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SUMMARY RECORD OF THE 27th MEETING

Chairman: Mr. RITTER (Panama)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 95: ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN
(continued) (A/42/3, A/42/38, A/42/383, A/42/627)

AGENDA ITEM 96: FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN TO THE
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AGENDA ITEM 97: INTERNATIONAL RESEARCH AND TRAINING INSTITUTE FOR THE ADVANCEMENT
OF WOMEN: REPORT OF THE SECRETARY-GENERAL (continued) (A/42/3, A/42/444)

1. Ms. AIOUAZE (Algeria), speaking on agenda item 95, said her delegation regretted that the Committee on the Elimination of Discrimination against Women, examining an initial report by a State party to the Convention, had seen fit to draw certain conclusions based on extreme and insulting views about the Islamic religion. In particular, decision 4 of document E/1987/L.20 reflected a regrettable tendency to depart from the Committee's terms of reference. Indeed, the suggestion that the Islamic religion imposed a number of social evils detrimental to the status of Moslem women reflected intolerance and a desire to superimpose foreign cultural values on Islamic precepts. The implication that reservations based on the Shariah could impede progress towards the realization of the objectives set forth in the Convention on the Elimination of All Forms of Discrimination against Women was inconsistent with the facts. Such a biased approach discouraged the constructive climate necessary to the performance of the Committee's task and was hardly likely to promote the secession by all States to the Convention.
2. The Committee, which had the task of monitoring progress in eliminating discrimination against women, should bear in mind always the purpose for which it had been established. It must take the appropriate and essential measures to correct any deviations from the basic objective inscribed in the Charter, namely, to ensure respect for human rights without discrimination on the grounds of sex, race or religion.
3. Ms. HOANG BICH LIEN (Viet Nam), speaking on agenda items 95 and 96, said that the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace had had a positive impact on the struggle for the equal status and advancement of women and that the "Spirit of Nairobi" had gained growing acceptance, thus enabling the international community to maintain the momentum of the United Nations Decade for Women. But much remained to be done, and current financial constraints should not be allowed to hamper progress in that important field.
4. The World Congress of Women, held earlier in 1987 on the initiative of the World Federal Women's Union, had reflected the world community's sustained effort to implement the Forward-looking Strategies and had reaffirmed the need to find effective means to achieve the objectives of the Decade for Women. Those objectives - equality, development and peace - were interrelated, and their

(Ms. Hoang Bich Lien, Viet Nam)

achievement required constant monitoring at regional and international levels. To that end, the Commission on the Status of Women in particular should strive to play its co-ordinating and central monitoring role, building on the achievements of its 1987 Special Session.

5. Her delegation welcomed the latest ratifications of the Convention on the Elimination of All Forms of Discrimination against Women, and joined other delegations in calling upon all States which had not yet done so to ratify or accede to the Convention soon. Despite the considerable progress made during the United Nations Decade for Women, there was still a discrepancy between verbal commitments to equal rights for women and the will fully to implement the Convention and the strategies in various parts of the world.

6. Her country deemed it essential to involve women in building the nation. For that purpose the Government had, from the outset, paid special attention to the advancement of women, equality between men and women being one of the 10 objectives of national reconstruction. Vietnamese women were aware that legal and administrative measures alone could not bring about full equality; women had to participate actively in enhancing the welfare of the society. True to age-old traditions, Vietnamese women had stood shoulder to shoulder with men in the struggle against foreign aggression, colonial and neo-colonial domination and had made enormous contributions to the cause of national liberation. Women in particular had suffered from the national misfortune stemming from three consecutive devastating wars. Despite many difficulties, however, they had steadily advanced in all fields, helped by the Government, and had made a contribution as important as men's to the country's social advancement and national reconstruction.

7. The Sixth National Congress of Women, held in June 1987, had given further impetus to implementation of the Nairobi Strategies and had reaffirmed women's important role in society. In recent years the proportion of women in the Vietnamese workforce had risen rapidly; a growing number of senior administrative and managerial posts were held by women, who outnumbered men in some professions and occupations such as teaching or health care. More than 20 ministers, and over 30 per cent of the foreign service staff, were women.

8. Great efforts had been exerted in recent years with a view to making legislation affecting women more systematic and comprehensive. The Women's Union, the Ministry of Justice, the Supreme Court, the Central Commission on Nationalities and the Youth Union were carrying out nation-wide research. The result had been the promulgation of the new Penal Code and the new Law on Marriage and Family. The former provided for sanctions against 12 forms of violation of women's and children's rights, while the latter guaranteed equal rights for women in economic, political and social life.

9. A prerequisite for the development and stability of families, the components of a society, was peace, which was also a guarantee of women's right to be wives and mothers. Women could and should play a significant role in promoting world

(Ms. Hoang Bich Lien, Viet Nam)

peace and security; resources should be made available in relevant United Nations bodies to encourage such activity. Her country reaffirmed its solidarity with all women struggling for freedom and genuine equality, and expressed great concern about the situation of women in the occupied Palestinian and other Arab territories as well as in Namibia and South Africa. Her delegation reaffirmed its support for all the world community's efforts to give effect to the Nairobi Strategies and promote the advancement of women, and stood ready to co-operate actively in that endeavour.

10. MISS BELKES (Democratic Yemen) said that her country was keen to promote the role of women in daily life based on the Nairobi Forward-looking Strategies for the Advancement of Women at the national, regional and international levels. Democratic Yemen provided the necessary legal and social structure for women to enjoy equal status with men.

11. With regard to legal protection, the Constitution of Democratic Yemen stipulated that all citizens were equal before the law in rights and duties irrespective of sex, origin, creed, language, education or social class. The State was obligated to create those conditions, thus enabling women to participate in productive work to improve social conditions and family life. The Constitution further provided State support for the family and marriage, protection of mothers and the initiation and organization of families on the basis of equality. The Labour Law granted women a 60-day maternity leave with full pay with an extra 20 days in case of complications in childbirth.

12. The Constitution, the Labour Law, the Social Security Law and the Family Code were all designed to eliminate inequality and discrimination between the sexes and to foster the integration of women in development. In that connection, women constituted 43 per cent of the labour force. In addition, women actively participated in public life, including all national organizations, federations and the Yemen Socialist Party. Under Election Law 18, women were accorded the right to vote and to stand for election. Moreover, all institutions of learning through the university level were co-educational.

13. The General Federation of Yemeni Women had been founded in 1968 and had been primarily engaged in eradicating illiteracy among women, providing employment opportunities in all fields, and publicizing and upholding the Family Code adopted in January 1974.

14. On 8 January 1987, the Government of Democratic Yemen had ratified two international conventions, namely, the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages and the Convention on the Political Rights of Women. The themes of equality, development and peace of the United Nations Decade for Women were goals which must be implemented. Remnants of various forms of subjugation of peoples as represented by zionism, racism and other forms of oppression and aggression in Palestine and South Africa constituted an obstacle to the advancement of women and mankind as a whole. Improving the status of women by overcoming obstacles was a noble humanitarian mission to which the United Nations and Member States must continue to be committed.

15. Mr. MOLINA (Argentina) said that there was a world consensus on the need for women to participate more actively on an equal footing with men at all levels of society. Although women's participation had been growing, especially in professional, political and decision-making positions, much remained to be done before women could be fully integrated into community tasks.

16. In the context of the United Nations system, the consensus reflected in the adoption of the Nairobi Strategies must be strengthened. The Commission on the Status of Women should play a central role in monitoring and appraising the implementation of the Strategies. For that purpose, its capacity for action must be strengthened. His delegation therefore supported the holding of annual meetings until the year 2000 and the execution of a long-term programme of work to promote and examine the three major objectives: equality, development and peace. In addition, the Bureau of the Commission should be elected for a two-year term of office, and any increase in membership should ensure equitable representation of the Latin American and Caribbean countries. International conferences were a further important means of monitoring, at world level, activities to implement the Forward-looking Strategies. National and regional mechanisms must be strengthened, and created wherever none existed, for that purpose.

17. The Latin American region was the venue of the permanent headquarters of the International Research and Training Institute for the Advancement of Women, whose programme of work relating to certain development areas, particularly drinking water, sanitation, agriculture and food, industry and new and renewable sources of energy, testified to its contribution to the cause of women's advancement. The Institute, prompted by the food crisis in Africa, had decided upon a number of urgent measures, which required a reappraisal of policies and priorities in agricultural production, particularly as they affected the role of women. His delegation congratulated the United Nations Development Fund for Women on the progress made during its first decade of work, which, it was hoped, would be maintained. It also supported UNIFEM's plan of action for Latin America and the Caribbean, which, it was hoped, would lead to expansion of programme implementation in the region.

18. A number of major obstacles must be overcome in order to secure the advancement of women. They related to the socio-cultural, legislative and economic conditions which prevailed in each country and region.

19. With regard to the first category he pointed out that educational systems needed to be restructured in order to eliminate existing inequalities. In that task, the family had an important responsibility, but it needed the assistance and collaboration of Governments and international bodies through appropriate social programmes, and particularly at improving the lot of the most disadvantaged. With regard to legislative conditions, he noted that a number of legal systems continued to discriminate against women, particularly in the areas of family rights, marital rights, employment and wage levels. Argentine law allowed no distinction; under family legislation the spouses had equal rights and duties. Equality was upheld, for example, in regard to home and property ownership and paternity rights.

(Mr. Molina, Argentina)

20. Conditions in the economic sphere were the most important, and must be approached realistically in order to avoid drawing the wrong conclusions. The economic plight of the developing countries was known to all, as were the great efforts being made by the Latin American Governments to meet their external commitments and at the same time, to secure development and social justice for their peoples. Under the prevailing unjust international economic order, it was manifestly impossible for Latin American Governments and peoples, despite sacrifice and privation, to carry out social programmes on a scale sufficient to improve the status of women, not to speak of other areas which deserved attention.

21. The maintenance of protectionist barriers to the trade of the debt-ridden countries, State subsidies of agricultural commodities, depressed commodity prices on the world market and a lack of non-speculative investment all militated against the recovery of the region's impoverished economies. The facts revealed by statistics and analyses, however illuminating, could not alter the socio-economic crisis of the developing countries, particularly when certain rich nations and international institutions continued to resist changes in their unfair economic practices. The Latin American Governments were eager to undertake relevant social programmes to improve the social and economic conditions of women in all spheres, but they simply lacked the basic means to do so. If the world community genuinely wished to enhance the status of women it should begin by tackling the real causes of women's impoverishment and disadvantage.

22. Ms. REAGAN (United States of America) said that since the Nairobi Conference, women's issues and the Forward-looking Strategies had been discussed at three sessions of the General Assembly, two of the Commission on the Status of Women and four of the Economic and Social Council, but the prospects for translating well-meaning proposals and eloquent words into action had often seemed to disappear in a tidal wave of resolutions and procedural battles. The January special session of the Commission on the Status of Women had broken that routine and revived the Nairobi spirit. The Commission had in effect been redesigned and the participants had made a concerted effort to concentrate on issues of pressing concern to the majority of the world's women. The momentum had been maintained at the 1987 spring session of the Economic and Social Council by a commitment to a better and stronger Commission, able to adopt new and realistic approaches to long-standing problems.

23. The United Nations must establish priorities for its operations and priorities within existing financial constraints. The United States believed that women's issues deserved high priority, with the highest priority given to problems associated with development. Most of the world's women lived in the developing countries, their problems were often of a life-and-death nature and the Commission on the Status of Women should concentrate on alleviating them. However, the problems of women in developed countries should not be ignored.

24. Water resources were the most important of the five areas essential to raising the living standards of the average woman and her family - water and sanitation, nutrition, health, education and shelter - since without water the rest would suffer. The Commission could play a major role in the United Nations system by

(Ms. Reagan, United States)

encouraging United Nations development and relief organs to focus on water and sanitation projects. The United States Agency for International Development had long supported village water supply programmes and over the past 10 years had committed considerable resources to the improvement of water, health and sanitation. To that end it had carried out projects in co-operation with a number of Governments, such as Zaire, Tunisia, Kenya and Sri Lanka, including access to potable water, land terracing, building water systems and water management, in which women were fully involved in planning, implementation and management.

25. If the Commission could become a clearing-house for information on such projects, which would not only benefit women and families but would provide valuable experience, it would make a lasting contribution to improving the status of women. She hoped that the United Nations and its agencies had taken to heart the recommendations by many delegations, including her own, that they should provide the Commission with brief reports on their activities relating to women in development. One of the most important tasks was to ensure that complete and accurate information was available about the extent and nature of the challenge to incorporate women fully in development. The United States would encourage the creation of a standardized evaluation instrument to gather the necessary information in a usable form.

26. The Commission on the Status of Women was now ready to face the formidable challenges to come. It was time to set aside political differences and work together to benefit women of every country.

27. Mrs. IBRAHIM (Nigeria) commended the Secretariat and the International Research and Training Institute for the Advancement of Women on their valuable work. In connection with the report on the Institute (A/42/444), she wished to express Nigeria's gratitude to the Institute and to UNDP for their co-operation in hosting a national workshop for users and producers of statistical data which had been of great value in preparing officers for the task of monitoring the activities of women, especially in rural areas.

28. Nigeria had given priority to issues concerning women long before the international community had become concerned, and had recognized the importance of women's status in society. Following the Nairobi Conference, a national workshop had been held to map out strategies for women's participation in national development up to the year 2000 and beyond. Women's organizations had held seminars and meetings throughout the country, the National Committee on Women and Development and the National Council of Women's Societies had been very active and a Directorate for Women and Children, headed by a woman, had been set up in the Federal Ministry of Social Development and Sports. Implementation of the Forward-looking Strategies had begun in earnest, with the participation of workers' organizations, community and neighbourhood organizations and trade unions.

29. At a meeting early in the year, the Chairperson of the National Committee on Women and Development had put forward a number of measures for ensuring equality and improving women's lot, which included leadership training, multi-purpose

(Mrs. Ibrahim, Nigeria)

centres, family support and labour legislation. A workshop on a better life for rural women had been organized in September by the Federal Directorate for Food, Roads and Rural Infrastructure, at which proposals had been adopted for consulting women in the preparation of development programmes; opening up rural areas; community participation in the planning and provision of health care, water and other facilities; placing women in leading positions to co-ordinate and support development action for women, especially in rural areas; and the establishment or strengthening of co-ordination units. The workshop had paved the way for a real commitment to improving the life of rural women. Strategies had been developed in many of the 21 states of the country and follow-up workshops had been planned in others.

30. Nigeria realized that discrimination against women was far from being eliminated, but awareness of the problems was a significant step in the struggle for equality.

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AGENDA ITEM 92: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued) (A/C.3/42/L.9)

31. The CHAIRMAN drew attention to the three draft resolutions on which the Committee would be voting.

32. Mr. AMSELEM (United States of America) said that his delegation wished to explain its position on the draft resolutions contained in documents A/C.3/42/L.9, L.12 and L.14 under agenda items 91 and 92.

33. The United States would vote against draft resolution A/C.3/42/L.9 because it had long felt that the International Convention on the Suppression and Punishment of the Crime of Apartheid sought to extend international criminal jurisdiction in a broad and ill-defined manner. A large number of countries, strongly opposed to apartheid, were not parties to the Convention, for valid reasons, but draft resolution A/C.3/42/L.9 sought to extend the Convention to all States - parties to the Convention or not - a highly questionable procedure which his country could not accept.

34. The draft resolution would not enable the Committee, as it should, to express itself firmly, realistically and as one, on apartheid. It contributed nothing to the elimination of the hideous system of apartheid or to bettering the lot of the South African majority.

35. Moreover, the draft resolution was selective, making no mention of the plight of the people of Afghanistan and Cambodia, and seeking to legitimize the use of violence when the principal purpose of the United Nations was the search for

(Mr. Amselem, United States)

peaceful solutions to problems. It singled out Israel for harsh criticism, made no mention of Israel's right to exist within secure borders or of the fact that the root cause of the wars in the Middle East continued to be the denial on the part of some of Israel's right to exist. It mentioned Israeli and Western relations with South Africa but ignored the fact that over 100 countries, of all political stripes, maintained at least economic relations with South Africa.

36. His delegation would also vote against draft resolution A/C.3/42/L.14, which duplicated work in the Sixth Committee on the same subject - particularly regrettable at a time of United Nations financial crisis. The subject of mercenaries had been dealt with since 1986 and he regretted that there had been little effort by the sponsors to develop a consensus resolution, which would not have been difficult given the almost universal repugnance for the mercenary trade. The number of true mercenaries - probably no more than a few hundred twisted individuals - was not growing. The draft resolution failed to mention the sad truth that the only place where the open recruitment of mercenaries had taken place recently was Libya, where they were used against the people, Government and sovereignty of Chad.

37. The problem of political prisoners and political repression was far more pressing than the problem of mercenaries. He noted that some of the sponsors of the draft resolution were guilty of such repression. One sponsor maintained a large wall in the middle of an old European city, guarded by armed soldiers with orders to prevent people from the Eastern half of the city from fleeing to the Western half. Another was holding some 15,000 political prisoners and rented out its troops for combat in exchange for petrodollars for its collapsing economy. Another had the largest army in its region, denied its people fundamental rights and openly supported subversion against its neighbours. Yet another sponsor was not even a real country, but a fiction accepted only in the United Nations.

38. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic), on a point of order, said that the United States representative's statement was out of order, because he was introducing extraneous political matters.

39. Mr. AMSELEM (United States of America), resuming his remarks, said that the problems he had mentioned seemed more worthy of the Committee's attention than the one dealt with in draft resolution L.14.

40. At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution in document A/C.3/42/L.12.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Chad, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea,

Ethiopia, Fiji, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

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

Abstaining: Austria, Costa Rica, El Salvador, Greece, Honduras, Ireland, Japan, New Zealand, Oman, Spain.

41. Draft resolution A/C.3/42/L.12 was adopted by 107 votes to 17, with 10 abstentions.

42. Mr. HOPPE (Denmark), speaking in explanation of his vote on behalf of the Twelve Member States of the European Community, said that the Twelve firmly supported the right of self-determination in accordance with the Charter and the International Covenants on Human Rights, but had been unable to support the draft resolution. Parts of it raised difficulties or were unacceptable and it had been put forward without consulting all the groups represented in the Committee. In general the text was negative and unbalanced: it referred to individual cases where the right of self-determination was violated but omitted any reference to the flagrant violations in Afghanistan and Cambodia on which resolutions were adopted annually by the General Assembly by an overwhelming majority.

43. With regard to South Africa, the Twelve had repeatedly condemned the apartheid system, demanded its abolition, and called for the unconditional release of Nelson Mandela and other political prisoners. They believed, however, that the United Nations should encourage peaceful solutions to international problems in accordance with the principles of the Charter, and could not accept the assertion that maintaining relations with a State implied encouragement or approval of that State's policies.

44. With respect to Namibia, he reaffirmed the conviction of the Twelve that the Namibian people should be enabled to exercise their inalienable right of self-determination through free elections under United Nations supervision, in accordance with Security Council resolution 435 (1978).

(Mr. Hoppe, Denmark)

45. On the Middle East, the Twelve maintained the view that peace could be guaranteed only if the security and legitimate interests of all States and peoples in the region were taken into account, if the right of all States in the region to exist within secure and recognized frontiers was confirmed and the right of the Palestinian people to self-determination, with all that that implied, was also fully recognized.

46. The Danish Minister for Foreign Affairs had explained the views of the Twelve on the other questions dealt with in the draft in his statement in the general debate on 22 September 1987.

47. The Twelve wished to associate themselves fully with the appeal in operative paragraph 12 for the immediate and unconditional release of Nelson Mandela, Zephania Mothopeng and all other political prisoners.

48. Mr. PALACIOS (Spain) endorsed the views of the Danish representative. Spain had always supported the right of people to self-determination in accordance with the United Nations Charter and the international legal instruments on human rights, but it had abstained in the vote on the draft resolution. It could not accept operative paragraph 2 which countenanced the use of armed force as a legitimate means of combating foreign occupation. His country had always repudiated racism and racial discrimination and condemned apartheid, but it had reservations concerning operative paragraph 26, because it did not consider that maintaining political relations with South Africa implied support for the country - much less encouragement of its Government's policies. Had there been separate votes, he would have voted against both paragraphs. Regarding operative paragraph 30, Spain was not a member of the Organization of African Unity and had not approved all the General Assembly resolutions on the question of Western Sahara.

49. Mr. JATIVA (Ecuador), speaking in explanation of vote, said that his delegation had voted in favour of draft resolution A/C.3/42/L.12, with which it agreed in essence, because the resolution coincided with certain principles of Ecuador's foreign policy. However, his delegation had reservations regarding the wording of some paragraphs which it considered selective because they referred to conferences in which Ecuador had not participated, and because they dealt with matters that fell within the exclusive jurisdiction of States in the exercise of their sovereignty.

50. Mr. VILLAGRA (Argentina) said that his delegation had voted in favour of the draft resolution because it agreed with the substance of the text, but had certain reservations regarding the wording of some paragraphs.

51. Mr. AKYOL (Turkey) said that his delegation had voted in favour of draft resolution A/C.3/42/L.12 because it approved its general terms, but had reservations regarding the selective references to particular situations as well as certain discriminatory references. Turkey did not approve of United Nations resolutions which mentioned certain countries or groups of countries by name, when it was not possible to reach a definite conclusion regarding their respective

(Mr. Akyol, Turkey)

responsibilities. His delegation also had reservations on paragraph 30, which referred to a resolution that Turkey had not supported.

52. Mr. KRENKEL (Austria) said that his delegation had abstained from voting on draft resolution A/C.3/42/L.12, although Austria had always clearly supported the right of self-determination of peoples and strongly condemned apartheid. However, his delegation could not support some of the provisions in the draft resolution, and had specific reservations regarding the wording of paragraphs 2 and 8.

53. Mr. AL-HAKEEM (Oman) said that his delegation had intended to vote in favour of draft resolution A/C.3/42/L.12 rather than abstain.

54. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic) said that his delegation had voted in favour of draft resolution A/C.3/42/L.12 because it considered the implementation of the right of self-determination of peoples, national sovereignty, territorial integrity and the speedy granting of independence to colonial countries and peoples to be mandatory conditions for the full observance of all human rights. It also wholly supported the condemnation of those Governments which did not recognize the rights of all peoples still under colonial domination. The draft resolution showed that the practice of using mercenaries against sovereign States and national liberation movements was a criminal act, a view which his delegation fully shared.

55. Ms. UMANA (Colombia) said that her delegation had reservations regarding the selective naming of countries in the resolution, which detracted from its constructive impact.

56. Ms. DIEGUEZ (Mexico) said that her delegation had voted in favour of draft resolution A/C.3/42/L.12 because it agreed with it in essence but had reservations regarding paragraphs 5 and 25.

57. Ms. ZWEIFREICH (Israel) said that her delegation had voted against draft resolution A/C.3/42/L.12 and regretted that the noble cause of the elimination of racism had been harnessed to the service of those who wanted to tarnish the image of Israel and bring about its disappearance as a State and nation.

58. The CHAIRMAN invited the Committee to consider draft resolution A/C.3/42/L.14 and announced that Kenya, Panama and Peru had become sponsors.

59. Mr. HOPPE (Denmark), speaking on behalf of the twelve member States of the European Economic Community, said that although they unequivocally condemned the recruitment, use and financing of mercenaries, they were unable to support the draft resolution for reasons of both substance and principle. Unfortunately, the sponsors had ignored the fact that the question of mercenaries was regularly on the agenda of the Sixth Committee. The duplication of effort in the Third and Sixth Committees was particularly regrettable in view of the financial crisis besetting the United Nations. The Twelve also regretted that the co-sponsors had moved away from the consensus language which had been achieved in the past, since that move

(Mr. Hoppe, Denmark)

would seriously undermine the chances of maintaining consensus in the Sixth Committee and would hamper the drafting of an international convention on mercenarism.

60. The Twelve had particular reservations regarding the fourth preambular paragraph, which purported to characterize the word "mercenarism" when there was not only no agreed definition of the term, but no general agreement that any such concept should form the basis of a convention. In view of the absence of an agreed definition even of the term "mercenary" for purposes of the draft Convention, the Twelve regarded the appointment of a Special Rapporteur on the question as inappropriate. They considered that the question of mercenaries was primarily a matter concerning relations between States, rather than a human rights issue, and therefore profoundly objected to the framework in which the question was being discussed. They regretted that the co-sponsors had been unwilling to listen to the Twelve's concerns on the draft and that there had not been wider consultation among other groups in the Committee.

61. Mr. PASTOR (Honduras) said that the third preambular paragraph, by referring to the "increasing" menace that the activities of mercenaries represented for Central American States, tended to distort the reality of the Central American situation. It was not possible to generalize that the Governments of all Central American States were being destabilized by the activities of armed groups which the draft resolution would qualify as mercenaries. Central America was engaged in an effort to restore peace through dialogue with the armed groups opposing some Governments, and the distortion contained in the draft resolution would not contribute to the search for peace; indeed, it would hamper it.

62. Honduras would not propose any amendment to the draft resolution, and did not wish to weaken the support the peoples of Africa needed in their struggle for independence. His delegation would therefore abstain in the vote on the draft resolution. Its abstention did not, however, in any way diminish Honduras' solidarity with the African and other peoples struggling for their independence.

63. Mr. AL-HAKEEM (Oman) said that the issue of mercenaries was already under consideration by the Ad Hoc Committee of the Sixth Committee, which would prepare a report for transmission to the General Assembly. His delegation therefore believed that the Third Committee was duplicating the efforts of the Sixth Committee.

64. Mr. DAMM (Chile) said that, as in previous years, his delegation would not participate in the vote on the draft resolution because in its view the Committee's consideration of the issue constituted duplication of the work of the Sixth Committee and the draft resolution was a political document. Additionally, Chile noted that some of the sponsors were in fact encouraging the use of mercenaries to destabilize the Governments of sovereign States.

65. Mr. AL-KALBASH (Libyan Arab Jamahiriya) said that his delegation would vote in favour of draft resolution A/C.3/42/L.14 because of its conviction that the activities of mercenaries constituted a violation of the principles of

(Mr. Al-Kalbash, Libyan Arab Jamahiriya)

international law and because of its attachment to the relevant resolutions of the Organization of African Unity. The explanation of vote given by the representative of the United States was part of the campaign of lies which had become a constant feature of United States policy towards his country.

66. The CHAIRMAN said that Denmark had requested a separate recorded vote on operative paragraph 8.

67. A recorded vote was taken on operative paragraph 8 of draft resolution A/C.3/42/L.14.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Chad, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, 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: Austria, Belgium, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Canada, Costa Rica, El Salvador, Finland, New Zealand, Norway, Oman, Philippines, Sweden, Turkey.

68. Operative paragraph 8 was adopted by 99 votes to 17, with 11 abstentions.

69. A recorded vote was taken on draft resolution A/C.3/42/L.14.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Chad, China, Colombia, Congo, Côte d'Ivoire, Cuba,

Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, 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.

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

Abstaining: Australia, Austria, Canada, Costa Rica, Denmark, El Salvador, Finland, Greece, Honduras, Iceland, Ireland, Israel, New Zealand, Norway, Oman, Saudi Arabia, Spain, Sweden, Turkey.

70. Draft resolution A/C.3/42/L.14 was adopted by 104 votes to 10, with 19 abstentions.

71. Mr. HAMER (Netherlands), speaking in explanation of vote, said that his delegation fully supported the statement made by the representative of Denmark prior to the vote. He regretted that it had not been possible to explore the possibility of a consensus text which would have limited itself to a procedural endorsement of the appointment by the Commission on Human Rights of a Special Rapporteur on mercenaries. His delegation had voted against both operative paragraph 8 and the draft resolution as a whole. It could not support the appointment of the Special Rapporteur for the reasons given by the representative of Denmark; however, since the draft resolution had been adopted, all States Members of the United Nations were legally bound to co-operate with the Special Rapporteur, and the Netherlands was prepared to do so, if its co-operation was sought. Regarding paragraph 8, his delegation was not convinced of the desirability or necessity of annual consideration of the question of mercenaries by the General Assembly.

72. Mr. NAWAZ (Pakistan) said that his delegation's affirmative vote was consistent with its commitment to struggles for national liberation and the effective exercise of the right of self-determination. His country strongly opposed mercenarism and considered that a broad basis for co-operative action on the issue was necessary. Unfortunately, the draft resolution did not come close to that goal. He hoped that in future all delegations would have the opportunity to contribute to the drafting of a resolution which would establish the necessary broad basis for international action to eliminate the curse of mercenarism.

73. Mr. AKYOL (Turkey) said that his delegation had abstained in the vote on draft resolution A/C.3/42/L.14, although it strongly condemned the practice of mercenarism. Turkey was a member of the Ad Hoc Committee for the drafting of an international convention on the issue, and believed that it was necessary for the international community to adopt, as early as possible, a legal instrument which would clearly define terms and address the problem. At the forty-first session of the General Assembly, his delegation had expressed its concern regarding the adoption of resolution 41/102, which it believed would compromise the work of the Ad Hoc Committee responsible for drafting the convention; it was concerned that new elements in the draft resolution just adopted would further complicate the task of defining the term "mercenary".

74. Ms. EFFANGE (Cameroon) said that her delegation had voted in favour of the draft resolution because it considered that mercenaries had a destabilizing effect on the independence of her country as well as other African States. However, if paragraph 7 had been put to a separate vote, her delegation would have abstained because of the continuing concern within the United Nations regarding a proper and agreed definition of the term "mercenary".

75. Mr. Quinn (Australia) said that his delegation had abstained from voting on the draft resolution. Australia's opposition to mercenarism was reflected both at the national level and in its work within the United Nations, including the Sixth Committee. His delegation considered, however, that the appointment of a Special Rapporteur was a duplication of the efforts of the Sixth Committee and diverted scarce resources which should be concentrated on completion of the draft convention on mercenarism. Despite its reservations, however, Australia considered that all States were bound to co-operate with the Special Rapporteur.

76. His delegation had also abstained from voting on operative paragraph 8 for the same reasons. Like the representative of the Netherlands, he regretted that the sponsors had not accommodated his delegation's concerns and had adopted a straight procedural approach at the current session. The approach his delegation advocated would have built bridges, rather than increasing politicization and polarization regarding the issue.

77. Mr. KOUMBARIA (Chad) said that his delegation had voted in favour of the draft resolution, although it did not consider the Third Committee the proper forum for discussion of the subject. The representative of the Libyan Arab Jamahiriya had referred to a campaign of lies by the United States; however, the United States representative had in fact accurately described Libyan policy towards Chad, as reflected in paragraph 3 of the draft resolution.

78. Mr. JATIVA (Ecuador) said that his delegation had voted in favour of the draft resolution because it unequivocally condemned mercenarism. However, the reference to national liberation movements should apply only to those national liberation movements which Ecuador had recognized as such. His delegation found it unacceptable that the draft resolution should cover self-proclaimed national liberation movements in independent countries which were receiving financing from outside those countries and had often become terrorist or subversive in nature and were acting outside the law.

79. Mr. KRENKEL (Austria) said that his delegation had abstained in the vote on draft resolution A/C.3/42/L.14; his Government, in the competent forums, had repeatedly condemned the use of mercenaries and believed that the question was very complex, especially the definition of mercenarism and the human rights aspect. Furthermore, the issue was already being considered in the Sixth Committee, and given the current financial situation of the United Nations, duplication should be avoided whenever possible. His delegation hoped that the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries would make progress in its work.

80. His delegation had voted against operative paragraph 8 because it did not believe that the problem of mercenaries could usefully or appropriately be dealt with by a human rights institution. Moreover, it was for the Commission on Human Rights to take a decision on transmitting the Special Rapporteur's report to the General Assembly.

81. Mr. LINDHOLM (Sweden), explaining the votes of the Nordic delegations on draft resolution A/C.3/42/L.14, said that the Nordic countries unequivocally condemned the use of mercenaries. It was important that the question of mercenarism should be considered in the proper forum: useful work was being carried out in the Sixth Committee on a consensus basis, and the Nordic delegations were prepared to participate in it constructively. The Nordic countries could not agree that the matter should be considered in the context of human rights, or support the appointment of a Special Rapporteur.

82. Mr. MIYATA (Japan) said that the Sixth Committee was currently engaged in drafting an International Convention against the Recruitment, Use, Financing and Training of Mercenaries, on a consensus basis; the definition of mercenarism was one of the central issues under consideration. The deliberations in the Third Committee could prejudice the work in the Sixth Committee. His delegation had therefore voted against the draft resolution as a whole, and against operative paragraph 8.

AGENDA ITEM 92: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID (continued)

83. The CHAIRMAN invited consideration of draft resolution A/C.3/42/L.9.

84. Mrs. KAMAL (Secretary of the Committee) said that the representative of the German Democratic Republic, on behalf of the sponsors of draft resolution A/C.3/42/L.9, had requested her to announce two changes to the sixth preambular paragraph: the words "in the region" should appear after the words "security for any country" and the word "true" should be changed to "early".

85. Mr. RICHTER (German Democratic Republic) said that there was a typographical error in the English version of draft resolution A/C.3/42/L.9; operative paragraph 6 should refer to article II of the International Convention on the Suppression and Punishment of the Crime of Apartheid.

86. Mr. HOPPE (Denmark), speaking in explanation of vote on behalf of the twelve Member States of the European Community, said that the votes of the Twelve had no connection with their views on apartheid itself. The Twelve had repeatedly condemned the system of apartheid, which they regarded as a flagrant violation of the most basic human rights, and had called for its abolition. They continued to believe, however, that the Convention made no contribution to the elimination of apartheid, and they had grave reservations about the means envisaged in the Convention, which gave rise to serious legal difficulties. Moreover the Convention offered only a very imprecise definition of the violations it covered.

87. The Twelve could not accept the reference to genocide in the fifth preambular paragraph of the draft resolution, since genocide was clearly defined in the Convention on the Prevention and Punishment of the Crime of Genocide, and a resolution adopted by the General Assembly could not purport to extend that definition or the scope of application of the Convention; only States parties to the Convention or the appropriate international bodies were competent to pronounce on its interpretation. As to operative paragraphs 5 and 8, the Convention, like other international agreements, was applicable only to States which had ratified it and to the citizens of those States; to act otherwise would be contrary to the generally accepted principle that treaties had no legal effects on States which were not party to them. The Twelve noted the continuing tendency to include new, unacceptable elements in the resolution. They would therefore cast negative votes in the separate votes.

88. At the request of the representative of the German Democratic Republic, a recorded vote was taken on the words "State terrorism" in the fourth preambular paragraph of draft resolution A/C.3/42/L.9.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Chad, China, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Dikouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, 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, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

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

Abstaining: Australia, Austria, Canada, Chile, Equatorial Guinea, Fiji, Finland, Guatemala, Malawi, New Zealand, Norway, Swaziland, Sweden, Turkey, Uruguay.

89. The words "State terrorism" in the fourth preambular paragraph of draft resolution A/C.3/42/L.9 were adopted by 100 votes to 16, with 15 abstentions.

90. At the request of the representative of the German Democratic Republic, a recorded vote was taken on the fifth preambular paragraph of draft resolution A/C.3/42/L.9.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Chad, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, 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, Zaïre, Zambia, Zimbabwe.

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

Abstaining: Australia, Austria, Brazil, Chile, Fiji, Finland, Japan, Malawi, New Zealand, Norway, Swaziland, Sweden, Turkey.

91. The fifth preambular paragraph of draft resolution A/C.3/42/L.9 was adopted by 105 votes to 15, with 13 abstentions.

92. Mr. FELIX-ALVES (Portugal) said that his delegation had intended to vote against the fifth preambular paragraph of draft resolution A/C.3/42/L.9.

93. At the request of the representative of the German Democratic Republic, a recorded vote was taken on operative paragraph 5 of draft resolution A/C.3/42/L.9.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, 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: Austria, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Finland, Malawi, New Zealand, Norway, Swaziland, Sweden, Turkey.

94. Operative paragraph 5 of draft resolution A/C.3/42/L.9 was adopted by 106 votes to 18, with 8 abstentions.

95. At the request of the representative of the German Democratic Republic, a recorded vote was taken on operative paragraph 8 of draft resolution A/C.3/42/L.9.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador,

Equatorial Guinea, Ethiopia, Fiji, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, 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: Austria, Belgium, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Canada, Finland, Japan, Malawi, New Zealand, Norway, Swaziland, Sweden, Turkey.

96. Operative paragraph 8 of draft resolution A/C.3/42/L.9 was adopted by 107 votes to 16, with 10 abstentions.

97. At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.3/42/L.9 as a whole.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Chad, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, 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: United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Cape Verde, Chile, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Spain, Swaziland, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland.

98. Draft resolution A/C.3/42/L.9 as a whole was adopted by 107 votes to 1, with 27 abstentions.

99. Mr. JESUS (Cape Verde) said that his delegation had intended to vote in favour of the draft resolution.

100. Mr. PASTOR (Honduras) speaking in explanation of vote after the vote, said that, in connection with Honduras' vote on the fourth preambular paragraph, Honduras condemned all forms of terrorism; the categorization of certain forms of terrorism as State terrorism did not mean that other types of terrorism could be permitted or encouraged.

101. Mr. AKYOL (Turkey) said that Turkey was not a party to the Convention and had abstained in the separate votes and in the vote on the draft resolution as a whole. While it condemned the policy and practices of apartheid, its vote was motivated by legal considerations and reservations. Turkey had repeatedly stressed its reservations about some provisions of the Convention. Nevertheless, Turkey would take an active part in the efforts of the international community to eliminate apartheid and would vote in favour of the set of resolutions submitted to the plenary session on item 33, "Policies of Apartheid of the Government of South Africa".

102. Mr. QUINN (Australia) said that his delegation had abstained in the vote on the draft resolution because it was not a party to the Convention for technical and legal reasons which had been explained on previous occasions. It had also abstained in the separate votes on individual paragraphs because the issues were not relevant to it as a non-party to the Convention. It had reservations about the fifth preambular paragraph and operative paragraphs 5 and 8 and had difficulty with the ill-defined concept of State terrorism in the fourth preambular paragraph for reasons explained in other United Nations forums.

103. Mr. KRENKEL (Austria) said that his delegation had abstained in the vote on draft resolution A/C.3/42/L.9 as a whole because it was not a party to the Convention. Austria had repeatedly condemned the system of apartheid, but some provisions of the Convention were incompatible with Austrian constitutional law. His delegation had therefore voted against operative paragraphs 5 and 8. It had abstained in the vote on the fourth preambular paragraph because it rejected the concept of State terrorism.

104. Mr. MIYATA (Japan) said that his delegation had voted against the reference to State terrorism in the fourth preambular paragraph because it did not consider

(Mr. Miyata, Japan)

it appropriate to include in a General Assembly resolution terminology on which the international community had not reached agreement.

105. Ms. NYMAN (Finland) said that Norway, Sweden and Finland were not parties to the Convention and had therefore abstained in the separate votes on individual paragraphs and in the vote on the draft resolution as a whole. The voting did not reflect their positions on the substance of the paragraphs or the draft resolution as a whole which, they felt, had potentially far-reaching international legal implications.

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

Invitation to Special Rapporteurs

106. The CHAIRMAN said that he understood that the Committee had to invite certain Special Rapporteurs and Special Representatives to enable them to introduce their reports under item 12 of the agenda, namely: Mr. Félix Ermacola (Austria), Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan; Professor Fernando Volio Jiménez (Costa Rica), Special Rapporteur of the Commission on Human Rights on the situation of human rights in Chile; Professor José Antonio Pastor Ridruejo (Spain), Special Representative of the Commission on Human Rights in El Salvador; and Mr. Reyaldo Galindo Pohl (El Salvador), Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran.

107. Mrs. KAMAL (Secretary of the Committee) said that should the General Assembly decide to invite the Special Rapporteurs and Special Representatives to introduce their reports under item 12 of the agenda, the total cost would be about \$12,000. No additional appropriation would be required since the costs would be absorbed within resources already appropriated by the General Assembly at its forty-second session. Estimates had been provided to the Commission on Human Rights at its forty-third session in accordance with its resolutions 1987/51, 55, 58 and 60 endorsed by the Economic and Social Council in decisions 1987/148, 150, 151 and 152.

108. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee decided to invite the Special Rapporteurs on the situation of human rights in Afghanistan, Chile, El Salvador and the Islamic Republic of Iran to present their reports to the current session of the Third Committee of the General Assembly.

109. It was so decided.

The meeting rose at 6.10 p.m.