and immunities necessary for the performance of their functions in accordance with the provisions of the aforesaid Convention.

3. In its resolution 39/76, the General Assembly had reaffirmed the appeal contained in resolutions 35/167 and 37/104, and had requested the Secretary-General to report to the General Assembly at its forty-first session on the implementation of resolution 39/76. Subsequently, by a note dated 28 February 1985, the Secretary-General had invited Governments to provide him with any information and comments they might wish to contribute to the preparation of the report requested in resolution 39/76. The report under consideration (A/41/534) reproduced the replies received from the Governments of Barbados, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics.

4. Mr. HAMID (Pakistan) drew attention to the importance of the item under consideration, in view of the fact that the international community had embarked on a process of codification and development of international law, harmonizing the various legal systems, with the aim of making the rules of international law universally acceptable so that conflicts could be avoided. His delegation had supported and continued to support the broadest possible participation of the liberation movements in international conferences held under the auspices of the United Nations and other international organizations.

5. Pakistan fully supported the right to self-determination of peoples under colonial rule or foreign occupation, as well as the liberation movements that represented them. Most of those movements had been recognized by the League of

(Mr. Hamid, Pakistan)

Arab States and by the Organization of African Unity, and participated fully as observers in the work of the United Nations and its various organs. The days of colonialism in Africa and the Middle East were numbered, and his delegation therefore supported the extension of the necessary privileges and immunities to national liberation movements recognized by the Organization of African Unity or by the League of Arab States, which sooner or later would assume responsibilities in their respective countries, to enable them to participate effectively in the work of international conferences. Pakistan had allowed the opening of a Palestine Liberation Organization (PLO) mission in Islamabad and had extended the necessary privileges and immunities to it. In due course it would extend similar facilities to the South West Africa People's Organization (SWAPO).

6. Mr. ELTCHENKO (Ukrainian Soviet Socialist Republic) said that his country had consistently advocated the right to self-determination and national independence of all peoples under colonial and foreign domination, and had supported the national liberation movements struggling to eradicate colonialism and apartheid. The international community should expand co-operation with national liberation movements, in the framework of the work of the United Nations, its specialized agencies and other international organizations, and conferences held under their auspices. An essential condition for such participation was, in particular, the granting of observer status and the attendant privileges and immunities to the delegations of those movements, as called for by the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character.

7. The position of the Ukrainian Soviet Socialist Republic on that question had been repeatedly expressed and had been set forth, in particular, in document A/41/534. His country favoured implementation of the resolution of the United Nations Conference on the Representation of States in Their Relations with International Organizations concerning observer status for the national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States. Granting those movements, principally the Palestine Liberation Organization (PLO), the African National Congress (ANC) and the South West Africa People's Organization (SWAPO), privileges and immunities in accordance with that resolution would facilitate their active participation in international efforts to solve existing conflicts and would enhance their prestige. Consequently, the Ukrainian Soviet Socialist Republic urged all States that had not done so to ratify the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, in order to ensure its prompt entry into force.

8. Mr. AL-HAGRI (Oman), speaking on behalf of the Arab Group, said that they attached great importance to the item under consideration, in particular to the granting of observer status to the national liberation movements recognized by the Organization of African Unity or the League of Arab States, and the privileges and immunities necessary for the performance of their functions, in accordance with the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character. Since the provisions of that

(Mr. Al-Hagri, Oman)

Convention had the required flexibility, practical results could be obtained which would facilitate the exercise, by representatives of the national liberation movements, of the privileges and immunities established by custom and international law.

9. Some Arab States were considering the aforementioned Vienna Convention, and it was possible that they might ratify or accede to it. Some of them were already parties to the Convention; whether or not they were, however, in many States the representatives of the national liberation movements recognized by the Organization of African Unity, the League of Arab States or the United Nations were treated, in practice, in accordance with the provisions of the Vienna Convention.

10. Mr. LUKYANOVICH (Union of Soviet Socialist Republics) said that the Soviet Union had consistently advocated the principle of self-determination of peoples, including the right to choose the course of their development independently as one of the principles underpinning the all-embracing system of international security presented at the Twenty-seventh Congress of the Communist Party of the Soviet Union. His delegation had repeatedly expressed, in various United Nations forums, including the Sixth Committee, its position in that respect, as reflected in a number of United Nations documents, in particular, in documents A/37/326, A/39/437 and A/41/534.

11. An essential prerequisite for enabling national liberation movements to use the opportunities afforded them by their participation in international bodies was the granting to them of observer status, and the privileges and immunities necessary for the performance of their functions, in accordance with the provisions of the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character; in that context, he pointed out that the Soviet Union had been one of the first States to ratify that Convention.

12. The adoption by the United Nations Conference on the Representation of States in Their Relations with International Organizations of a Universal Character of a special resolution calling upon States to grant to those movements, chief among them the PLO and SWAPO, observer status and the facilities, privileges and immunities necessary for the performance of their functions, was a reasonable response to the need for those movements to take part in the activities of the United Nations and other universal-membership international bodies, as well as recognition of their growing authority, and was a major achievement by all peace-loving forces. The granting of observer status facilitated the collective search for means of unlocking conflict situations in various planetary "hot spots", among them the Middle East and southern Africa.

13. The Soviet Union was deeply convinced that the vital interests of the peoples of the Middle East, like the interests of international security, made a pressing case for the need to attain a comprehensive, just and lasting settlement to the conflict in that region, based on the practical exercise of the inalienable right of the Palestinian people to self-determination, and to the establishment of their own independent State on Palestinian lands. The only way to secure a radical

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(Mr. Lukyanovich, USSR)

solution to the Middle East problem was through negotiation at an international conference specially convened for that purpose, with the participation of all interested parties, including the PLO, the sole legitimate representative of the Palestinian people.

14. The struggle of SWAPO, the sole legitimate representative of the people of Namibia, to win national independence, to end the occupation of the country, and to resist attempts by the racist Republic of South Africa to foist a neo-colonial puppet régime upon the Namibian people, enjoyed the support of all who held the ideals of freedom, peace and social progress dear.

15. More extensive participation by the PLO and SWAPO in the work of universal-membership international bodies was an important factor in stimulating the activities and enhancing the prestige of those national liberation movements. Of great significance, also, was the granting to those movements, within the territory of States members of such bodies, of the status, privileges and immunities of observers, in accordance with the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character.

16. Mr. KHVOSTOV (Byelorussian Soviet Socialist Republic) noted that his country had always supported the struggle of peoples for national liberation, and independence, and advocated social progress and the total elimination of the vestiges of racism and colonialism. At the Twenty-seventh Congress of the Communist Party of the Soviet Union, the historic triumph achieved by the national liberation movements in crushing colonialism and imperialism and in facilitating the emergence of dozens of independent States had been emphasized. Nevertheless, there were still peoples suffering from colonialism and imperialism, especially in southern Africa and in the Middle East.

17. The decision of the League of Arab States and the Organization of African Unity to recognize the PLO and SWAPO, together with the decisions of the General Assembly granting them observer status, demonstrated the authority of those national liberation movements.

18. The Byelorussian SSR supported the special resolution adopted by the 1975 United Nations Conference on the Representation of States in Their Relations with International Organizations, which called upon States to grant to national liberation movements recognized by the Organization of African Unity and/or the League of Arab States, observer status and the attendant privileges and immunities, in order to facilitate the participation of those movements in international life and the search for a solution to numerous conflict situations.

19. The entry into force of the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character would be an important step towards giving the national liberation movements recognized by the League of Arab States and/or the Organization of African Unity the possibility of carrying out their activities in the United Nations and other organizations, and at conferences held under the auspices of international organizations.

(Mr. Kivostov, Byelorussian SSR)

20. The Byelorussian SSR supported the struggle of the Palestinian people for its rights. The Middle East problem called for a just and lasting solution, which could be reached through the collective efforts of all interested parties, including the PLO. His delegation supported the proposal for the establishment, within the framework of the Security Council, of a preparatory committee which would facilitate the convening of an international conference on the Middle East.
21. His delegation supported the right of the Namibian people to independence, and the struggle of SWAPO. Its position with regard to the question of Namibia had been expounded in a statement at the fourteenth special session of the General Assembly, which appeared in document A/S-14/PV.6 of 22 September 1986.
22. His delegation called upon States, chiefly States which were hosts to international organizations, to ratify the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, which the Byelorussian SSR had ratified on 24 August 1978. It was concerned at the fact that the Convention had not yet entered into force.
23. Mrs. KUMI (Ghana) said that her delegation had studied with interest the report of the Secretary-General on the observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States (A/41/534) and, particularly, operative paragraph 2 of General Assembly resolution 39/76. The appeal to States which were hosts to international organizations or to conferences convened by, or held under the auspices of, international organizations of a universal character to consider the question of ratifying the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character could not be more appropriate.
24. National liberation movements were a reality in international relations and a positive factor, especially in that sphere of multilateral diplomacy which sought to free peoples from colonialism and exploitation. National liberation movements were the sole legitimate representatives of their oppressed peoples. The prestige and credibility of liberation movements such as the PLO, SWAPO, the African National Congress and the Pan Africanist Congress of Azania were so great that OAU, the League of Arab States and the United Nations had found it necessary to grant them observer status. The granting of privileges and immunities to liberation movements was intended to enhance the performance of those movements within the framework of the United Nations and its agencies and within other international organizations of a universal character. Ghana already accorded those privileges and immunities to all the missions of national liberation movements in its capital.

The meeting rose at 11.20 a.m.