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SUMMARY RECORD OF THE 49th MEETING

Chairman: Mr. AL-QAYSI (Iraq)

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The meeting was called to order at 10.55 a.m.

AGENDA ITEM 131: DEVELOPMENT AND STRENGTHENING OF GOOD-NEIGHBOURLINESS BETWEEN STATES: REPORT OF THE SECRETARY-GENERAL (continued) (A/40/450, A/40/59, A/40/60-S/16873, A/40/62-S/16876, A/40/63-S/16879, A/40/67-S/16882, A/40/69-S/16883, A/40/70, A/40/76, A/40/79-S/16890, A/40/80-S/16891, A/40/81-S/16892, A/40/83-S/16894, A/40/94-S/16902, A/40/98, A/40/111-S/16916, A/40/116, A/40/120-S/16944, A/40/126-S/16952, A/40/129-S/16955, A/40/134-S/16964, A/40/138-S/16968, A/40/140-S/16970, A/40/146, A/40/155-S/16988, A/40/161, A/40/170, A/40/172-S/17023, A/40/175, A/40/181-S/17041, A/40/182-S/17042, A/40/206-S/17057, A/40/208-S/17060, A/40/210-S/17064, A/40/212-S/17066, A/40/214-S/17068, A/40/220, A/40/234-S/17102, A/40/235-S/17103, A/40/240-S/17109, A/40/255-S/17112, A/40/257-S/17116, A/40/264-S/17126, A/40/268-S/17131, A/40/273-S/17135, A/40/287-S/17155, A/40/288-S/17158, A/40/293-S/17165, A/40/294-S/17167, A/40/296, A/40/297-S/17173, A/40/309-S/17185, A/40/310-S/17186, A/40/311-S/17187, A/40/316-S/17194, A/40/323, A/40/330-S/17208, A/40/331-S/17209, A/40/332, A/40/333-S/17211, A/40/335, A/40/338-S/17218, A/40/351, A/40/352-S/17236, A/40/364-S/17247, A/40/368-S/17250, A/40/371-S/17256, A/40/378-S/17296, A/40/382-S/17276, A/40/391-S/17285, A/40/401-S/17301, A/40/403-S/17303, A/40/419-S/17311, A/40/424-S/17318, A/40/449-S/17350, A/40/466-S/17330, A/40/479-S/17339, A/40/484, A/40/495, A/40/499-S/17350, A/40/500-S/17352, A/40/501, A/40/505-S/17359, A/40/507-S/17361, A/40/512-S/17365, A/40/526-S/17377, A/40/538-S/17390, A/40/545-S/17395, A/40/556-S/17403, A/40/568-S/17414, A/40/573-S/17417, A/40/582-S/17420, A/40/599-S/17432, A/40/630-S/17458, A/40/636-S/17464, A/40/640-S/17468, A/40/664-S/17479, A/40/674-S/17489, A/40/675-S/17490, A/40/685-S/17499, A/40/690-S/17504, A/40/732-S/17545, A/40/753-S/17568, A/40/782-S/17582, A/40/821-S/17594, A/40/839-S/17604, A/40/859-S/17613, A/40/866-S/17615, A/40/899-S/17636, A/40/902-S/17637, A/40/908-S/17641, A/40/911-S/17644, A/40/922-S/17651)

1. Mr. DIACONU (Romania) said that the question of the development and strengthening of good-neighbourliness between States aroused great interest because, as demonstrated by history, it was between neighbouring countries that most problems concerning relations arose and that the likelihood of disputes was the greatest. Moreover, the phenomenon of geographical proximity was becoming increasingly complex owing precisely to the development of the resulting political, economic, technological and human relations. At the same time, that phenomenon was undergoing unprecedented expansion and taking on new proportions, because advances in science and technology gave rise to problems concerning relations with other countries that were further away, which normally occurred in the context of geographical proximity. The maintenance and expansion of friendly relations and co-operation between neighbouring States and between States in the same geographical area were essential in order to pave the way for the consideration and peaceful solution of any problem, taking due account of the legitimate interests of the parties concerned and on the basis of the fundamental principles of international law. That was also the way to prevent further disputes from developing and existing disputes from being exacerbated.

(Mr. Diaconu, Romania)

2. The promotion of a policy of good-neighbourliness was a prerequisite for solving the problems currently confronting mankind as a result of serious tensions arising from the policy of threatening to use or using force, consolidating and establishing zones of influence and interfering in the internal affairs of other countries; further sources of tension were the continuation of long-standing conflicts and the development of new conflicts, underdevelopment and the growth of the phenomena underlying the international economic crisis.

3. Good-neighbourliness was a vast and complex subject, where many bilateral, subregional and regional concerns converged. It was no accident that countries in the various regions were taking action in any form they considered appropriate, in an endeavour to improve their relations and solve their problems on the basis of the principles of equality and mutual advantage, taking account of their legitimate interests and unhampered by outside interference. Frequent reference had been made, particularly at the current session, to initiatives to strengthen multilateral co-operation taken by the countries of the Balkans, the countries belonging to the Contadora Group and the Central American countries, to efforts to establish machinery to promote co-operation among the Gulf Arab countries, to initiatives to strengthen relations between the Maghreb countries, as well as to co-operation among the Andean countries, among the Central, West and East African countries and among the countries of South and South-East Asia and to efforts made by countries in other regions of the world, in the form of relatively structured concerted action, with a view to achieving common goals.

4. Ample experience had been gained in the field of good-neighbourliness at the bilateral, regional and subregional levels, and in the context of international organizations. Many common elements and parallel or similar approaches to the concept of good-neighbourliness could be detected in the replies from States. The Sub-Committee on Good-Neighbourliness had been requested to begin its work by identifying and clarifying the elements of the concept. In view of the wealth of material that fell within the scope of the topic and owing to the complexity of the matter, there was no reason to be surprised at the controversies that had arisen in the course of the discussions in the Sub-Committee. Good-neighbourliness consisted in a virtually unlimited series of bilateral relations, whose physical content was extremely varied, and whose purpose was to deal with every possible aspect of relations between countries. The relations in question must be based on strict observance of the set of principles and norms whose objective was to guarantee a climate in which mutual respect, understanding, co-operation and peace prevailed between States, and to facilitate achievement of a solution to all problems arising in their relations. It was of the utmost importance that the principles in question should be observed and applied in the context of relations between neighbouring countries and between countries in the same geographical area, because of the broad range of the relations between such countries and the threats that violation of those principles represented for international peace and security.

5. A purely political and legal or purely technical and practical approach could not be taken to good-neighbourliness. A one-sided approach could not provide a complete picture of that concept because, in situations where the relevant

(Mr. Diaconu, Romania)

principles and norms were not observed, the action taken could give rise to relations that amounted to anything but good-neighbourliness; those principles and norms must also be translated into effective co-operation.

6. Universal principles and norms were applicable to all countries and thus also to neighbouring countries; however, some of the principles and norms in question were of particular interest in the context of relations between neighbouring countries, including the principles of respect for the sovereignty of States and for the inviolability of borders, non-use of force with a view to settling territorial questions and other problems arising from geographical proximity, the peaceful settlement of disputes and non-intervention in the international affairs of States in any form whatsoever. Although those legal norms did not concern solely relations between neighbouring States, they were nevertheless of particular importance where such relations were concerned.

7. Both neighbouring States and other States had a general obligation to co-operate with each other, but, over and above that general obligation, co-operation between neighbouring States involved special requirements; there were areas in which such co-operation was essential in order to solve the problems that arose, and there were forms of co-operation that were particularly important in the context of relations between neighbouring States, even though they might also be adopted by States that were more distant from each other.

8. The way in which various practical aspects of such co-operation, for example, the scope of the co-operation and ways and means of maintaining it, were to be dealt with in the context of relations between neighbouring States and between States that were in proximity to each other, as well as the specific obligations of each individual State, were undoubtedly questions that should be settled by the countries concerned. His delegation wished to suggest that consideration should be given to the areas in which co-operation between neighbouring States took place and to the various methods that were likely to be adopted with a view to maintaining such co-operation. All the elements of good-neighbourliness should be considered and clarified, so that they could then be developed as soon as possible. Moreover, the consideration, clarification and elaboration of those elements must be integrated into an open-ended process, since each new stage could reveal new aspects and elements and shed more light on them. However, the recommendations that might be made to States in the field of good-neighbourliness would not be determined until the stage of elaboration was reached.

9. The order in which those elements would be considered and clarified was not important, what mattered was to recognize the unbreakable link between their practical and political aspects and their basis - the principles of international law, on which, alone, good-neighbourliness could be built, maintained and developed in all regions of the world by States with any socio-political system and of any size. It was necessary to go beyond theory: a practical, well-ordered approach should be adopted in order to present a global and positive concept of good-neighbourliness in a declaratory document.



(Mr. Diaconu, Romania)

10. The resolution adopted at the previous session of the General Assembly provided for the drafting of such a document. His delegation considered that the task should be approached in a flexible way, but with the will to deal with all aspects of good-neighbourliness, taking into account the complex nature of the subject. He hoped that a constructive spirit would prevail in the work on the subject; it would be hard to have to admit that it was impossible to approach a subject of universal interest and great importance for small and medium-sized countries, that was to say the majority of the countries of the world, in such a spirit.

11. Mr. ONOUKA (Congo) said that his country's foreign policy was based on the principles of national independence, peace, non-alignment, solidarity and friendship with all peace- and justice-loving peoples and Governments. Those principles, which were enshrined in the Congolese Constitution, were in perfect harmony with those of the Charter of the United Nations. The Congo had always made it a point of honour to maintain relations based on mutual respect and reciprocal benefit with all peace- and freedom-loving countries, regardless of their socio-economic systems. It also strove to establish and maintain peaceful and good-neighbourly relations at the regional level. At the level of bilateral co-operation, his Government had established joint commissions for economic, scientific and technical co-operation with all friendly countries, and they were functioning satisfactorily. The age-old links that united the Congolese people with the fraternal peoples in adjacent countries had been consolidated and developed.

12. His country's desire for peace had caused it to be awarded, inter alia, the presidency of the Economic Community of Central African States and to be entrusted with difficult missions to negotiate the settlement of the question of Chad. The special attention that the international community and especially OAU paid to the Congo was the result of the ceaseless efforts of its President to strengthen good-neighbourly relations in Africa.

13. Global interdependence was not only apparent in the area of economic and cultural exchanges. Various international legal instruments that allowed the provisions of the Charter to be put into practice also bore witness to the common destiny of the peoples of the world. The People's Republic of the Congo was deeply concerned that anything should stand in the way of the full and effective realization of the ideals of peace, liberty and security for all, and therefore wished to declare its outrage at the almost unconditional support that certain countries were lending to the evil, Nazi-inspired, apartheid régime. Those countries, which at the United Nations were proclaiming guarantees of observance of human rights, were contributing to strengthening a system in South Africa that was primarily based on the denial of those very rights to the overwhelming majority of the population. Namibia continued to be illegally occupied by South Africa, which was using it as a base for acts of aggression against the front-line States.

14. Naturally, the establishment of a climate of peace and good-neighbourliness in that part of the world required the elimination of the apartheid system and its

(Mr. Onouka, Congo)

concomitant colonialism. He regretted that no effective measures had yet been taken to ensure strict enforcement of the economic sanctions against that inhuman régime.

15. In the course of the past 40 years, the prospects for a general world peace had been overshadowed by violence, which was often kept alive by the insidious but implacable pressure of economic structures imposed by the wealthy Powers, the very Powers that would not entertain discussion of the elaboration by the United Nations of a code of conduct for transnational corporations or the implementation of the provisions of the Charter of Economic Rights and Duties of States, in particular those relating to the sovereignty of States over their natural resources.

16. He wondered whether the current crisis arose from fundamental structural imbalances in the global economic system. Certainly, the rise in national egoism, and its corollary, protectionism, inhibited solidarity and generosity in international co-operation and obstructed concerted action to lead the world economy out of its current crisis. The crisis was reinforcing that national egoism, resulting in declining official development assistance. Furthermore, imperialism had sabotaged any chance of creating the necessary conditions for a just international economic order; it had led the North-South dialogue into an impasse and was responsible for the failure of such global negotiations as had taken place.

17. The consistent will to encourage better understanding, co-operation, dialogue and mutual confidence among peoples would prepare mankind to live in peace. If the dissemination of ideals that would bring peoples together was encouraged, it would be possible to establish mutual understanding and to adopt confidence-building measures. The significance of the recent talks between President Reagan and Mr. Gorbachev went far beyond the frontiers and interests of the two super-Powers, in so far as they contributed to decreasing international tension. All nations shared the conviction that real progress towards disarmament and the resolution of conflicts could be of great benefit to all.

18. Several delegations had expressed legitimate concern regarding other questions related to the issue of good-neighbourliness and international security. In that context, his country denounced the imperialist policy of destabilizing progressive, democratic régimes for the purpose of establishing zones of influence in Asia, Africa and Latin America, while ignoring the right of peoples to peace and to choose freely their socio-political system.

19. The International Year of Peace in 1986 should serve as a framework for renewed initiatives. Its influence would depend in large part on the real choices that would be made by all States for the establishment of favourable conditions for general survival. Peace should not simply mean the absence of war or violence. It should be consolidated by the establishment of constructive relations among States and peoples, based on co-operation, mutual confidence, understanding and justice. The existing will was diffuse and hesitant, and must be mobilized and directed into a single project that would place the common future of mankind above individual interests.

20. Mr. ZHULATI (Albania) said that good-neighbourliness was not only a well-known principle of international law which had been enshrined in the instruments adopted by the United Nations and in many other international instruments, but also a prerequisite for the maintenance of international peace and security. The various local and regional conflicts instigated and supported by the imperialist Powers and the forces of world reaction, and especially by the two super-Powers - the United States of America and the Soviet Union - demonstrated a lack of respect for the principles of good-neighbourliness which was dangerous for international peace and security. History provided many examples of wars of a world-wide character which had started as a result of the exacerbation of tensions between neighbours.

21. A number of factors were working against the efforts of the progressive forces and the peoples of the world to remedy the ever more complicated and tense international situation. The two super-Powers in particular, in their rivalry for domination and hegemony over all continents, were transferring tensions and conflicts from the periphery towards the zones where their respective military blocs met; the policy of expansionism and hegemony, and the disputes and rivalries between those two Powers created disagreements among various States and peoples and thus harmed their good-neighbourly relations. The United States of America and the Soviet Union secured their political, economic and military presence by pitting peoples against one another in bloody wars and then posing as arbiters or as the supporters of one or the other side. The super-Powers and other imperialist Powers generally sought to justify their many interventions in the internal affairs of various countries by theories inherited from the ideological and political arsenal of the past, from a time when the great imperialist Powers used to consider as natural their role of international super-arbiter. In more modern terms, they invoked "special interests and responsibilities with regard to international peace" or the need to "guarantee their security". Under those conditions, it had become even more necessary to settle the disagreements and the feuds among neighbouring States which had been inherited from the colonial system. The settlement of problems inherited from the past among neighbouring States deprived imperialism and social imperialism of the pretexts they needed to undertake activities which were detrimental to the peace and independence of peoples.

22. The development and strengthening of relations of good-neighbourliness required that all States should respect the well-known principles which governed relations among them, namely sovereignty, territorial inviolability, non-interference in internal affairs, equality and self-determination. Those principles had become norms of international law for correct relations among States in general and among neighbouring States in particular. Political will was an important condition for the development and strengthening of relations of good-neighbourliness. Where it existed and was accompanied by respect for the principles applicable to the subject, neighbouring States could overcome their hostilities, which were often instigated by the imperialist Powers. Neighbouring States could and must use geographical proximity as a means to stimulate mutually advantageous relations between them in the political, economic and cultural fields. The more solid the relations of good-neighbourliness among States, the more dynamic would be the development of those relations; otherwise, tensions and conflicts among neighbours would pave the way to interventions by the imperialist

(Mr. Zhulati, Albania)

Powers. Relations of good-neighbourliness were incompatible with the policy of the use of force, aggression and threat and also with such phenomena as colonialism, neo-colonialism, racism, apartheid and all other forms of foreign domination.

23. The policy of good-neighbourliness stemmed from the very nature of the economic and social system of his country, which had always applied that policy in its relations with States. Wishing to have harmonious and constructive relations with its neighbours, the Socialist People's Republic of Albania had never spared its efforts to establish and develop with its neighbours, as well as with other States, relations based on the principles of respect for national sovereignty, full equality, non-interference in internal affairs and mutual advantage. Evidence thereof was to be found in the normal development of its relations with neighbouring countries; it was convinced that normal exchanges in fields such as trade, communications, culture, technology, science and so on served to bring nations closer together and to establish an atmosphere of friendship and understanding between them and were conducive to fruitful co-operation, peace and joint security.

24. As a Balkan country, Albania was strongly opposed to the hostile policy of the imperialist super-Powers, which were endeavouring by all possible means to turn the region into a "powder keg", as it had been in the past. His country would not allow its relations with any other country to be prejudicial to the interests of a third party. A constructive and peaceful policy of that sort was an important pre-condition not only for overcoming the prejudices of the past and remedying dangerous situations, but also for consolidating trust among Balkan States. His country had proved that it had been and remained a factor for peace and stability in the Balkans. Its Constitution, for example, prohibited the stationing and deployment of foreign troops and the establishment of foreign bases in its territory. It was convinced that its efforts to live in harmony with its neighbours would make it possible for its population to build up the socialist society in a peaceful manner and would also serve the interests of peace and security in the Balkans and throughout the world.

25. Mr. VREEDZAAM (Suriname) said that good-neighbourliness was the prerequisite for friendly relations and co-operation among States. It was a presupposition that States would, in their relations, emphasize what they had in common rather than what divided them and that they would refrain from interfering in the internal affairs of their neighbours. Furthermore, good-neighbourliness guaranteed peace and security, the well-being of mankind and the prosperity of States.

26. Despite certain border disputes with its neighbours to the east and to the west, the Government of Suriname maintained relations of good-neighbourliness with neighbouring countries, thus warding off the risk of foreign intervention. His country was determined to maintain the balance between good-neighbourliness and its sovereign rights over the territories in question, in order to create an atmosphere conducive to the settlement of those disputes by peaceful means, in conformity with the principles of the Charter of the United Nations.

(Mr. Vreedzaam, Suriname)

27. All States, and especially the States Members of the United Nations, had a duty to respect the principles of sovereign equality, territorial integrity, independence and the right to self-determination of other States and should not assume the role of a watchdog or a moralist with regard to the latter. Suriname refrained from any act of hostility or aggression with regard to neighbouring States and was determined that its territory should not be used against those States. It was particularly opposed to the organization on its territory of irregular forces or mercenaries who would be used to violate the sovereignty of its neighbours. Relying upon the good faith of the latter, Suriname expected a similar attitude on their part, based on the principle of reciprocity.

28. It was incumbent upon the international community to preserve the peace and security which were essential for economic, social and cultural development, by applying the principle of good-neighbourliness. By participating in all activities linked to development, States would better understand the interests of other countries and the value of respect, mutual tolerance and the other principles of good-neighbourliness. At the regional level, for example, the application of a policy based on the principle of good-neighbourliness would create a de facto zone of peace and stability.

29. It must nevertheless be admitted that the world was currently dominated by the two super-Powers and that there was a great disparity between those Powers and the less important States. However, the application of the principle of good-neighbourliness between the two super-Powers would promote the preservation of peace and security within the international system for the following reasons: firstly, they would have to recognize the need to coexist on both the geographical and ideological levels; secondly, they would be induced to moderate their use of violence since they themselves had the means to inflict and to control it; thirdly, they would be capable of correcting the destabilizing effects of violence when they were not able to prevent it; fourthly, they would seek, in accordance with their instinct for self-preservation, to maintain the balance of power between them in all fields.

30. The balance of power would promote an environment of good-neighbourliness conducive to development and to the general advantage of all. It was in such an environment that people wished to live and it was also that environment that the founders of the United Nations had had in mind when they had declared, in the preamble to the Charter: "We the peoples of the United Nations, (are) determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind".

31. Mr. BA (Mali) referred to resolution 39/78 in which the General Assembly decided to start identifying and clarifying the elements of good-neighbourliness with a view to the elaboration of an international legal instrument. Good-neighbourliness between States was an extremely wide subject, with many geographical, philosophical, political, economic, social, cultural and other implications. Above all, it implied a certain state of mind and a genuine political will to achieve better coexistence. It was for the purpose of achieving that major end that the signatories of the Charter had resolutely undertaken "to practice tolerance and live together in peace with one another as good neighbours".



(Mr. Ba, Mali)

32. Since the acceptance of the right to be different formed the very basis of tolerance, in identifying and clarifying the elements of good-neighbourliness it was important, in order to delimit the question more successfully, to maintain and strengthen all that could unite peoples and States and to avoid all that could divide them or set them against one another.

33. At the political level, what united peoples and States and brought them closer to one another was chiefly the desire to live in peace. In order to reach that goal it was necessary first of all, on the basis of genuine political will, to respect human rights and fundamental freedoms as defined in the Universal Declaration of Human Rights, to respect international obligations assumed by States under the charters, treaties, agreements and conventions they had signed, and to respect the inalienable right of peoples to self-determination and the independence, sovereignty and political choices of States. Those obligations were enshrined, in particular, in the Charter of the United Nations, the Charter of the Organization of African Unity, the Helsinki Final Act, the Bandung Declaration and the Manila Declaration, but the principles set forth in those documents had to be consolidated by the total and complete cessation of the nuclear arms race. Good-neighbourliness could not be conceived of so long as the spectre of nuclear catastrophe persisted.

34. From the time of its accession to independence, Mali, a meeting point of several cultures, had resolutely committed itself to establishing, maintaining and strengthening good-neighbourliness and had made that commitment an essential principle of its foreign policy. The commitment was reflected, inter alia, in Mali's conclusion of many agreements and conventions with neighbouring countries and in its membership in the Organization of African Unity and the United Nations. In the economic sphere, the object of such agreements was to promote, develop and strengthen trade through the intensification of communications by land, river, sea and air. Another object was that of restructuring international economic relations on a just and equitable basis with a view to the establishment of a new international economic order. The continuance of efforts already undertaken in that connection by some United Nations bodies was to be welcomed and encouraged. At the social and cultural level, good-neighbourliness consisted above all in promoting exchanges between peoples and the interpenetration of different cultures.

35. Another question to be considered was the behaviour that States should adopt in order to avoid anything that might divide them or set them against one another. At the political level, good-neighbourliness implied preventing any attempt at hegemony and fighting it by all possible means. In accordance with the purposes and principles of the Charter, States were, in particular, in duty bound to observe the principles of non-interference in the domestic affairs of other States, the non-use of force or threat of force, and peaceful settlement of international disputes. Likewise, States must not allow their territory to be used for the preparation or commission of acts of subversion or aggression against another State and must, in consequence, combat mercenarism and terrorism.



(Mr. Ba, Mali)

36. It should be emphasized that all such acts pursued not only political aims, whether overt or covert, but also, and above all, economic ones. It was imperative that an end should be put to colonialism, a system of economic development based on the exploitation of man by man, as well as to the plundering of natural resources, and above all that all possible means should be used to fight apartheid, an abject system based on the superiority of one race over another and one whose consequences were inhuman and unacceptable.

37. Without good-neighbourliness there could be no peace, without peace there could be no security and without security there could be no development.

38. Mr. SCHMIDT (German Democratic Republic) said that the draft report on the question of good-neighbourliness between States provided an interesting description of the animated discussion and the sometimes divergent views expressed during the consideration of the subject. The views of the German Democratic Republic on the concept of good-neighbourliness were outlined in document A/40/450/Add.1. Furthermore, his country's delegation on the Sub-Committee had identified some legal elements that, in its view, should underlie the concept.

39. The German Democratic Republic attached great importance to the development and strengthening of good-neighbourliness between States, since that concept could contribute to the strengthening of international peace. Good-neighbourly relations could develop only to the extent that States had the political will to observe in their entirety the basic principles of international law, as set forth in the Charter of the United Nations, and to translate them into practice, specifically in their relations with their immediate neighbours. Thus the principle of good-neighbourliness was based on principles of international law, and other norms for the conduct of relations between States should also be interpreted in that context.

40. Good-neighbourly relations between States were incompatible with massive arms buildups. The General Secretary of the Central Committee of the Socialist Unity Party of Germany and Chairman of the Council of State of the German Democratic Republic, Mr. Erich Honecker, had recently indicated that the essential condition for the prevention of a nuclear catastrophe and the strengthening of peace was the cessation of the arms race on Earth and the prevention of its extension to outer space and that the solution of that issue would require resolute and persistent efforts in the future. Relations between States in a given geographical region could only be described as good-neighbourly to the extent that they were aimed at solving that vital issue of the current era, since the preservation and strengthening of peace were a sine qua non for the normal coexistence of States.

41. Moreover, mutual acceptance of and respect for frontiers between States was an indispensable condition for good-neighbourly relations. The German Democratic Republic, situated as it was at the divide between the two most powerful military groupings and being a State that had emerged as a result of the Second World War, attached fundamental importance to the recognition of the territorial integrity and sovereignty of all European States within their existing frontiers.

(Mr. Schmidt, German Democratic Republic)

42. With regard to the geographical application of the concept of good-neighbourliness, his country would wish to see the concept applied primarily at the regional level, since its restriction to neighbouring States would, in the final analysis, seem to be too narrow while its global application would on the other hand appear to be too wide. Regional application would make it possible to use and strengthen existing regional and subregional institutions and would create conditions conducive to beneficial co-operation in the political field.

43. His delegation hoped that work on the subject would be continued at the forty-first session of the General Assembly and would lead to the adoption of a suitable international document.

44. Mr. KOLBE (United States of America) said that the concept of good-neighbourliness was not new to the United States, which, for more than a century, had made it an essential element of its policy. It was, however, a line of conduct, an approach, an attitude, not a set of legal principles. The United States took a rather sceptical view of the usefulness of the Sixth Committee's efforts in that respect. In deference to other States that had needs and problems of their own, the United States had taken an open-minded approach and shown itself willing to recognize the value of the Committee's work on the question of good-neighbourliness. Unfortunately, since the adoption of resolution 39/78 nothing had demonstrated that the notion of good-neighbourliness might have a legal content. An enormous number of documents had been issued on the subject, in particular the fulsome report of the Sub-Committee, but it still remained to be proved that there were legal rules of general application that might apply to, for example, United States relations with Mexico or Brazil, but might not apply in the same way to United States relations with Belgium or Bhutan. To recognize that good-neighbourliness could not be reduced to a series of universally applicable legal norms was not to minimize its importance.

45. The United States had therefore demonstrated that it had an open mind as to possible legal aspects of the question and hoped that other States would be ready to admit that good-neighbourliness did not lend itself to the elaboration of a series of legal rules or even to statements of principle de lege ferenda. It was the view of his delegation that any attempt to restate general principles of law in the context of relations between neighbouring States would not only be intellectually fraudulent but would jeopardize the universality of the legal norms and throw into question the political validity of the policy of good-neighbourliness.

46. The underlying idea seemed to be ill-conceived. The United States was not, however, opposed to one further effort to explore whether there was any legal content to the matter but expected that those pressing for another attempt to do so would be ready to admit that the matter should not be pursued further in a legal context.

47. Mr. SWINNEN (Belgium), speaking on behalf of the 10 member countries of the European Community, Spain and Portugal, reaffirmed that those States were convinced that the strengthening and development of relations between neighbouring States could make a substantial contribution to the cause of international peace and co-operation. They considered that those relations could only be based on respect and the application of principles of international law, particularly non-interference in the internal affairs of other States, national sovereignty, political independence and territorial integrity. It was, however, legitimate to raise the question whether the concept itself corresponded to a separate principle of existing international law.

48. During the discussion in the Sub-Committee, consideration of the issue had clearly been complicated and difficult. Delegations had not been able to reach agreement on the method to be followed nor on the objective to be achieved. In that connection, the countries of the European Community did not wish to participate in an exercise which would consist of repeating, or reformulating, existing principles and rules, notably those contained in the Charter of the United Nations and in the 1970 Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. Nor did they see the utility of an exercise which would overlap with the work of other bodies both within and outside the United Nations. Without underestimating the specific and practical ways and means employed by neighbouring countries in order to promote friendly relations, an answer was needed to the crucial question, which moreover was included in paragraph 46 of the report of the Chairman of the Sub-Committee, namely: did specific principles exist which were specially applicable to relations between neighbouring countries?

49. The countries of the European Community would prefer to evaluate the discussion in the Sub-Committee before taking a position on the issue during the discussion on the organization of work of the Sixth Committee at the forty-first session of the General Assembly.

50. Mr. MORAGA (Chile) said he was satisfied with the progress achieved by the Sub-Committee. His Government paid particular attention to developing relations of good-neighbourliness with its neighbours in the conviction that strict respect for the principles and rules of international law could remove the risk of confrontation and achieve regional harmony for the benefit of all. It was necessary to define a concept of good-neighbourliness which flowed from geographical proximity rather than from a general duty and to express it in a text while at the same time avoiding making the effort nothing more than an intellectual exercise. The Sub-Committee should pursue its work in an efficient manner and should avoid excessive enthusiasm.

51. Mr. TRAORE (Togo) said that the concept of neighbourliness, which was directly linked to that of the frontier, could be either a factor for understanding between States and peoples or a barrier to communication and a potential source of tension. While it was true that good-neighbourliness was a state of mind, it was also true that such a state of mind was based on action. It was for that reason that his Government had made it the corner-stone of its foreign policy. That

(Mr. Traore, Togo)

policy had been translated into fact through groups of an economic character, such as the Communauté électrique du Bénin (CEB), the Entente Council and the Economic Community of Western African States (ECOWAS), comprising 16 States, as well as through the signature of a non-aggression pact with the five States of the West African Economic Community (CEAO). It was also appropriate to mention the quadri-partite agreement between Benin, Ghana, Nigeria and Togo signed in December 1984. The objective of those agreements was not only to solve economic problems but also and above all to solve problems arising in connection with the maintenance of peace and security.

52. The interaction between the concepts of peace and development was clear to the developing countries and only the maintenance of a peaceful international climate could enable the small countries to consolidate their independence and seek economic progress. Togo considered that development and the strengthening of good-neighbourliness between States represented the logical follow-up to the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

AGENDA ITEM 148: DRAFT DECLARATION ON SOCIAL AND LEGAL PRINCIPLES RELATING TO THE PROTECTION AND WELFARE OF CHILDREN, WITH SPECIAL REFERENCE TO FOSTER PLACEMENT AND ADOPTION, NATIONALLY AND INTERNATIONALLY (continued) (A/C.6/40/7; A/C.6/40/L.8 and L.26)

53. Mr. MUTZELBURG (Federal Republic of Germany), introducing draft decision A/C.6/40/L.26, said that it reflected the understanding reached as a result of two rounds of informal consultations which had dealt with both the substance of the draft Declaration and the procedure required for its adoption by the Sixth Committee. The Declaration would not impose legal obligations on Member States and would only have value as a recommendation; hence it would be desirable to give it moral strength by adopting it by consensus. A number of delegations, in particular the sponsors of document A/C.6/40/L.8, considered that the latter document reflected the largest possible agreement and wished to complete the work on the draft Declaration at the current session, while others considered that the text still needed further refinement. Still other delegations considered that any decision would be premature because they had not yet received final instructions from their Governments but had emphasized that they wished to join the consensus.

54. On the other hand, all participants were agreed that the current text required only minor amendments. The informal consultations had resulted in the following decisions: the sponsors of draft resolution A/C.6/40/L.8, which continued to be valid, would leave it on the table. They would not, however, press for an immediate decision; the General Assembly would adopt the draft Declaration by consensus at its forty-first session; to that end, the Sixth Committee would hold informal consultations (from two to four meetings) early in the next session of the General Assembly in order to solve the few remaining questions.

55. He wished to introduce one small change in the draft decision, namely, to replace "Welcoming" at the beginning of the second preambular paragraph by "Taking note of".

AGENDA ITEM 143: DRAFT STANDARD RULES OF PROCEDURE FOR UNITED NATIONS  
CONFERENCES: REPORT OF THE SECRETARY-GENERAL (continued) (A/40/611 and Add.1;  
A/C.6/40/L.27)

56. Draft decision A/C.6/40/L.27 was adopted without a vote.

The meeting rose at 12.30 p.m.