



SUMMARY RECORD OF THE 33rd MEETING

Chairman: Mr. AL-ASHTAL (Democratic Yemen)

CONTENTS

AGENDA ITEM 79: DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION (continued)

(a) **TRADE AND DEVELOPMENT (continued)**

(c) **NEW AND RENEWABLE SOURCES OF ENERGY (continued)**

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

AGENDA ITEM 82: SPECIAL ECONOMIC AND DISASTER RELIEF ASSISTANCE (continued)

(b) **SPECIAL PROGRAMMES OF ECONOMIC ASSISTANCE: REPORTS OF THE SECRETARY-GENERAL (continued)**

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 79: DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION (continued)

(a) TRADE AND DEVELOPMENT (continued) (A/C.2/41/L.29 and A/C.2/41/L.43)

Draft resolution A/C.2/41/L.29 and amendments A/C.2/41/L.43

1. The CHAIRMAN recalled that at the 28th meeting, the representative of Nicaragua, speaking on a point of order, had raised a question concerning document A/C.2/41/L.43 and had asked the Chairman for a ruling. However, according to the rules of procedure of the General Assembly, the representative of Nicaragua would have to state specifically which rule was applicable to the case in point and ask his question accordingly.
2. Mr. MARIN-BOSCH (Mexico) recalled that the representative of Nicaragua had indicated that, in his view, document A/C.2/41/L.43 contained a new proposal rather than amendments to document A/C.2/41/L.29 and that accordingly he had risen to a point of order under rule 113 of the rules of procedure. The Chairman had ruled that the Committee should decide. Accordingly, the Committee should now vote on whether document A/C.2/41/L.43 constituted a new proposal.
3. The CHAIRMAN reiterated that, according to the rules of procedure of the General Assembly, Nicaragua must indicate specifically which rule applied and ask his question accordingly.
4. Mr. ICAZA GALLARD (Nicaragua) said that he had not referred to any specific rule because that was not required under rule 113 relating to points of order. The rule, however, did state that the Chairman must rule immediately on a point of order.
5. The CHAIRMAN cited paragraph 79 (a) of annex V of the rules of procedure in support of his request.
6. Mr. ICAZA GALLARD (Nicaragua) repeated his question as to whether document A/C.2/41/L.43 was a new proposal. While there was no definition of a proposal, rule 130 of the rules of procedure did give a definition of an amendment. Since the document in question did not fit that definition, it could be deduced that the document was a proposal.
7. The CHAIRMAN said that only rule 130 seemed to be applicable; accordingly, the question to be put to the Chairman or to the Committee should, in his view, be the following: were the terms of document A/C.2/41/L.43 those of an amendment? If that was the question of the representative of Nicaragua, he would ask the Committee to take a decision.

8. Mr. ROSENSTOCK (United States of America) said that he was convinced that document A/C.2/41/L.43 exactly fitted the definition of an amendment given in article 130. Furthermore, the practice followed by the Committee in 1985 concerning a similar text demonstrated that it was an amendment. However, it would be good for the Committee to hear the opinion of the Legal Counsel on the matter.

9. Mr. VALDES (Peru) said that in accordance with the decision taken by the Chairman, the Committee must now rule on the point of order of Nicaragua. The Committee should proceed to vote without hearing further speakers.

10. Mr. ICAZA GALLARD (Nicaragua) said that he had asked whether document A/C.2/41/L.43 constituted a new proposal; in a spirit of compromise, he had agreed to the Chairman's formulation. However, he objected strongly to the proposal of the representative of the United States which would mean ignoring the Chairman's ruling.

11. The CHAIRMAN, referring to rule 112, recalled that it was customary always to accede to the request of any delegation for an opinion from the Legal Counsel. If Peru and Nicaragua felt very strongly that the Legal Counsel should not speak, that issue would have to be put to the vote.

12. Mr. VALDES (Peru), and Mr. MARIN-BOSCH (Mexico) said that the Committee was master of its own decisions. The Chairman had asked it to rule on the point of order raised by Nicaragua and, even though the voting had not actually commenced under rule 128 of the rules of procedure, the Legal Counsel could no longer make a statement at that stage.

13. Mr. BEN MOUSSA (Morocco) said that his delegation was convinced that document A/C.2/41/L.43 was an amendment. Generally speaking, amendments could depart from the substance of the initial draft. However, as a doubt had been expressed, the Committee should consult the Legal Counsel. What he had to say would enlighten the Committee and would not prejudice the decision it would take.

14. The CHAIRMAN pointed out to the representative of Peru that he had not announced that the voting had commenced. He had ruled that the Committee should take a decision on the Nicaraguan motion but that did not prevent it from hearing the Legal Counsel first. It was simply a question of acceding to a delegation's request; the Committee was not bound by the Legal Counsel's opinion. As there seemed to be no objection, the Committee would follow that procedure.

15. Mr. FLEISCHAUER (The Legal Counsel), referring to rule 130 of the rules of procedure, said that the heading under which a motion was submitted was not the deciding factor in categorizing a motion as an amendment or a proposal. A motion submitted as an amendment could be a proposal and vice versa. The last sentence of rule 130 gave the substantive characteristics in that regard: a motion was considered an amendment to a proposal if it merely added to, deleted from or revised part of the proposal. Document A/C.2/41/L.43 contained additions. A similar case had arisen in 1985 and the parallel motion submitted by the delegation of the United States had been considered an amendment. Finally, it could be said that document A/C.2/41/L.43 presented the characteristics of an amendment.

16. Mr. ROSENSTOCK (United States of America) said that the issue was not whether delegations supported draft resolution A/C.2/41/L.29 or the amendments in document A/C.2/41/L.43. On the basis of past experience the results of the voting could to some extent be predicted. The issue was whether the Committee had sufficient self-respect to abide by its own rules. Only by so doing could it protect the opinions of the likely minority and ensure the credibility of the decision to be taken by the majority and, more generally, the credibility of the Organization. Document A/C.2/41/L.43 was clearly an amendment in the meaning of rule 130. It was true that it changed the context of the draft resolution somewhat, but all amendments involved some change, otherwise they were pointless. Members of the Committee must interpret the rules of procedure honestly, whatever position they ultimately took vis-à-vis the amendments and the draft resolution as a whole.

17. Mr. ZVEZDIN (Union of Soviet Socialist Republics) disputed the validity of the opinion of the Legal Counsel, stating that it contained contradictions. The Counsel had said that a new motion could be presented in any form whether or not it was entitled an "amendment", and that it could contain a preamble and other parts. He had then referred to the last sentence of rule 130, which stated that an amendment could add to, delete from or revise a proposal and had concluded that the motion of the United States constituted an amendment. In fact, he had spoken on the substance and that was beyond his competence. It was up to the Committee to decide the issue.

18. Mr. VALDEZ (Peru) said that the Legal Counsel had indicated how a proposal submitted by a delegation might be characterized on the basis of form. However, he seemed to be overlooking the fact that his opinion had an impact on the substance of the matter. His delegation proposed that, in accordance with rule 129 of the rules of procedure, document A/C.2/41/L.43 should be put to a vote, paragraph by paragraph.

19. The CHAIRMAN said he would take it that the representative of Nicaragua agreed to withdraw his motion. If voting would now begin on document A/C.2/41/L.43, paragraph by paragraph.

20. Mr. VALDEZ (Peru), speaking on a point of order, said that he wished to submit a sub-amendment to the amendment contained in paragraph 1 of document A/C.2/41/L.43.

21. The CHAIRMAN replied that, once voting had begun, the Committee could hear statements only in connection with the actual conduct of the voting.

22. Mr. VALDEZ (Peru) said that his delegation had not had an opportunity to submit its sub-amendments.

23. Mr. HARAN (Israel), supported by Mr. ROSENSTOCK (United States of America), said that the provisions of rule 128 of the rules of procedure must be respected, since voting had begun.

24. Mr. DIECKMANN (Federal Republic of Germany) said that he wished to present a sub-amendment to paragraph 1 of document A/C.2/41/L.43.

25. Mr. LABERGE (Canada) said he was concerned at the procedure that was being followed, since it might have the effect of muzzling some delegations. It was, of course, necessary to adhere to procedure, but it was also necessary to give Committee members the opportunity to submit amendments and make observations before the text was put to a vote.

26. Mr. FAREED (Pakistan) observed that the Committee had decided to adopt a flexible interpretation of rule 128. The Chairman had said that delegations would be able to explain their vote; to do so, however, it was necessary to know what the final version of the text being voted on was. Some clarification on that point would be welcome.

27. The CHAIRMAN said that deliberations must proceed on an equitable basis. The representative of the United States had had an opportunity to submit an amendment. It would therefore be unfair to deny other delegations the same right. He invited the members of the Committee to submit their sub-amendments to the first amendment contained in document A/C.2/41/L.43.

28. Mr. VALDEZ (Peru) proposed the following new text for the first paragraph of the first amendment contained in document A/C.2/41/L.43: "Recalling also Security Council resolution 530 (1983) of 19 May 1983, in which it encouraged the efforts of the Contadora Group and appealed urgently to all interested States inside and outside the region to co-operate fully with the Group through a frank and constructive dialogue, so as to achieve solutions to the differences between them, as well as Security Council resolution 562 (1985), which calls upon all States to refrain from carrying out, supporting or promoting political, economic or military actions of any kind against any State in the region which might impede the peace objectives of the Contadora Group". In the second paragraph of the first amendment, the words "trading policies and partners" should be replaced with the words "development policies and strategies".

29. Mr. DIECKMANN (Federal Republic of Germany) proposed that the second paragraph of the first amendment should be replaced with the following text: "Reaffirming the sovereign right of each country to choose its own policies in accordance with international obligations".

30. The CHAIRMAN invited the members of the Committee to submit their sub-amendments to the second amendment contained in document A/C.2/41/L.43.

31. Mr. MARIN-BOSCH (Mexico) proposed that the second amendment contained in document A/C.2/41/L.43 should be modified in the following manner: the first paragraph should be replaced with the following text: "Deeply concerned also that the trade embargo against Nicaragua will not contribute to its economic and social development, international co-operation, or the goals and objectives embodied in the Contadora process"; in the second paragraph, the words "Recalling article 21 of the General Agreement on Tariffs and Trade" should be replaced with the words "Recalling all relevant articles of the General Agreement on Tariffs and Trade"; finally, the third paragraph of that amendment should be replaced with the following text: "Taking note of the conclusions of the panel of the General

(Mr. Marin-Bosch, Mexico)

Agreement on Tariffs and Trade, which considered the Nicaraguan complaint on that issue and which, inter alia, states that trade embargoes, such as the one imposed by the United States, ran counter to the basic aims of the General Agreement on Tariffs and Trade, namely, to foster non-discriminatory and open trade policies, to further the development of less developed contracting parties and to reduce uncertainty in trade relations."

32. Mr. LABERGE (Canada) proposed that the second paragraph of the second amendment should be modified by inserting a full stop after the words "Tariffs and Trade" and deleting the rest of the sentence.

33. The CHAIRMAN invited Committee members to submit their sub-amendments to the third amendment contained in document A/C.2/41/L.43.

34. Mr. VALDEZ (Peru) proposed that the third amendment should be modified by replacing the words "only 11 countries" with the words "Governments of Member States".

35. The CHAIRMAN invited Committee Members to submit their sub-amendments to the fourth amendment contained in document A/C.2/41/L.43.

36. Mr. MARIN-BOSCH (Mexico) said that, like the other sub-amendments he had submitted, the modification he proposed to make to the fourth amendment in document A/C.2/41/L.43 was intended to restore the emphasis on the actual subject of draft resolution A/C.2/41/L.29, which was the trade embargo against Nicaragua, and to prevent the changes introduced in document A/C.2/41/L.43 from altering its spirit. He therefore proposed that the text of the fourth amendment should be replaced with the following: "Deplores also the continued financing of military and other activities in and against Nicaragua which impede its economic and social development and violate the fundamental rights of the Nicaraguan people."

37. Mr. KUFUOR (Ghana) said that that paragraph bore no relationship to draft resolution A/C.2/41/L.29. In fact, it dealt with a question relating to the jurisdiction of a Member State, a question which, in any event, was not the concern of the Second Committee. He therefore proposed that the fourth amendment in document A/C.2/41/L.43 should simply be deleted.

38. Mr. DUN (United Kingdom), speaking on behalf of the twelve States members of the European Community, said that a series of complex sub-amendments had been submitted to the amendments proposed by the United States of America (A/C.2/41/L.43) and that it would be impossible to vote on those proposals without considering them in depth. He therefore proposed that the debate and the decision on agenda item 79 (a) should be adjourned until the following day, in accordance with rule 116 of the rules of procedure.

39. Mr. VALDEZ (Peru) asked the Legal Counsel whether rule 116 was applicable to the proposal made by the representative of the United Kingdom.

40. Mr. BORG OLIVIER (Office of the Legal Counsel) replied that the United Kingdom proposal was a simple motion to adjourn the debate and that rule 116 normally applied to that type of motion.

41. Mr. VALDEZ (Peru) pointed out that the Committee had already spent a great deal of time on that question; it would therefore be helpful to conclude consideration of the item before the end of the meeting, particularly since the sub-amendments which had been submitted were simply intended to preserve the spirit of draft resolution A/C.2/41/L.29, which the text of amendment A/C.2/41/L.43 tended to weaken.

42. Mr. MARIN-BOSCH (Mexico) said that he too was opposed to the motion to adjourn the debate made by the representative of the United Kingdom. Most of the sub-amendments had been submitted in writing and those proposed by Canada, the Federal Republic of Germany, and Ghana, presented no difficulty. The Committee should therefore be able to take a decision on them immediately. The sponsors of draft resolution A/C.2/41/L.29 had been very patient, but enough time had been lost and a vote should now be taken on all those proposals.

43. Mr. BEN MOUSSA (Morocco) said that he had received instructions from his Government with respect to draft resolution A/C.2/41/L.29 and the amendments thereto. However, he would need to contact the authorities of his country once again before taking a position on the proposed sub-amendments. He therefore supported the proposal of the United Kingdom and added that if the Committee decided nevertheless to proceed to an immediate vote on the sub-amendments which had been proposed during the meeting, his delegation would not participate in the vote.

44. Mr. LABERGE (Canada) supported the United Kingdom proposal.

45. At the request of the representative of the United States, a recorded vote was taken on the motion of the United Kingdom to adjourn the debate on the question of the adjournment of the vote on the sub-amendments to the United States amendment in document A/C.2/41/L.43.

In favour: Argentina, Australia, Austria, Barbados, Belgium, Botswana, Burma, Burundi, Canada, Central African Republic, Chad, Chile, Comoros, Costa Rica, Côte d'Ivoire, Denmark, El Salvador, Equatorial Guinea, Fiji, Finland, France, Germany, Federal Republic of, Greece, Grenada, Guinea, Honduras, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kuwait, Lebanon, Liberia, Luxembourg, Malaysia, Mali, Morocco, Netherlands, New Zealand, Norway, Philippines, Portugal, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Spain, Swaziland, Sweden, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Albania, Algeria, Angola, Benin, Bolivia, Brazil, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Ghana, Guyana, Hungary, India, Iran (Islamic Republic of), Iraq, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mexico, Mongolia, Nicaragua, Nigeria, Panama, Peru, Poland, Romania, Suriname, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Abstaining: Bahrain, Bangladesh, Cameroon, Ecuador, Egypt, Gabon, Gambia, Guatemala, Indonesia, Jordan, Malawi, Malta, Mozambique, Nepal, Niger, Pakistan, Paraguay, Rwanda, Sierra Leone, Sri Lanka, Sudan, Togo, Trinidad and Tobago, Zaire.

46. The motion to adjourn the debate was adopted by 56 votes to 48, with 24 abstentions.

47. Mr. PAYTON (New Zealand) requested the Secretariat to distribute the text of all the proposed sub-amendments submitted to document A/C.2/41/L.43.

Draft resolution A/C.2/41/L.30

48. Mr. JONCK (Denmark), Vice Chairman, said that it had not been possible during the informal consultations to reach agreement on the draft resolution under consideration and the Committee should therefore take a decision.

49. Mr. HARAN (Israel) said that, since developing countries were by definition and by nature more vulnerable and more exposed to coercive economic measures, his delegation could subscribe to the idea contained in the draft resolution if it were not for the fact that in paragraph 2, the draft resolution deplored only the fact that the developed countries continued to apply such measures and paragraph 3 enjoined only the developed countries to refrain from having recourse to such measures. That was totally unjustified: an end must be put to the use of such measures by any country whatsoever, even a developing country. That was the approach of all the international instruments mentioned in the report of the Secretary-General and there was, moreover, no economic reason to require only developed countries to renounce such practices.

50. His delegation therefore proposed two amendments which should make it possible to secure a broader consensus on the draft resolution: firstly, in paragraph 2, to delete the word "developed", and secondly, in paragraph 3, to replace the phrase "developed countries" by "all countries".

51. Mr. LAZAREVICH (Yugoslavia), speaking on behalf of the Group of 77, said that the sponsors could not accept the amendments proposed by the representative of Israel.

52. At the request of the representative of the United States of America, a recorded vote was taken on the amendment to paragraph 2 of draft resolution A/C.2/41/L.30.

In favour: Canada, Israel, United States of America.

Against: Afghanistan, Albania, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Gabon, 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, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Abstaining: Australia, Belgium, Cameroon, Denmark, El Salvador, Fiji, Finland, France, Germany, Federal Republic of, Greece, Grenada, Iceland, Ireland, Italy, Japan, Luxembourg, Malawi, Nepal, Netherlands, New Zealand, Norway, Paraguay, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland.

53. The proposed amendment was rejected by 106 votes to 3 with 27 abstentions.

54. Mr. BOECK (Austria) said that his delegation had intended to abstain.

55. At the request of the representative of the United States of America, a recorded vote was taken on the amendment proposed by the representative of Israel to paragraph 3 of draft resolution A/C.2/41/L.30.

In favour: Canada, Israel, United States of America.

Against: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burma, Burund', Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, 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, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Abstaining: Australia, Austria, Belgium, Cameroon, Denmark, El Salvador, Equatorial Guinea, Fiji, Finland, France, Germany, Federal Republic of, Greece, Grenada, Iceland, Ireland, Italy, Japan, Luxembourg, Malawi, Nepal, Netherlands, New Zealand, Norway, Paraguay, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland.

56. The proposed amendment was rejected by 104 votes to 3, with 29 abstentions.

57. At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.2/41/L.30.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, 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, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar,

Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

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

Abstaining: Fiji, Greece, Spain, Turkey.

58. Draft resolution A/C.2/41/L.30 was adopted by 113 votes to 21, with 4 abstentions.

59. Mr. PAYTON (New Zealand) explained that, as in previous years, his delegation had voted against the draft resolution on economic measures as a means of political and economic coercion against developing countries, because on the one hand it had doubts as to the effectiveness of such methods generally speaking, and on the other, because the draft resolution should not only make reference to the developed countries.

60. Mr. WALTER (Czechoslovakia), speaking on behalf of the Byelorussian Soviet Socialist Republic, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic, and the Union of Soviet Socialist Republics, said that the delegations of those countries had voted in favour of the draft resolution. Indeed, their rejection of all kinds of economic sanctions, boycotts, embargoes and other measures directed against sovereign States except those recommended by the United Nations was well known. Such measures were incompatible with the basic principles which governed relations among States and were a violation of the principles embodied in the Charter and other relevant documents. On the contrary, international economic relations currently required equitable and mutually advantageous co-operation, confidence and security. Moreover, it was important to protect fully the sovereign right of every State to choose its own socio-economic system.

61. Mr. HLOPHE (Swaziland) said that the voting machine had not recorded the vote of his delegation, which would have been in favour of the draft resolution.

62. Mr. LABERGE (Canada) said he had voted simply for the sake of the democratic process. His vote had been against the draft resolution because regrettably the text did not treat all countries in the same way. It was to be hoped, moreover, that those problems would be brought to the attention of the appropriate parties.

63. Mr. DUN (United Kingdom), speaking on behalf of the 12 member States of the European Economic Community, said that they had voted against the draft resolution for reasons expressed in previous years and that he wondered about the value of adopting such resolutions year after year.

Draft resolution A/C.2/41/L.37

64. Mr. JØNCK (Denmark), Vice-Chairman, said that agreement had been reached on the draft resolution during the informal consultations.

65. Draft resolution A/C.2/41/L.37 was adopted.

66. Mr. LABERGE (Canada), speaking on behalf of the delegations of Australia, Belgium, the Federal Republic of Germany, Japan, Luxembourg, the Netherlands, New Zealand, the United Kingdom and the United States of America, as well as his own, said they wished to make the following comments: the phrase "a more structured consultative mechanism" in paragraph 3 neither referred to nor included negotiations. Further, the phrase "in the light of consultations" in paragraph 5 allowed for the reconvening of negotiations on the Code only if consultations indicated sufficient substantive agreement to provide good prospects for a successful outcome at a further Code session.

Draft resolution A/C.2/41/L.44

67. Mr. JØNCK (Denmark), Vice-Chairman, said that informal consultations had led to a consensus on the draft resolution.

68. Draft resolution A/C.2/41/L.44 was adopted.

Draft decision A/C.2/41/L.45

69. Mr. JØNCK (Denmark) said that a consensus had been reached on the draft decision during the informal consultations, with one change: subparagraph (b) should be replaced by the following:

Invites all States that have not yet done so to take the measures necessary to become contracting parties to the Convention.

70. Mr. DUN (United Kingdom), speaking on behalf of the 12 member States of the European Economic Community, said that they had not completed their consideration of the Convention, and that discussion was still under way on the maintenance of the commitments stemming from the Treaty of Rome. The Council of the Communities was studying a proposal for a way in which the member States might express their reservation. That item was also on the agenda of the twelfth session of the UNCTAD Committee on Shipping.

71. Draft decision A/C.2/41/L.45 was adopted.

(c) NEW AND RENEWABLE SOURCES OF ENERGY (continued) (A/C.2/41/L.10 and L.32)

72. Mr. JONCK (Denmark) said that, following informal consultations on draft resolution A/C.2/41/L.32, draft resolution A/C.2/41/L.10 had been withdrawn. Furthermore, in paragraph 6 of draft resolution A/C.2/41/L.32, the words "to utilize fully existing channels, including the United Nations Trust Fund to facilitate activities related to the implementation of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy and" should be inserted after the words "Reiterates the need".

73. Draft resolution A/C.2/41/L.32, as orally revised, was adopted.

74. The CHAIRMAN said that the Committee had concluded its consideration of sub-item 79 (c).

(d) DEVELOPMENT OF THE ENERGY RESOURCES OF DEVELOPING COUNTRIES (continued)

75. In the absence of draft proposals under the sub-item, the CHAIRMAN wished to propose the following draft decision for consideration by the Committee:

"The General Assembly takes note of the report of the Secretary-General on the energy exploration and development trends in developing countries (document A/41/383-E/186/101)."

76. The draft decision was adopted.

77. The CHAIRMAN said that the Committee had concluded its consideration of sub-item 79 (d).

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)
(A/C.2/41/L.51 and L.56)

78. The CHAIRMAN invited the Committee to consider draft decisions A/C.2/41/L.51 and A/C.2/41/L.56.

79. Draft decisions A/C.2/41/L.51 and A/C.2/41/L.56 were adopted.

AGENDA ITEM 82: SPECIAL ECONOMIC AND DISASTER RELIEF ASSISTANCE (continued)

(h) SPECIAL PROGRAMMES OF ECONOMIC ASSISTANCE: REPORTS OF THE SECRETARY-GENERAL (continued) (A/C.2/41/L.27/Rev.2, L.38, L.40, L.54/Rev.1, L.41 and L.55)

Draft resolution A/C.2/41/L.27/Rev.2

80. The CHAIRMAN invited the Committee to consider the revised draft resolution A/C.2/41/L.27/Rev.2.

81. Draft resolution A/C.2/41/L.27/Rev.2 was adopted.

Draft resolution A/C.2/41/L.38

82. The CHAIRMAN announced that the Libyan Arab Jamahiriya had joined the sponsors of draft resolution A/C.2/41/L.38.

83. Mr. SEVAN (Secretary of the Committee) said that, as a result of informal consultations, it had been decided to make a number of changes in the draft resolution. The first change, in paragraph 3, consisted in replacing the word "annex" by the "appendix". In the first line of paragraph 4, the words "in particular" should be deleted. The third change, in paragraph 6, was to insert the words "in so far as possible" after the words "to maintain and increase". In paragraph 9, the words "in accordance with the provisions of General Assembly resolution (A/C.2/41/L.39)" should be inserted after the words "the Secretary-General".

84. Draft resolution A/C.2/41/L.38, as orally revised, was adopted.

Draft resolution A/C.2/41/L.40

85. The CHAIRMAN invited the Committee to consider draft resolution A/C.2/41/L.40. He announced that Canada and Bangladesh had joined the list of sponsors.

86. Mr. SEVAN (Secretary of the Committee) announced that, as a result of informal consultations, it had been decided to make the following amendments to the draft resolution: in paragraph 3, the words "Takes note of the efforts undertaken by the Government of Lebanon" should be replaced by the words "Commends further the Government of Lebanon for its efforts". In paragraph 5, the words "in accordance with the provisions of General Assembly resolution (A/C.2/41/L.39)" should be inserted after the words "the Secretary-General".

87. Draft resolution A/C.2/41/L.40, as orally revised, was adopted.

Draft resolution A/C.2/41/L.54/Rev.1

88. The CHAIRMAN invited the Committee to consider draft resolution A/C.2/41/L.54/Rev.1, which was also sponsored by Italy, Morocco, Nigeria, Togo and Tunisia.

89. Mr. EL HASSAN (Sudan) said that in paragraph 3 (a) of the Arabic version, the word "predators" had been translated by a word that meant "saboteurs".

90. The CHAIRMAN said that the Secretariat would make the necessary change.

91. Draft resolution A/C.2/41/L.54/Rev.1 was adopted.

Draft resolution A/C.2/41/L.41

92. Mr. KATAWALA (Mozambique) requested that the list of countries that had become sponsors of draft resolution A/C.2/41/L.41 should be read out.

93. Mr. SEVAN (Secretary of the Committee) said that the following countries should be added to the list of sponsors: Afghanistan, Argentina, Austria, Bangladesh, Brazil, Burkina Faso, Burundi, Canada, China, the Congo, Cuba, Czechoslovakia, Ethiopia, Ghana, Greece, Guinea-Bissau, India, Lesotho, Madagascar, Malawi, Mali, Mauritania, Mexico, Morocco, Nepal, the Niger, Panama, Peru, Portugal, Romania, Rwanda, Swaziland, Tunisia, Uganda, Zaire and Zambia.

94. Moreover, the following amendments had been made to the draft resolution: in paragraph 4, the words "in accordance with the provisions of General Assembly resolution A/C.2/41/L.39" had been inserted after the words "the Secretary-General"; and in paragraph 4 (c), the word "sustained" preceding the word "consultations" had been deleted.

95. Draft resolution A/C.2/41/L.41, as orally revised, was adopted.

Draft resolution A/C.2/41/L.55

96. Mr. DE ROJAS (Venezuela) said it was gratifying that the informal consultations had led to a text that could be adopted by consensus. However, since a number of delegations had not participated in those consultations, he requested that the Committee should take a decision on that draft resolution at a later time.

97. The CHAIRMAN said that that would be done.

98. Mr. SEBURYAMO (Burundi) questioned the justification for the references in several resolutions that had just been adopted, to another resolution (A/C.2/41/L.39) adopted by the Committee at the current session. He had the impression that the Committee, in so doing, appeared to be self-satisfied.

99. Mr. SEVAN (Secretary of the Committee) said that the resolution in question would appear with its definitive number once it had been adopted by the plenary Assembly.

The meeting rose at 6.35 p.m.