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SPECIAL POLITICAL COMMITTEE  
38th meeting  
held on  
Friday, 28 November 1986  
at 10.30 a.m.  
New York

A/IA COLLECTION

SUMMARY RECORD OF THE 38TH MEETING

Chairman: Mr. GONZALEZ (Chile)

later: Mr. IRTEMCELİK (Turkey)

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COMPLETION OF THE COMMITTEE'S WORK

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The meeting was called to order at 10.45 a.m.

AGENDA ITEM 72: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE  
(continued) (A/SPC/41/L.28, L.29 and Corr.1)

AGENDA ITEM 137: QUESTION OF THE REVIEW OF THE CONVENTION ON REGISTRATION OF  
OBJECTS LAUNCHED INTO OUTER SPACE (continued) (A/SPC/41/L.30)

Consideration of draft resolutions

1. Draft resolution A/SPC/41/L.28 was adopted without a vote.
2. Mr. BANGO-BANGO (Zaire), explaining his vote before the vote, expressed the view that there was a degree of dichotomy in draft resolution A/SPC/41/L.29 between the concept of freedom to exploit and that of State sovereignty. His delegation would vote in favour of the draft resolution but had reservations on both principle I and principle IV.
3. Draft resolution A/SPC/41/L.29 was adopted without a vote.
4. Draft resolution A/SPC/41/L.30 was adopted without a vote.
5. MR. GÖKTÜRK (Turkey), speaking in explanation of vote, said that, by its very nature, the compromise text contained in draft resolution A/SPC/41/L.29 did not reflect all the views expressed during the negotiations, nevertheless the Principles would serve as a useful basis for co-operation in the field of remote sensing.
6. Some of the principles could have been further improved. Concerning principle IV, his delegation believed that States carrying out remote sensing activities should obtain the consent of the sensed State before any information or data obtained concerning that State's natural resources was made available to international organizations or to governmental or non-governmental bodies in other States. In the absence of such consent, the State carrying out those activities should, at least, inform the sensed State of the bodies to which data relating to its territory had been communicated.
7. It would have been helpful if principle IX had specified exactly when the Secretary-General should be informed about remote sensing programmes. It would have been preferable to have had the State transmit such information one or two months prior to the beginning of the planned activity and to indicate its technical characteristics, nature, probable duration, objectives and the geographical area to be covered.
8. As for principle XII, provision should have been made for instances when the objectives and geographical area to be covered were determined unilaterally by the State carrying out the remote sensing activities. In such cases, the sensed State

(Mr. Gökürk, Turkey)

should be given free access to the information concerning the territory under its jurisdiction.

9. His delegation considered the issue to be an evolving process.

10. Mr. DANIELSSON (Sweden) said that the principles just adopted laid a firm basis for the development of remote sensing activities and the use of operational remote sensing satellites. The commitment to non-discriminatory access to data was recognized in principle XII. Sweden hoped that the principles would contribute to making it possible for all countries, regardless of their scientific and technological development, to benefit from the use of remote sensing technology. That objective, stated in principle II was no doubt shared by all members of the Committee. In principle IV, it was stated that remote sensing activities should be conducted on the basis of respect for the principle of full and permanent sovereignty of all States and peoples over their own wealth and natural resources, with due regard to the rights and interests, in accordance with international law, of other States. The principle went on to state that remote sensing activities should not be conducted in a manner detrimental to the legitimate rights and interests of the sensed State. It was evident from the context in which it was stated that the last sentence of principle IV was an example illustrating the general rule found in the sentence preceding it. That meant that the obligation in the last sentence was subject to what had been recognized in international law.

11. Principle XIV confirmed that the State operating a remote sensing satellite was responsible for activities taking place in outer space in accordance with article VI of the Outer Space Treaty. From the last sentence it was evident that the principle did not cover other activities in that connection. Finally, the set of principles took up the question of resolution of disputes. Principle XV stipulated that the parties should seek a solution through the established procedures for the peaceful settlement of disputes. His delegation understood that as pointing to the means for settlement of disputes mentioned in Article 33 of the United Nations Charter, the procedure to be mutually agreed upon by the parties to the dispute.

12. Miss SAIGA (Japan) said that, although many countries, including Japan, could not subscribe to every element contained in the principles, her delegation regarded the final agreement on them to be a positive step forward. Her delegation appreciated in particular that the principles had been adopted by consensus.

13. With regard to principles IV and XIV, it was the understanding of her delegation that the international responsibility of States engaged in remote sensing activities did not go beyond the provisions of the 1967 Outer Space Treaty or international law in general. Her delegation considered that the principles themselves were not legally binding and wished to confirm its interpretation that they were meant to serve as guidance for future efforts. Finally, Japan was of the view that the embodiment of those principles in a new legal instrument such as a treaty was neither necessary nor desirable.

14. Mr. LOWELL (United States of America) said that, in the view of his delegation, the principles reflected the conditions which were essential for the growth and development of civil remote sensing activities to the ultimate benefit of all countries. For the purposes of the principles, the term "remote sensing" had effectively been defined as those operational applications in which the international community had the greatest interest and stood to derive greatest benefits from remote sensing.

15. His delegation was gratified that the Committee and its Legal Sub-Committee had chosen to reject numerous proposals which, if put into practice, would have hindered the international community's opportunity to share in the benefits of remote sensing. Those had included proposals calling for a prior consent system for data dissemination, for the extension of the concept of permanent sovereignty over natural resources to cover information concerning those resources, for restrictions on the use and disposition of analysed information, and for expansion of the scope of the law of State responsibility. Those and other unduly restrictive proposals had wisely been rejected in favour of a consensus which emphasized international co-operation and openness.

16. Principle XII had recognized that the interests of both sensed and sensing States were best advanced through an operational data dissemination policy that called for primary and processed data to be made available on an undiscriminatory basis and on reasonable terms. Such a policy had long been followed by the United States and had been embodied in national legislation governing private sector activities in the area. Principle XII also reflected the essential distinction between dissemination of primary or processed data on the one hand and that of analysed information on the other, a distinction that was of fundamental importance for the full realization of remote sensing's beneficial possibilities. The principles likewise enhanced the prospects for civil remote sensing by expressly recognizing, in principle XIV, that States bore international responsibility for remote sensing activities carried out by themselves or their nationals only to the extent that such responsibility might already be provided for under the 1967 Outer Space Treaty and international law generally. The principles in general correctly acknowledged that the existing régime of outer space law applied as well to remote sensing of the Earth from space.

17. The principles also took practical considerations into account. For example, principles X and XI, relating to protection of the environment and protection from natural disasters, did not contemplate that States would screen all data for those purposes but rather that States would alert other States when they had identified information that would assist those States in preventing or dealing with emergencies.

18. As had been emphasized throughout the negotiations, under the Charter of the United Nations the Principles could be only recommendatory in character; they could not, in and of themselves, possess legal force. In the view of his delegation, the embodiment of those principles in a new legal instrument was neither necessary nor desirable. Nevertheless, the principles constituted a significant statement of the views of the international community on a matter of great importance to the future

(Mr. Lowell, United States)

of the peaceful use and exploration of outer space. They were entirely compatible with relevant United States laws and policies and it was his delegation's hope that other States would be guided by them in formulating and implementing their own programmes in that area.

19. Mr. CRAANEN (Netherlands) said that his delegation had joined the consensus on draft resolution A/SPC/41/L.29 notwithstanding reservations, particularly on principle XIV. Under general international law, State responsibility arose only as a consequence of a breach of an international obligation by a State. Principle XIV could, however, be interpreted to mean that the principles were legally binding. That was not the interpretation of his delegation. Principle XIV reflected the current situation that activities not covered by article VI of the Outer Space Treaty would continue to be covered by general international law.

20. Mr. MAIORSKI (Union of Soviet Socialist Republics) said that the draft resolution as a whole and principles IV and XIV in particular, should be interpreted as meaning that the State would guarantee that the entirety of national activities concerned with remote sensing over other territories would be carried out in conformity with the agreed principles, whether such activities were pursued by the Government or by non-governmental agencies under its jurisdiction. The State carrying out remote sensing activities had the international responsibility for damage resulting from its national activities as defined in the principles.

21. His delegation assumed that the adoption of the principles by the General Assembly would represent the conclusion only of a first stage, to be followed by a second stage during which an international agreement would be worked out. In that connection, his delegation did not agree with the view expressed by the representative of Japan.

22. His delegation regretted that, during the work on the final text, it had not been possible to reach closer agreement on the text of the Principles in the different language versions.

23. Mr. KIRSCH (Canada) said that, in the light of the interpretative statements which had been made on principle XIV, his delegation wished to associate itself with those delegations which considered that that principle would not extend State responsibility to the distribution of processed data. The principle distinguished between the responsibility of States in regard to satellites under article VI of the Outer Space Treaty of 1967, on the one hand, and, on the other hand, remote sensing activities in general, which included the distribution of processed data in accordance with the norms of international law.

24. Concerning draft resolution A/SPC/41/L.28, the endorsement of the report of the Committee on the Peaceful Uses of Outer Space contained in operative paragraph 1 would ipso facto cover all relevant recommendations, whether or not they were listed in the draft resolution. His delegation's support of the draft resolution was based on that interpretation.

25. Mr. RODRIGUEZ MEDINA (Colombia) said that his delegation would have preferred the text of draft resolution A/SPC/41/L.29 to have been more explicit in regard to access by sensed States to the benefits to be derived from remote sensing.

26. Colombia and the Third World had fought for priority and non-discriminatory access to processed information as well as for the prior consent of the sensed State. The principles on which consensus had been achieved were designed to place the information obtained at the disposal of all countries. It was clear that technological and commercial reality had played a decisive influence during the final negotiations. It was to be hoped that the vast technological gap which separated the developed from the developing countries would not be widened further, thus creating a new category of privilege, namely, that of the remote sensing States.

27. His delegation wished to make it clear that it had joined the consensus only as a contribution to the enhancement of international co-operation, without prejudice to its belief that the great Powers must show greater understanding of the hopes and needs of the developing world when the recommendations which had just been approved came to be implemented and when a definitive agreement was reached on the issue.

28. Mr. BRAUN (Germany, Federal Republic of) said that the catalogue of principles contained in draft resolution A/SPC/41/L.29 constituted a fair and balanced compromise solution. The remote sensing principles, by their legal nature, did not constitute an international contractual agreement. They did, however, reflect common notions which the international community held in the important field of the peaceful uses of outer space. In the understanding of his Government, the principles on remote sensing established neither rights nor obligations under international law. That applied in particular to principle XIV, which did not provide a new basis for liability claims under international law but only referred in a rather generic manner to liability rules that had already been recognized in international law and had been stipulated in other legal provisions such as article VI of the Outer Space Treaty.

29. Mr. de la BAUME (France) expressed the view that the principles must be interpreted in good faith and in accordance with the ordinary meaning of the terms employed in the text. Concerning principle XIV, he considered that, in conformity with article VI of the 1967 Outer Space Treaty, State responsibility only arose in connection with activities undertaken in outer space by States using remote sensing satellites. Moreover, the entirety of other remote sensing activities remained subject to the principles of responsibility under general international law.

30. Mr. RADENKOVIC (Yugoslavia) said that his delegation had joined the consensus although some of the principles adopted did not satisfy the interests of the developing countries, and in that connection his delegation had expressed reservations at an earlier stage.

31. His delegation had joined the consensus on the draft resolution in the hope that remote sensing would never be carried out to the detriment of the developing

(Mr. Radenkovic, Yugoslavia)

countries and that remote sensing activities would be performed in the interests of all, particularly the developing countries, as was clearly stipulated in principle II.

32. Mr. MIMOUNI (Algeria) said that his delegation had joined the consensus on the adoption of draft resolution A/SPC/41/L.29 in a spirit of compromise, although the draft principles in the annex were far from satisfactory as far as the needs of the developing countries and the rights of the sensed State were concerned. The draft principles contained numerous safeguard clauses which rendered their implementation difficult. The text would have been clearer if it had gone into more specific detail about the rights of the sensed State, the compulsory requirement of prior consultation and access for sensed States to the data concerning them.

33. Mr. LE LUONG MING (Viet Nam) said that, although his delegation had joined the consensus to adopt draft resolution A/SPC/41/L.29 on the principles relating to remote sensing of the Earth from space further and more detailed clarification of several principles was needed, especially principles IV and XIV concerning respect for and the guaranteeing of the sovereignty of the sensed State and especially the rights of the developing countries over their respective territories and natural resources, the benefits that could accrue to those countries from remote sensing activities and the responsibility of the sensing State for any damage caused to the sensed State by such activities.

AGENDA ITEM 74: QUESTIONS RELATING TO INFORMATION (continued) (A/SPC/41/L.31-35)

34. MR. GÖKTÜRK (Turkey), speaking as Chairman of the Working Group on Questions relating to Information, introduced draft resolution A/SPC/41/L.31. The draft resolution was the happy result of the combined efforts of delegations, which had worked hard for five weeks to draw up the resolution under examination, which, though not ideal, was meant for use as an unpretentious bridge between a troubled past and an infinitely better future.

35. Mr. RADENKOVIC (Yugoslavia), speaking on behalf of the Group of 77, introduced draft resolutions A/SPC/41/L.32 and L.33. Recalling the hard work of the Committee on Information during June and July 1986 and the unsatisfactory results obtained despite great efforts by all concerned, he said that much thought had been given to finding universally acceptable solutions to controversial issues. The aim of draft resolution A/SPC/41/L.32 was to support the work of UNESCO, and he hoped that it would be adopted with the broadest possible support.

36. The Group of 77 had drafted resolution A/SPC/41/L.33 to support Malta's appointment as a member of the Committee on Information, being convinced that Malta's membership would be of benefit to all.

37. Mr. İrtemçelik (Turkey) took the Chair.

38. Mr. ATTEWELL (Canada) introduced draft resolution A/SPC/41/L.34. He urged members to support the draft resolution and commemorate the fortieth anniversary of the World Federation of United Nations Associations, which was the only

(Mr. Attewell, Canada)

non-governmental organization whose purpose was to ensure understanding of and support for the United Nations among the public at large. He was pleased that Sweden was joining the sponsors of the draft resolution.

39. Mr. DOLJINTSEREN (Mongolia) introduced draft resolution A/SPC/41/L.35 on behalf of the sponsors. Its object was to celebrate the fortieth anniversary of UNESCO, whose central role in the field of information was widely recognized. Quoting the President of the General Assembly and referring to a special message from the Secretary-General congratulating UNESCO on its fortieth anniversary, he expressed the hope of the sponsors that the draft resolution would receive unanimous support.

40. Mr. BARRIOS (Spain) expressed, on behalf of the Group of Western European and other States, the conviction that draft resolution A/SPC/41/L.35 was completely redundant, as it merely repeated the provisions of draft resolution A/SPC/41/L.32. He appealed to the sponsors to recognize the duplication and not to insist on putting draft resolution A/SPC/41/L.35 to the vote.

41. Mr. FARTAS (Libyan Arab Jamahiriya), speaking on behalf of the sponsors of draft resolution A/SPC/41/L.35, said that he had listened to the appeal of the delegation of Spain, but saw no reason not to adopt the draft, which merely paid a tribute to UNESCO and requested the Department of Public Information to give broad coverage to the fortieth anniversary of UNESCO and to use it for the dissemination of information on the role of the United Nations and UNESCO in the information field.

42. Mr. HÄNSEL (German Democratic Republic), speaking on behalf of the Eastern European States, said that the draft resolution in question only highlighted the central role played by UNESCO and he urged the Committee not to respond to the Spanish delegation's appeal.

43. Mr. TOMASZEWSKI (Poland), addressing A/SPC/41/L.31 and L.32, said that every year since the adoption in 1979 of the Declaration on the Preparation of Societies for Life in Peace, traditional reference had been made to the Declaration in the resolutions adopted on the current item. Reference to the Declaration was very pertinent to the work of the United Nations, UNESCO, Governments and governmental and non-governmental organizations and proposed the reinsertion of such a reference in draft resolution A/SPC/41/L.31, immediately after paragraph 16. New paragraph 17 would read: "The relevant provisions of the Declaration on the Preparation of Societies for Life in Peace should also be recalled." If such a reference were included in the UNESCO resolution (A/SPC/41/L.31) and not in the omnibus resolution (L.32), an imbalance would be created. The remaining paragraphs of the draft should be renumbered accordingly.

44. Mr. HANSEN (Denmark) said that, as the Polish representative's amendment to draft resolution A/SPC/41/L.31 made it harder to reach a consensus, it was preferable that, after all the long and hard negotiations of the past month, new elements should not suddenly be introduced. He appealed earnestly to the Polish representative not to insist on his amendment.



45. Mr. TOMASZEWSKI (Poland) replied that he had informed the Chairman of the Working Group about the proposed amendment, which was hardly a new departure, seeing that such a provision had been adopted every year since 1979.

46. Mr. MORTIMER (United Kingdom) requested as a minimum an assurance from the Secretariat or from the Chairman - seeing that it was inevitable that draft resolution A/SPC/41/L.35 would be put to the vote - that paragraph 2 had no financial implications.

47. The CHAIRMAN replied that he understood that paragraph 2 had no financial implications.

48. A recorded vote was taken on the Polish amendment to draft resolution A/SPC/41/L.31.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, Ethiopia, German Democratic Republic, Ghana, Guatemala, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Sierra Leone, Singapore, 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, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Canada, Denmark, Germany, Federal Republic of, Iceland, Israel, Japan, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Finland, France, Greece, Ireland, Italy, New Zealand, Norway, Portugal, Spain, Sweden.

49. The Polish amendment was adopted by 100 votes to 9, with 12 abstentions.

50. A recorded vote was taken on draft resolution A/SPC/41/L.31 as a whole.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso,

Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Sierra Leone, Singapore, 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, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Canada, Israel, United Kingdom of Great Britain and Northern Ireland, Venezuela.\*

51. Draft resolution A/SPC/41/L.31, as amended, was adopted by 117 votes to 1, with 4 abstentions.

52. Ms. GUARDIA (Venezuela) said that, owing to a mechanical error, her delegation's vote had been recorded wrongly. It wished to vote in favour of draft resolution A/SPC/41/L.31.

53. Mr. CRAANEN (Netherlands) recalled that he had privately requested the Chairman to hold a separate vote on paragraph 1.1 of draft resolution A/SPC/41/L.31.

54. The CHAIRMAN acknowledged that request, which he had unfortunately forgotten. However, the logical time for the representative of the Netherlands to bring up his request would have been before the voting had begun. The Committee could not reopen the vote without following the procedure contained in rule 123 of the rules of procedure. The representative of the Netherlands might perhaps bring up his request when draft resolution L.31 was considered in plenary meeting.

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\* See para. 52 below.

55. After a procedural discussion, the CHAIRMAN said he took it that the Committee wished to proceed with voting on the remaining draft resolutions.

56. It was so decided.

57. A recorded vote was taken on draft resolution A/SPC/41/L.32.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, Ethiopia, Finland, France, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Sierra Leone, Singapore, 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, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

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

Abstaining: Canada, Denmark, Germany, Federal Republic of, Iceland, Israel, Japan, Netherlands.

58. Draft resolution A/SPC/41/L.32 was adopted by 114 votes to 2, with 7 abstentions.

59. Draft resolution A/SPC/41/L.33 was adopted without a vote.

60. Draft resolution A/SPC/41/L.34 was adopted without a vote.

61. A recorded vote was taken on draft resolution A/SPC/41/L.35.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Costa Rica,

Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, Ethiopia, France, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Sierra Leone, Singapore, Spain, 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, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Denmark, Germany, Federal Republic of, Iceland, Japan, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Finland, Israel, Italy, Luxembourg, New Zealand, Norway, Portugal, Sweden.

62. Draft resolution A/SPC/41/L.35 was adopted by 105 votes to 10, with 9 abstentions.

63. Mr. MUTO (Japan), speaking in explanation of vote, said that the texts adopted represented a significant improvement over the 1985 texts. His delegation had joined in the positive vote on draft resolution A/SPC/41/L.31 in a spirit of co-operation, but it would have abstained if a separate vote had been taken on paragraph 1.1. He wished to make it clear that total agreement had not been reached on that point and that his delegation's basic position concerning information and communications remained unchanged. As for draft resolution A/SPC/41/L.32, quoting selectively from UNESCO declarations and resolutions was not conducive to reaching a consensus. Since time constraints made it impossible to take up that question, it should be discussed at the following session of the Committee.

64. Ms. GIBSON (Canada) said that, although draft resolution A/SPC/41/L.31 represented progress towards a future consensus, much work remained to be done. Her delegation hoped that the next session of the Committee on Information would lead to further progress and a consensus resolution at the forty-second session of the General Assembly. Specifically, the Committee on Information and the General Assembly should recognize the consensus achieved in UNESCO with respect to the new world information and communication order and avoid texts which infringed on the mandates of other organizations, such as the International Telecommunication Union. The majority of time and effort should be focused on questions of direct relevance to the management of the Department of Public Information and the United Nations public information programmes.

(Ms. Gibson, Canada)

65. Her delegation had abstained in the vote on draft resolution A/SPC/41/L.32 because it could not support a resolution, no matter how well intended, which further involved the General Assembly in the substantive operations of other organizations, such as UNESCO. In particular, the International Programme for the Development of Communication (IPDC) was working very well and need not be the subject of discussion in the General Assembly as proposed in paragraph 8.
66. Mr. MONTGOMERY (United States of America) said that draft resolution A/SPC/41/L.31 represented a substantial improvement over the text originally adopted by the Committee on Information. It was important to note that the Group of 77 had come to recognize several Western concerns, in particular the need for including in any definition of a new world information and communication order the words "seen as an evolving and continuous process", the deletion of wording suggesting that the United Nations should establish an international agenda for the media and the insertion of the phrase "within existing resources" in resolutions which had fiscal implications.
67. Nevertheless, his delegation had serious reservations concerning several aspects of the recommendations in the new version. First, it could not join in support for establishment of a new world information and communication order as formulated in paragraph 1 of the omnibus draft resolution. Nor could it accept the addition of various UNESCO resolutions, including resolution 4/19, which contained anti-free press prescriptions.
68. Fiscal responsibility also remained a problem. Several resolutions in the document called for new programmes or expansion of existing ones. In a time of budgetary crisis, it was irresponsible to support such increases in the Committee on Information programme without specifically identified off-setting cuts.
69. A third problem was the continued presence of highly selective political recommendations which had no place in the report on communications matters. The Under-Secretary-General for Public Information had twice noted in the Committee that DPI already had a General Assembly mandate to cover those subjects among others. Although some wording contrary to the free flow of information and a free press had been deleted, one example remained: the call for continued support of the World Newspaper Supplement without requiring the United Nations to have every article printed with the clear indication that it was part of a programme funded and co-ordinated by the United Nations.
70. Far from producing a concise and balanced set of non-polemical, action-oriented recommendations, the Committee had adopted recommendations that were wordy, often redundant, sometimes irrelevant and occasionally inaccurate. The report ought to have focused exclusively on the public information policies of the United Nations and the objective and impartial reporting by DPI of United Nations activities.
71. His delegation shared the regret of all that it had again been impossible to reach a consensus. However, the United States would never join in consensus on a

(Mr. Montgomery, United States)

document which in any way undermined the media in countries where they were currently free or jeopardized efforts to adhere to the standard of freedom of the Press elsewhere.

72. His delegation had also voted against draft resolution A/SPC/41/L.32, relating to UNESCO, because it was replete with language which attempted to set an agenda for the media. It had voted against draft resolution A/SPC/41/L.35 because it found the draft redundant.

73. Mr. DOWEK (Israel) pointed out that his delegation had abstained in the vote on draft resolution A/SPC/41/41 despite agreement with most of its provisions. If a separate vote had been taken on paragraph 1.1, it would have voted against that paragraph. His delegation could not support a resolution based on a programme of action prepared by the Committee on Information, which, under the prompting of the Arab-Soviet coalition, was the starting point for the legitimizing of crude anti-Semitism under the cover of anti-Zionist and anti-Israeli campaigns allegedly designed to combat racism. He was not referring to persecution of Semites in general but Judaeophobia, or hatred of Jews as such. Only four decades after the defeat of nazism and fascism, a coalition of totalitarian States, presently mustering a controlling vote, had succeeded in harnessing the United Nations to the airing of the main tenets of the genocidal, Nazi-Fascist legacy with almost no reaction on the part of other Member States.

74. Every minority, because of its difference, was liable to attract hostility, but hostility towards Jews contained a surplus of gratuitous hatred which demanded justification and ideological rationalization.

75. Mr. LESSIR (Tunisia), speaking on a point of order, objected to the statement by the representative of Israel. The agenda item under consideration did not concern Palestine or the Middle East, and no one was being racist or attacking Israel.

76. Mr. BURAYZAT (Jordan) expressed agreement with the views of the representative of Tunisia. Explanations of vote should not be used to reopen the debate.

77. The CHAIRMAN appealed to the representative of Israel to take into consideration the views expressed and conclude his statement.

78. Mr. DOWEK (Israel) stated that his observations were relevant; his delegation had abstained from voting because it believed that the Department of Public Information was being misused and was fostering anti-Semitism. The Chairman might appeal to the delegation that had interfered not to prevent the representative of a sovereign State from explaining the reasons for his delegation's vote. Proceeding with his statement, he said that the constantly recurring theme of the rationalizations of anti-Semitism was the absolute evil of Israel and Judaism, together with the paranoid myth of the Jewish conspiracy to dominate the world. By a curious paradox, representatives in the United Nations enjoyed immunity to spread anti-Semitic venom in a way that would not be tolerated in any decent society.

79. Mr. BURAYZAT (Jordan), speaking on a point of order, said that since the representative of Israel had not heeded the Chairman's appeal, members' attention should be drawn to rule 74 of annex V of the rules of procedure, which stated that explanations of vote should be as brief as possible and should not be used to reopen the debate.

80. The CHAIRMAN invited the representative of Israel once again to conclude his statement.

81. Mr. DOWEK (Israel) said that United Nations organs such as the Department of Public Information, the Division for Palestinian Rights and some United Nations commissions and committees had become officially and openly anti-Jewish agencies, devoting vast amounts of financial and human resources to insidious defamatory campaigns through exhibitions, seminars, publications and incessant anti-Jewish attacks under the cover of alleged anti-Israeli or anti-Zionist campaigns. By a skilful manipulation of words, those agencies were shifting the image of the Jews from that of victims to that of hangmen. The Department of Public Information bore a heavy responsibility in that respect, although the main blame should be put on the mandate assigned to it by the resolution just adopted and other relevant General Assembly resolutions.

82. Mr. HANSEN (Denmark) said that, although his delegation had voted in favour of draft resolution A/SPC/41/L.31, it had reservations about paragraph 1.1 because it did not fully reflect the consensus position set forth in UNESCO General Conference resolution 3.1 of 1985. If there had been a separate vote on that paragraph, his delegation would have abstained. Denmark, nevertheless, noted with satisfaction that for the first time in a draft resolution submitted to the Committee on that question a new world information and communication order had been described as an evolving and continuous process. That was a major departure from the approach followed in the past few years and it was hoped that future recommendations by the Committee on Information would be fully in accordance with the latest UNESCO consensus resolution. Questioning that consensus would only complicate the work of UNESCO and make it more difficult to reach agreement in the Committee on Information and the Special Political Committee.

83. His delegation expressed sincere appreciation for the manner in which the Group of 77 had participated in the negotiations on draft resolution A/SPC/41/L.31. A spirit of moderation and a desire to seek realistic solutions had prevailed even when it had proved impossible to reach a consensus. He hoped that the progress made during those negotiations could serve as the basis for a genuine consensus at the next session of the Committee on Information.

84. His delegation had abstained in the vote on draft resolution A/SPC/41/L.32. Denmark's position on paragraph 2 of that draft resolution was that the mass media were not in the service of Governments and, consequently, Governments should not make recommendations relating to them. Furthermore, the provisions of that draft resolution were not in full accordance with UNESCO General Conference resolution 3.1 of 1985. It was deeply regrettable that draft resolution A/SPC/41/L.35 had been submitted to the Committee. That draft resolution was

(Mr. Hansen, Denmark)

divisive and inappropriately requested DPI to disseminate information on the role of UNESCO, regardless of the financial situation of the United Nations and in spite of the fact that UNESCO had its own resources to carry out that task. Accordingly, his delegation had voted against draft resolution A/SPC/41/L.35.

85. Mr. MORTIMER (United Kingdom) said that his delegation had abstained in the vote on draft resolution A/SPC/41/L.31. Although it represented an improvement over earlier versions, that draft resolution did not accurately reflect the position reached in UNESCO on matters relating to a new world information and communication order. The linking of the "ongoing efforts" of UNESCO described in the second sub-paragraph of paragraph 1 (1) to "relevant resolutions" of UNESCO could be interpreted as referring to resolutions other than General Conference resolution 3.1 of 1985. His delegation found that unacceptable. Furthermore, little attempt had been made to reduce the inordinate number of recommendations in the draft or establish an orderly list of priorities commensurate with the financial realities facing the United Nations and a proper assessment of the role of DPI.

86. Draft resolution A/SPC/41/L.31 clearly fell short of the desired objective of avoiding the selective introduction of contentious political issues. It was also regrettable that the draft resolution reaffirmed the existing mandate of the Committee on Information rather than bringing it into line with the consensus reached in UNESCO on a new world information and communication order. Moreover, the manner in which the request of a Member State for a separate vote on paragraph 1.1 of that draft resolution had been dealt with did not reflect well on the Committee.

87. His delegation had voted against draft resolution A/SPC/41/L.32. If, as he assumed, the purpose of that draft resolution was to take note of the report of the Director-General of UNESCO and make suitably positive noises about the International Programme for the Development of Communication, one or, at most, two paragraphs would have sufficed. That draft resolution was suffused with careless references to documents of the non-aligned countries and OAU, the relevance of which in that context was not immediately apparent to his delegation. He also had particular difficulties with the distinctly dirigiste flavour of paragraphs 2 and 9, which caused the same problem as had arisen with regard to paragraph 1.1 of draft resolution A/SPC/41/L.31. The intention was clearly to view "ongoing efforts" in UNESCO towards the establishment of a new world information and communication order not merely in terms of General Conference resolution 3.1 of 1985, but of earlier resolutions as well. The issue concerning a new world information and communication order could have been easily settled if the wording of that resolution had been faithfully adhered to. It was supremely ironic that his country, which was not a member of UNESCO, could happily accept the consensus language of that organization on that point, while other delegations, which were members, seemingly had difficulty in doing so.

88. His delegation had voted against draft resolution A/SPC/41/L.35, which was as superfluous as it was transparent in its political motivation. It was



(Mr. Mortimer, United Kingdom)

inappropriate to request DPI to disseminate information about the role of UNESCO when the latter was perfectly capable of doing that itself. Furthermore, a commemorative resolution which had not been adopted by consensus and had attracted more negative votes than abstentions did not serve much purpose. The fortieth anniversary of UNESCO was not of such unalloyed significance that it merited commemoration in a General Assembly resolution. As to whether it was an important event in international life, only time would tell.

89. Mr. CRAANEN (Netherlands) said that, although his delegation had voted in favour of draft resolution A/SPC/41/L.31, it had strong reservations about paragraph 1.1. He had requested a separate vote on that paragraph and regretted that that had not been possible. If there had been a separate vote, his delegation would have abstained because it felt that the recommendation in that paragraph was not in line with UNESCO General Conference resolution 3.1 of 1985. The Netherlands also had reservations about the so-called political paragraphs, which could not be considered part of a constructive effort to reach consensus. In the future, the Committee should concentrate its efforts on DPI and formulate a concise, action-oriented set of recommendations to ensure an effective United Nations information policy.

90. His delegation had abstained in the vote on draft resolution A/SPC/41/L.32 because it considered that draft resolution unnecessary. UNESCO activities in the field of information and communication, particularly the International Programme for the Development of Communication, were conducted on the basis of a consensus reflected in UNESCO General Conference resolution 3.1 of 1985. Consequently, his delegation did not feel that there was any need for regional clarifications concerning those activities. Furthermore, paragraph 2 referred to a Declaration which had been rendered irrelevant by subsequent developments in UNESCO. Paragraph 9 also gave rise to serious difficulties because it introduced detrimental ambiguous elements. Lastly, his delegation had voted against draft resolution A/SPC/41/L.35, which was in shrill contrast to the desire to reach a consensus that had characterized the negotiations.

91. Mr. MARIN BOSCH (Mexico) said that his delegation disagreed with the erroneous description in draft resolution A/SPC/41/L.31 of the way in which some General Assembly resolutions had been adopted. The results of the vote on that draft resolution showed the broad support for it and the flexibility of many delegations. Those delegations which were not flexible and did not wish to reach a general agreement had either abstained or voted against the draft resolution. Furthermore, nothing was to be gained in voting separately and selectively on a paragraph of a compromise text designed to harmonize positions.

92. Mr. ÖRN (Sweden) said that his country's position on a new world information and communication order was well known. It had voted in favour of draft resolution A/SPC/41/L.31 because it had wished to return to a consensus. If there had been a separate vote on paragraph 1.1, his delegation would have abstained. Although Sweden had voted in favour of draft resolution A/SPC/41/L.32, that did not reflect any change in its position on the various UNESCO decisions referred to in the text.

93. Mr. HALINEN (Finland) said that his delegation had voted in favour of draft resolutions A/SPC/41/L.31 and L.32 as an expression of its satisfaction at the major improvement in the draft resolution brought about during the arduous negotiations. Finland was confident that that new spirit would lead to more effective work in the Committee on Information and the General Assembly concerning the definition of a new world information and communication order. Nevertheless, his delegation thought that the draft resolutions should have incorporated the language used in the UNESCO General Conference resolution 3.1 of 1985 in order to avoid ambiguity. If there had been a separate vote on paragraph 1.1 of draft resolution A/SPC/41/L.31, Finland would have abstained. Lastly, his delegation reserved its position concerning the principles set forth in paragraph 2 of resolution A/SPC/41/L.32.

94. Mr. HÄNSEL (German Democratic Republic) said that information flows, particularly through the mass media, must strengthen peace and international understanding, enable everyone to participate effectively in political, economic, social and cultural life and promote human rights, understanding and friendship among all nations. That had been reflected in the discussion of the item entitled "Questions relating to information" and the recommendation in paragraph 1.1 of draft resolution A/SPC/41/L.31. The German Democratic Republic firmly supported the non-aligned countries in the struggle for a democratization and decolonization of international information relations and the steps taken by the United Nations, particularly UNESCO, to overcome inequities and injustices, guarantee national integrity, preserve the cultural identity of all States in the trans-border dissemination of information, and promote the principles of international law in that field.

95. The adoption of that draft resolution constituted another step in the right direction. His delegation would have preferred a more precise formulation of the guidelines to establish the priorities of information activities in accordance with General Assembly resolution 35/201. Furthermore, in view of the requirements of the nuclear and space age, the responsibility of both the mass media and all those involved in shaping flows of information should have been expressed more clearly. That also applied to the responsibility of States for the activities of the media operating in their territory. Questions relating to information had become an integral part of international relations, in which all countries had to ensure justice and equality. The provisions of the relevant UNESCO resolutions and the importance of UNESCO consensus language in its entirety had been recognized in the draft resolution.

96. Mr. HEINSBERG (Federal Republic of Germany) said that his delegation had voted in favour of draft resolution A/SPC/41/L.31 because it represented a substantial improvement over previous documents on that subject. The Group of 77 should be commended in that regard. He deplored the fact that the request by the representative of the Netherlands for a separate vote on paragraph 1.1 of that draft resolution had not been complied with. If there had been a separate vote, his delegation would have abstained. He had reservations about other paragraphs in the draft resolution and hoped that the Committee on Information could make further progress towards achieving a consensus. In spite of the sincere efforts of all concerned, that had not been possible at the current session.

(Mr. Heinsberg, Federal Republic  
of Germany)

97. His delegation had abstained in the vote of draft A/SPC/41/L.32 because it felt that paragraph 9 did not properly reflect the relevant provisions of UNESCO General Conference resolution 3.1 of 1985 and introduced ambiguous elements. Lastly, the Federal Republic of Germany had voted against draft resolution A/SPC/41/L.35. That draft resolution was redundant and it was not the task of DPI to disseminate information on UNESCO, which was capable of doing that itself.

98. Mr. HANSEN (Norway) said that he had voted in favour of draft resolutions A/SPC/41/L.31 and L.32 in order to show his delegation's satisfaction at the progress made during the negotiations at that session, particularly with regard to defining a new world information and communication order as an evolving and continuous process. Nevertheless, the text could have been improved further. If there had been a separate vote on paragraph 1.1 of draft resolution A/SPC/41/L.31, his delegation would have abstained. Norway appreciated the constructive efforts of the Group of 77 during the negotiations on that draft resolution and hoped that it would lead to further progress at the next session of the General Assembly.

99. Mr. OSMAN (Egypt) said that the positive results of the voting reflected the constructive spirit which had been shown during the arduous negotiations on the draft resolutions and which all delegations should strive to preserve. The greatest progress achieved was in giving DPI a clear-cut mandate.

100. Mr. MICALLEFF (Malta) expressed his delegation's appreciation to the members of the Committee for the adoption of draft resolution A/SPC/41/L.33, which appointed Malta as a new member of the Committee on Information.

101. Ms. CHARRASCO MONJE (Bolivia) reiterated her delegation's support for the work of the Under-Secretary-General for Public Information, DPI and the United Nations information centres. In responding to questions raised by the members of the Committee at its 26th meeting, the Under-Secretary-General had stated that the cases in which information centres were directed by nationals of the countries where they were located were exceptions to the general rule. Her delegation hoped that those exceptions were of a temporary nature only and would not become a precedent which would be detrimental to the universal character of the Organization. Such appointments should be made only on a short-term basis and should be avoided as far as possible. It was hoped that that situation could be corrected in the future. The Department should inform the Committee at its next session of the reasons for appointing information centre directors who were nationals of the countries where they were located and explain the criteria used in determining such exceptional cases. Information should also be provided on the steps taken to improve the impaired image of the United Nations as perceived by public opinion in the United States and the degree to which it affected the activities of the information centre in Washington.

102. Mr. BARRIOS (Spain) said that he had voted in favour of draft resolutions A/SPC/41/L.31 and L.32. The Group of 77 was to be commended for their efforts to achieve positive results. Those two draft resolutions, particularly the first one,

(Mr. Barrios, Spain)

should serve as the basis for a consensus at the next session of the General Assembly. Although his delegation had voted in favour of draft resolution A/SPC/41/L.35 as a reaffirmation of its support for UNESCO, it had a number of reservations about it. That draft resolution was divisive and should not have been submitted to the Committee. The first preambular paragraph referred to General Assembly resolution 40/164. The entire Group of Western European and other States had either voted against that resolution or had abstained in the vote. Furthermore, the first preambular paragraph and paragraph 1 did not reflect the language used in UNESCO General Conference resolution 3.1 of 1985.

103. Mr. RADENKOVIC (Yugoslavia), speaking on behalf of the Group of 77, expressed gratitude to all delegations which had participated in the negotiations on the draft resolutions and understood the efforts made by the Group. He hoped that the other delegations would show the same spirit of co-operation at the next session.

#### COMPLETION OF THE COMMITTEE'S WORK

104. The CHAIRMAN drew the attention of the members of the Committee to the summary of the programme budget implications for the 1986-1987 biennium resulting from draft resolutions adopted by the Special Political Committee during the forty-first session of the General Assembly in document A/SPC/41/L.36.

105. Mr. ORTNER (Secretary of the Committee) read out a message from Mr. Kouassi, the Chairman of the Special Political Committee, expressing his satisfaction at the spirit of co-operation and moderation shown by the delegations throughout the debates at that session.

106. After an exchange of courtesies, the Chairman declared that the Special Committee had completed its work for the forty-first session.

The meeting rose at 1.55 p.m.