



SUMMARY RECORD OF THE 46th MEETING

Chairman: Mr. IRUMBA (Uganda)  
later: Mrs. NOWOTNY (Austria)

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8 December 1981  
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The meeting was called to order at 3.30 p.m.

AGENDA ITEM 60: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES  
IN THE NEAR EAST (continued) (A/SPC/36/L.12/Rev.1 and L.17)

1. The CHAIRMAN put to the vote draft resolution A/SPC/36/L.12/Rev.1 entitled "University of Jerusalem for Palestine refugees", which was sponsored by Bangladesh, India, Jordan, Pakistan and Senegal.

2. A recorded vote was taken on draft resolution A/SPC/36/L.12/Rev.1.

In favour: Afghanistan, Albania, Argentina, Austria, Bahrain, Bangladesh, Barbados, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chad, Chile, China, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Gabon, German Democratic Republic, Greece, Guinea, Guyana, India, Indonesia, Iraq, Ivory Coast, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, United States of America.

Abstaining: Australia, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Iceland, Ireland, Italy, Japan, Kenya, Luxembourg, Netherlands, New Zealand, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland.

3. Draft resolution A/SPC/36/L.12/Rev.1 was adopted by 87 votes to 2, with 17 abstentions.

4. Mr. SHAMMA (Jordan) said that his delegation was holding consultations on the draft resolution and asked whether it would be possible to reconsider the voting.

5. The CHAIRMAN said that, since the voting was already closed, it would be difficult to reopen it unless the members of the Committee chose to disregard it.

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6. Mr. MUSA (Somalia) said that it was undesirable that the validity of a decision taken by the Committee should be contested for technical reasons. He asked the Chairman to provide clarification on the legal or procedural problems involved in a reconsideration of the voting.
7. Mr. RAMIN (Israel) said that, to his knowledge, a vote which had been declared closed by the Chairman had never been cancelled at the request of one delegation.
8. The CHAIRMAN reminded delegations that rule 81 of the rules of procedure of the General Assembly provided that, when a proposal had been adopted or rejected, it could not be reconsidered at the same session unless the General Assembly - in the present case, the Special Political Committee - so decided by a two-thirds majority of the members present and voting.
9. Mr. SHAMMA (Jordan) repeated his request for a reconsideration of the vote.
10. Mr. RAMIN (Israel) stressed that a vote which had been declared closed by the Chairman could not be declared null and void because one delegation so requested.
11. The CHAIRMAN proposed that the meeting should be suspended for five minutes.
12. The meeting was suspended at 3.45 p.m. and resumed at 3.50 p.m.
13. Mr. SHAMMA (Jordan) said that, in response to an appeal by the Chairman, he was prepared to withdraw his request so as not to hold up the Committee's work.
14. The CHAIRMAN thanked the representative of Jordan for his co-operation.
15. Mr. RAMIN (Israel) joined the Chairman in thanking the representative of Jordan for the spirit of co-operation he had displayed.
16. Mr. SHAMMA (Jordan) wished to make it clear that it was solely in response to the Chairman's appeal that he had withdrawn his request.
17. The CHAIRMAN confirmed that the draft resolution had been adopted.
18. Mr. RODRIGUEZ (Colombia) said that he had been absent at the time of the voting. However, if he had been present, he would have voted for the draft resolution.
19. Mr. NWACHUKWU (Nigeria) said that, if his delegation had been present at the time of the voting, it would have voted for the draft resolution.
20. Mr. RAHMTALLA (Sudan), speaking on a point of order, said that he had not heard the Chairman say that a recorded vote was being taken. The resolution should therefore be considered as having been adopted without a vote.

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21. Mr. RAMIN (Israel) reminded the Committee that at the morning meeting his delegation had requested a recorded vote, and a recorded vote had in fact been taken in response to that request.
22. The CHAIRMAN stated that the Israeli representative's reply was correct.
23. Mr. RAHAMTALLA (Sudan) stated once again that he had not heard the Chairman say that a recorded vote was being taken.
24. The CHAIRMAN said that a recorded vote had indeed been requested, and it was only due to an oversight that he had not mentioned the fact before the voting began. He invited delegations to make statements in explanation of vote.
25. Mr. RAMIN (Israel) said that, in his statement on 18 November 1981, he had already explained why Israel was opposed to the establishment in Jerusalem of a university reserved exclusively for Palestinian Arabs. The proposal to that effect did not respond to the actual needs of the refugees with regard to education. In Judea and Samaria, there were already several universities which had been established and developed by the Israeli administration. The new initiative might lead to discrimination between Moslems, Jews and Christians. Furthermore, it had no precedent in the history of refugees, most of whom found it difficult to satisfy their most elementary needs for education. For all those reasons, the delegation of Israel had voted against draft resolution A/SPC/36/L.12/Rev.1.
26. Mr. HECK (Austria) said that his delegation had voted for the draft resolution in order to facilitate the education of the Palestine refugees. However, it believed that the establishment and running of a university on the scale proposed might be very costly. For the purpose envisaged, it might therefore be preferable to use or enlarge existing institutions. The Austrian delegation also wished to emphasize that the university should be financed from voluntary contributions. A new feasibility study should be undertaken by the Secretary-General in order to assess the viability of the university.
27. Mr. HUMFREY (United Kingdom), speaking on behalf of the member States of the European Community, said that, in voting on draft resolution A/SPC/36/L.12/Rev.1, the Ten recalled that they had voted for General Assembly resolution 35/13 B of 3 November 1980, which inter alia requested the Secretary-General to make a study of the establishment of a university of Jerusalem. However, they found difficulty with the particular formulations used in some of the operative paragraphs of the draft resolution. They also wished to reiterate that, in so far as the proposals in the draft resolution might result in future expenditure, that expenditure should be covered by additional voluntary contributions independent of UNRWA's budget, in view of the Agency's precarious financial position.
28. Mr. ELMER (Sweden) said that although his delegation was in favour of the general aim of establishing a university for Palestinian refugees in Jerusalem, it would like a more detailed feasibility study to be made before any firm

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(Mr. Elmer, Sweden)

commitment was undertaken. It was for that reason that his delegation had abstained from the vote on the draft resolution.

29. Mrs. Nowontny (Austria) took the Chair.

30. Mr. LOISELLE (Canada) said that his delegation had abstained on the draft resolution because it considered the draft ill-timed as it advocated the establishment of a university even though not enough contributions had yet been found to enable UNRWA to meet its most pressing financial needs. Moreover, his delegation was not convinced that there was an urgent need to establish such a university.

31. Mr. GERSON (United States of America) said that his delegation had voted against the draft resolution for it considered the initiative an unrealistic manner of tackling the problem of developing advanced education for Palestinian students.

32. Mr. ERDOS (Hungary) said that had his delegation been present for the vote, it would have voted in favour of the draft resolution.

33. Mr. CARR (Jamaica) said that had his delegation been present for the vote, it would have abstained.

34. Mrs. DE ADENAUER (Honduras) said that had her delegation been present for the vote, it would have voted in favour of the draft resolution.

35. Mr. OKWONGA (Uganda) said that had his delegation been present for the vote, it would have voted in favour of the draft resolution.

AGENDA ITEM 64: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (continued) (A/36/85, A/36/579, A/36/588, A/36/706; A/SPC/36/L.18, L.19, L.20 and Corr.1, L.21, L.22, L.23 and Corr.1, L.24 and Corr.1 and L.28)

36. The CHAIRMAN announced that the German Democratic Republic and the Ukrainian Soviet Socialist Republic had joined the sponsors of draft resolutions A/SPC/36/L.20 and L.22.

Draft resolution A/SPC/36/L.18

37. The CHAIRMAN announced that a recorded vote had been requested on draft resolution A/SPC/36/L.18 which had been sponsored by Bangladesh, India, Indonesia, Madagascar, Malaysia, Maldives, Mali, Pakistan and Yugoslavia. A request had also been made for a separate vote on operative paragraph 1.

38. Mr. RAMIN (Israel) said that he would vote against draft resolution A/SPC/36/L.18 and drew attention to the statement which he had made on 17 November in the Committee. Israel did not acknowledge the applicability

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(Mr. Ramin, Israel)

of the Fourth Geneva Convention of 1949 to the areas administered by it; its position on the issue - which was a matter for legal interpretation - was supported by acknowledged authorities in the field of international law. The important thing was that Israel, in practice, applied the principles set forth in the Convention and went even further than the requirements of the Convention, granting to the local population privileges that were not provided for in the Convention. Several examples of those privileges had been enumerated in the debate.

39. Operative paragraph 1 of draft resolution A/SPC/36/L.18 was put to the vote.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Chile, China, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, 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 Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel.

Abstaining: None.

40. Operative paragraph 1 of draft resolution A/SPC/36/L.18 was adopted by 118 votes to 1.

41. At the request of the representative of the United States of America, a separate vote was taken on operative paragraph 2 of draft resolution A/SPC/36/L.18.

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In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, 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 Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, United States of America.

Abstaining: Canada, Jamaica.

42. Operative paragraph 2 of draft resolution A/SPC/36/L.18 was adopted by 114 votes to 2, with 2 abstentions.

43. Mr. KA (Senegal) and Mr. KOTSEV (Bulgaria) pointed out that the machine had not recorded their votes.

44. The CHAIRMAN said that the votes cast by the representatives of Senegal and Bulgaria would appear in the summary record.

45. A recorded vote was taken on draft resolution A/SPC/36/L.18 as a whole.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Iceland, India, Indonesia, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Lebanon,

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Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, 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 Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel.

Abstaining: Jamaica, United States of America.

46. Draft resolution A/SPC/36/L.18 was adopted by 117 votes to 1, with 2 abstentions.

Draft resolution A/SPC/36/L.19

47. The CHAIRMAN said that a recorded vote had been requested on the draft resolution, which had been sponsored by Bangladesh, India, Indonesia and Pakistan.

48. Mr. RAMIN (Israel) said that he would vote against the draft resolution. The Committee was not competent to pronounce on the legal validity of measures and actions taken by Israel since 1967 in the territories referred to in the text. It was particularly out of place to claim that Israel's policies constituted an "obstruction of efforts" for a just and lasting peace. It was precisely such resolutions which obstructed the prospects for peace and harmony in the area.

49. A recorded vote was taken on draft resolution A/SPC/36/L.19.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar,

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Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, 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 Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel.

Abstaining: Jamaica, United States of America.

50. Draft resolution A/SPC/36/L.19 was adopted by 117 votes to 1, with 2 abstentions.

Draft resolution A/SPC/36/L.20

51. The CHAIRMAN said that a recorded vote had been requested on the draft resolution, which had been sponsored by Bangladesh, Cuba, India, Indonesia, Madagascar and Pakistan, later joined by the German Democratic Republic, Hungary, and the Ukrainian Soviet Socialist Republic. The administrative and financial implications of the draft resolution appeared in document A/SPC/36/L.28.

52. Mr. RAMIN (Israel) said that he would vote against the draft resolution, and referred the Committee to his statement of 17 November 1981. The draft resolution reflected the biased attitude which characterized the Special Committee's report and methods of inquiry into the sectors administered by Israel, and reproduced various false allegations and conclusions presented by the Special Committee on the basis of unreliable evidence and testimony. It completely disregarded the actual circumstances prevailing in the areas in question, and ignored the principle of international law according to which, in addition to ensuring the welfare of the local population, the authorities had a duty to protect that population, together with their own, against disorder and terrorism.

53. As in previous years the draft was mendacious. It also renewed the mandate of the Special Committee, which had become a sinecure for its members.

54. Paragraph 6 of draft resolution A/SPC/36/L.20 was put to a separate vote.

55. A recorded vote was taken on paragraph 6 of draft resolution A/SPC/36/L.20.

In favour: Afghanistan, Albania, Algeria, Bahrain, Bangladesh, Bhutan, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, German Democratic Republic, Ghana, Guinea,

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Guyana, Hungary, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Peru, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

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

Abstaining: Argentina, Austria, Barbados, Burma, Burundi, Colombia, Costa Rica, Fiji, Finland, Greece, Honduras, Jamaica, Malaysia, Panama, Paraguay, Philippines, Portugal, Singapore, Spain, Sweden, Thailand.

56. Paragraph 6 of draft resolution A/SPC/36/L.20 was adopted by 81 votes to 17, with 21 abstentions.

57. Paragraph 15 of draft resolution A/SPC/36/L.20 was put to a separate vote.

58. A recorded vote was taken on paragraph 15 of draft resolution A/SPC/36/L.20.

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Bangladesh, Bhutan, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, German Democratic Republic, Ghana, Guinea, Guyana, Hungary, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, 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 Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

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

Abstaining: Austria, Burma, Canada, Greece, Honduras, Jamaica, Portugal.

59. Paragraph 15 of draft resolution A/SPC/36/L.20 was adopted by 91 votes to 18, with 7 abstentions.

60. A recorded vote was taken on draft resolution A/SPC/36/L.20 as a whole.

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Bangladesh, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, German Democratic Republic, Ghana, Greece, Guinea, Guyana, Hungary, India, Indonesia, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mauritania, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, 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 Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Barbados, Belgium, Canada, Denmark, Fiji, Finland, France, Germany, Federal Republic of, Honduras, Iceland, Ireland, Italy, Ivory Coast, Jamaica, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Panama, Paraguay, Sweden, United Kingdom of Great Britain and Northern Ireland.

61. Draft resolution A/SPC/36/L.20 was adopted by 93 votes to 2, with 26 abstentions.

62. Mr. KIRTIPUTRA (Thailand) said that he had voted for draft resolution A/SPC/36/L.20 as a whole because his country had a principle of always supporting the measures taken by the United Nations to protect the rights of the population in the occupied Arab territories. In substance, the provisions of the draft resolution which had just been adopted corresponded to the mandate of the Special Committee; however, some parts of it were outside the scope of that mandate: thus, the Special Committee, an organ without legal functions, was not empowered to declare that infringements of international obligations were

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(Mr. Kirtiputra, Thailand)

an affront to humanity; only a legal body could make such an assertion. That was why his delegation had abstained in the vote on paragraph 6. It also had reservations with respect to paragraph 7, subparagraphs (k) and (l), and to paragraph 10, because it believed that no territories other than those occupied since 1967 should be mentioned.

Draft resolution A/SPC/36/L.21

63. The CHAIRMAN said that a recorded vote had been requested on draft resolution A/SPC/36/L.21, which had been sponsored by Algeria, Bahrain, Bangladesh, Democratic Yemen, Djibouti, India, Indonesia, Iraq, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen.

64. Mr. RAMIN (Israel) said he wished to explain why he would vote against draft resolution A/SPC/36/L.21. The situation facing Israel, which was subject to open threats of war and terror, required his Government to attach the utmost importance to its duty to safeguard public order and security. That was why, following a murderous attack against Jewish worshippers, his Government had expelled the mayors of Hebron and Halhul and the Qadi of Hebron, who for some months had been inciting the local Arab population to acts of violence and subversion against Israel and Israelis. They had had recourse to the Israel judicial system but the Supreme Court had upheld the orders against them and, since their expulsion, their declarations and conduct had only added support to his country's position, which was guided by a concern for the welfare of the population and that of the areas under its administration.

65. A recorded vote was taken on draft resolution A/SPC/36/L.21.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic,

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Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel.

Abstaining: United States of America.

66. Draft resolution A/SPC/36/L.21 was adopted by 118 votes to 1, with 1 abstention.

Draft resolution A/SPC/36/L.22

67. The CHAIRMAN said that a recorded vote had been requested on draft resolution A/SPC/36/L.22, which had been sponsored by Bangladesh, Cuba, India, Indonesia and Pakistan, joined later by the German Democratic Republic, Hungary and the Ukrainian Soviet Socialist Republic.

68. Mr. RAMIN (Israel) said that he would vote against the draft resolution, which, having been initiated by Syria, was yet another manifestation of that country's campaign of propaganda that it waged everywhere against the State of Israel; it was further evidence of Syria's stubborn refusal to contemplate negotiating with Israel on the basis of Security Council resolution 242 (1967). For many years, Syria had used the Golan Heights to launch attacks against Israel by regular and irregular forces, raining death and destruction on Israeli civilians and giving cover and support to terrorist infiltrators en route to disrupt normal life in Israel. Today, Syria was the corner-stone and one of the major partners in organizing the combined military forces of several Arab countries against Israel. Draft resolution A/SPC/36/L.22 was merely a weapon in the ongoing Syrian warfare against his country.

69. A recorded vote was taken on draft resolution A/SPC/36/L.22.

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Greece, Guinea, Guyana, Hungary, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia,

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Senegal, Sierra Leone, Singapore, Somalia, Spain, 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 Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Belgium, Burma, Canada, Denmark, Finland, France, Germany, Federal Republic of, Honduras, Iceland, Ireland, Italy, Jamaica, Japan, Luxembourg, Netherlands, New Zealand, Norway, Panama, Paraguay, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland.

70. Draft resolution A/SPC/36/L.22 was adopted by 96 votes to 2, with 24 abstentions.

Draft resolution A/SPC/36/L.23

71. The CHAIRMAN said that a recorded vote had been requested on draft resolution A/SPC/36/L.23, which was sponsored by Bangladesh, Cuba, India, Indonesia and Pakistan.

72. Mr. RAMIN (Israel) said that he would vote against the draft resolution. The text was yet another example of distortions of facts and wild accusations against his country. At the Committee's thirty-fourth meeting, he had explained in detail the reasons for the temporary closure of the Bir Zeit university and also the policy of the Israeli authorities aimed at the enhancement of educational institutions in the areas under Israeli administration. He wished to state categorically that there was no truth in the assertion, made in the draft resolution, that orders existed for closing the universities of Bethlehem and Al-Najah.

73. A recorded vote was taken on draft resolution A/SPC/36/L.23.

In favour: Afghanistan, Albania, Algeria, Argentina, Austria, Bahrain, Bangladesh, Barbados, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Greece, Guinea, Guyana, Hungary, India, Indonesia, Iraq, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal,

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Sierra Leone, Singapore, Somalia, Spain, 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 Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, United States of America.

Abstaining: Australia, Belgium, Canada, Chile, Colombia, Denmark, Finland, France, Germany, Federal Republic of, Honduras, Iceland, Ireland, Italy, Ivory Coast, Jamaica, Japan, Luxembourg, Netherlands, New Zealand, Norway, Panama, Paraguay, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay.

74. Draft resolution A/SPC/36/L.23 was adopted by 94 votes to 2, with 25 abstentions.

Draft resolution A/SPC/36/L.24

75. The CHAIRMAN announced that a recorded vote had been requested on draft resolution A/SPC/36/L.24 which was sponsored by the following countries: Algeria, Bahrain, Bangladesh, Democratic Yemen, Djibouti, India, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen.

76. Mr. RAMIN (Israel) said that he would vote against draft resolution A/SPC/36/L.24 for the reasons which he had explained in detail in his statement of 23 November.

77. A recorded vote was taken on draft resolution A/SPC/36/L.24.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal,

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Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, 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 Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel.

Abstaining: United States of America.

78. Draft resolution A/SPC/36/L.24 was adopted by 119 votes to 1, with 1 abstention.

79. Mr. RAMBISOON (Trinidad and Tobago) said that he had voted for all the draft resolutions just adopted as he approved of the general thrust of each of them. It would have been preferable however if some of the texts had been phrased differently.

80. Mr. PERCIVAL (Australia) said that, by its favourable votes on four of the seven draft resolutions as well as by its votes in earlier years, his country had clearly demonstrated its adherence to the principles on which those texts were based. The fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War was applicable to the occupied Arab territories where it was the principal safeguard for the protection of human rights. The establishment of Israeli settlements in those territories was contrary to the Convention and impeded the establishment of peace in the region.

81. Mr. HUMFREY (United Kingdom of Great Britain and Northern Ireland), speaking on behalf of the States members of the European Economic Community, said that the delegations of the Ten had voted for draft resolution A/SPC/36/L.19 which reflected their view that the Israeli settlements in the occupied territories were illegal in terms of international law and constituted a serious obstruction to progress towards a comprehensive, just and lasting peace settlement in the Middle East.

82. While the delegations of the States members of the Community had voted in favour of draft resolution A/SPC/36/L.24, they noted that the matter had already been considered by the Security Council. They repeated their appeal to all the parties concerned to refrain from acts of violence which could only make the search for peace more difficult.

83. On draft resolutions A/SPC/36/L.18, L.19, and L.21, they noted that the language used was stronger than in the corresponding draft resolutions of the

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(Mr. Humfrey, United Kingdom)

previous year, but did not consider all such changes, especially in draft resolution A/SPC/36/L.18, to be justified.

84. Regarding draft resolution A/SPC/36/L.20, the reservations expressed by the States members of the Community the previous year on the corresponding resolution, 35/122 C, were well known. However, new elements had been introduced in the draft resolution and the Ten had reservations, in particular regarding operative paragraphs 6, 7 and 15.

85. The reservations expressed the year before by the Ten regarding resolutions 35/122 E and 35/122 F applied equally to draft resolutions A/SPC/36/L.22 and L.23, although the wording of the latter had been improved as compared to resolution 35/122 F.

86. Mr. ELMER (Sweden) said that the Swedish delegation had voted in favour of draft resolutions A/SPC/36/L.18, L.19, L.21 and L.24 in order to reaffirm the applicability of the Fourth Geneva Convention to all territories held by Israel since 1967. His delegation was opposed to efforts to change the legal status of those territories, as being in contravention of international law and incompatible with Security Council resolutions 242 and 338. The dismantling of the settlements in the occupied territories would constitute a constructive step on the part of Israel.

87. His delegation had abstained on draft resolutions A/SPC/36/L.20, L.22 and L.23 for the same reasons as in previous years, namely, that they contained generalization which could not be substantiated. Moreover, draft resolution A/SPC/36/L.20 contained elements which went beyond the competence of the General Assembly and draft resolution A/SPC/36/L.22 dealt with hypothetical elements.

88. Mr. LOISELLE (Canada) said that the Canadian delegation had abstained in the vote on draft resolution A/SPC/36/L.20 because it disapproved of some of the statements in it and also of the wording. His delegation considered that the Fourth Geneva Convention applied to the situation in the occupied territories and agreed in general with the thrust and the main aims of the draft resolution. However it could not support operative paragraphs 5, 6 and 7 in particular, and also disapproved of the very strong language which would not help to solve the problems.

89. Mr. GERSON (United States of America) said that the Fourth Geneva Convention was one of the most important measures that the international community had taken to provide the maximum possible protection of the rights and interests of civilians in wartime. The Convention applied to all situations of warfare regardless of the legitimacy of the actions of the country in question. His delegation had abstained on draft resolution A/SPC/36/L.18 because the text condemned Israel's failure to acknowledge the applicability of the Convention to its occupation of the West Bank and Gaza. The ritualistic use of such wording was particularly inappropriate since what was at issue in the draft resolution was not Israeli actions but the Israeli Government's position on a legal issue.

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(Mr. Gerson, United States)

90. His Government believed that the Convention applied to Israel's occupation of the West Bank and Gaza and would continue to measure Israel's practices there against its obligations as an occupying Power under the Convention. He trusted that other Members would do likewise with respect to other more recent military occupations. The Convention must be applied without discrimination and his Government would continue to take measures to that end, while eschewing useless exercises in rhetoric.

91. His delegation had abstained on draft resolution A/SPC/36/L.19 concerning Israeli settlements because the resolution sought to pronounce on the legality of such settlements. His Government continued to oppose the establishment of Israeli settlements and believed that they created obstacles to the establishment of a just and lasting peace in the region. At the same time, his Government was convinced that repetitive pronouncements on the legal issues related to settlements were not likely to cause Israel to reflect on the policy issues. His delegation wished, by its vote, to show that it intended to concentrate on the policy aspects without taking part in the legal debate.

92. With respect to draft resolution A/SPC/36/L.21, his Government believed that the deportation of the mayors was contrary to the provisions of the Fourth Geneva Convention. However, his delegation had not voted in favour of the draft resolution because of its excessively harsh language and because it omitted any reference to the violence in Hebron which had preceded the deportations.

93. His delegation had abstained on draft resolution A/SPC/36/L.24 because it failed to consider all the elements of the situation. Moreover, the draft resolution implied, without justification, a lack of effort by Israel to apprehend and prosecute the perpetrators of the assassination attempts. His delegation condemned those responsible and trusted that they would be speedily brought to justice.

94. His delegation had voted against draft resolution A/SPC/36/L.20, L.22 and L.23 because of their biased character and polemical tone.

95. Mr. WARD (New Zealand) said that his country was opposed to Israel's occupation of Arab territories which had continued since 1967 and was contrary to Security Council resolution 242. Israel's practices and policies in those territories were a major obstacle to a general settlement in the Middle East.

96. His delegation had voted in favour of the draft resolutions which reaffirmed the applicability of the Fourth Geneva Convention to those territories. It had abstained on draft resolution A/SPC/36/L.23, for the same reason as in the previous year. His delegation had difficulty with operative paragraphs 6, 7 and 15 of draft resolution A/SPC/36/L.20; in particular it did not approve of the use of the terms "war crimes" and "affront to humanity".

The meeting rose at 5.05 p.m.