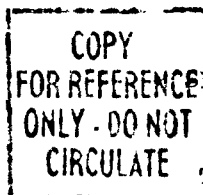




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SPECIAL POLITICAL COMMITTEE
43rd meeting
held on
Thursday, 29 November 1984
at 10.30 a.m.
New York

SUMMARY RECORD OF THE 43rd MEETING

Chairman: Mr. DIALLO (Guinea)

CONTENTS

AGENDA ITEM 71: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (continued)

AGENDA ITEM 72: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE (continued)

- (a) REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (continued)
- (b) IMPLEMENTATION OF THE RECOMMENDATIONS OF THE SECOND UNITED NATIONS CONFERENCE ON THE EXPLORATION AND PEACEFUL USES OF OUTER SPACE: REPORT OF THE SECRETARY-GENERAL (continued)

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Distr. GENERAL
A/SPC/39/SR.43
4 December 1984

ORIGINAL: ENGLISH

The meeting was called to order at 10.50 a.m.

AGENDA ITEM 71: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES
(continued) (A/SPC/39/L.22/Rev.1, L.23, L.24, L.25, L.26, L.27, L.28, L.29, L.30)

1. The CHAIRMAN drew the attention of the Committee to the draft resolutions on agenda item 71, issued as documents A/SPC/39/L.22/Rev.1, L.23, L.24, L.25, L.26, L.27, L.28, L.29 and L.30.
2. Mr. DIRAR (Sudan), introducing draft resolution A/SPC/39/L.22/Rev.1, said that the Syrian Arab Republic had joined the sponsors of that draft resolution. It was hoped that the Committee would support that draft resolution.
3. Mr. Nisar Ali KHAN (Pakistan) introduced draft resolutions A/SPC/39/L.23 and L.24. He hoped that the draft resolutions would be adopted without a vote.
4. Mr. CHOWDHURY (Bangladesh) introduced draft resolutions A/SPC/39/L.25, L.26, L.27 and L.28.
5. Mr. JOUSHAN (Afghanistan) introduced draft resolution A/SPC/39/L.29 and expressed the hope that it would receive the support of the Committee.
6. The CHAIRMAN said that the financial implications of draft resolution A/SPC/39/L.25 were contained in document A/SPC/39/L.30. If he heard no objection, he would take it that the Committee wished to proceed to a vote on draft resolutions A/SPC/39/L.22/Rev.1, L.23, L.24, L.25, L.26, L.27, L.28 and L.29.
7. It was so decided.
8. The CHAIRMAN recalled that recorded votes had been requested on all the draft resolutions and that separate votes had been requested on paragraph 1 of draft resolution A/SPC/39/L.23 and on paragraph 6 of draft resolution A/SPC/39/L.25, respectively. He suggested that delegations wishing to explain their votes should do so either before or after the voting on all the draft resolutions.
9. It was so decided.
10. Mr. FARMER (Australia), speaking in explanation of vote before the vote, said that, with regard to draft resolution A/SPC/39/L.22/Rev.1, Australia noted with concern the report of the International Committee of the Red Cross that the prisoner exchange in question had not been carried out fully. His delegation firmly supported the world-wide humanitarian work of ICRC and urged all countries to extend full co-operation to that organization in all areas of its operations. His delegation would abstain in the vote on draft resolution A/SPC/39/L.22/Rev.1 because of its doubts about the practice of focusing attention in General Assembly resolutions on an individual case. As paragraph 3 of the draft resolution indicated, there were other individuals registered to be freed who remained in detention.

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11. Mr. BARROMI (Israel) said that the eight draft resolutions under consideration reflected the reckless hostility and irresponsibility of their sponsors. The allegations levelled against Israel were ludicrous and shameful. The draft resolutions should be rejected in toto.

12. With regard to draft resolution A/SPC/39/L.22/Rev.1, he pointed out that Mr. Abu Ein was a convicted murderer and was currently serving his prison term. It was highly improper for the United Nations to interfere in judicial matters which fell within the jurisdiction of a sovereign State. He expressed regret that the activities of ICRC had been introduced as a political issue in that debate and were being exploited for political ends. Israel had always fully supported the work of ICRC.

13. Mr. SIGMUNDSSON (Iceland) said that his delegation would not participate in the vote on draft resolution A/SPC/39/L.21/Rev.1.

14. A recorded vote was taken on draft resolution A/SPC/39/L.22/Rev.1.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Austria, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, China, Colombia, Congo, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Spain, Sudan, Sweden, Syrian Arab Republic, 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 Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Australia, Barbados, Ivory Coast, Jamaica, Liberia, Malawi, Nepal, Panama, Paraguay, Sri Lanka, Zaire.

15. Draft resolution A/SPC/39/L.22/Rev.1 was adopted by 101 votes to 2, with 11 abstentions.

16. A recorded vote was taken on paragraph 1 of draft resolution A/SPC/39/L.23.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, 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 Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: None.

17. Paragraph 1 of draft resolution A/SPC/39/L.23 was adopted by 119 to 1.

18. A recorded vote was taken on draft resolution A/SPC/39/L.23 as a whole.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru,

Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, 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 Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Liberia, United States of America, Zaire.

19. Draft resolution A/SPC/39/L.23 as a whole was adopted by 117 votes to 1, with 3 abstentions.

20. A recorded vote was taken on draft resolution A/SPC/39/L.24.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chile, China, Congo, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, 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 Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

21. Draft resolution A/SPC/39/L.24 was adopted by 117 votes to 1, with 1 abstention.

22. A recorded vote was taken on paragraph 6 of draft resolution A/SPC/39/L.25.

In favour: Afghanistan, Albania, Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, China, Colombia, Congo, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, Gabon, German Democratic Republic, Ghana, Guinea, 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, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Denmark, Finland, 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, Chile, Ethiopia, Greece, Ivory Coast, Liberia, Malawi, Panama, Paraguay, Philippines, Portugal, Spain, Sweden, Uruguay, Zaire.

23. Paragraph 6 of draft resolution A/SPC/39/L.25 was adopted by 84 votes to 18, with 17 abstentions.

24. A recorded vote was taken on draft resolution A/SPC/39/L.25 as a whole.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, China, Colombia, Congo, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, German Democratic Republic, Ghana, Greece, Guinea, 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, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, 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, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Barbados, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Italy, Ivory Coast, Japan, Liberia, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, Zaire.

25. Draft resolution A/SPC/39/L.25 was adopted as a whole by 93 votes to 2, with 23 abstentions.

26. A recorded vote was taken on draft resolution A/SPC/39/L.26.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, 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 Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

27. Draft resolution A/SPC/39/L.26 was adopted by 121 votes to 1, with 1 abstention.

28. A recorded vote was taken on draft resolution A/SPC/39/L.27.

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

Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, 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 Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Liberia, United States of America, Zaire.

29. Draft resolution A/SPC/39/L.27 was adopted by 116 votes to 1, with 3 abstentions.

30. A recorded vote was taken on draft resolution A/SPC/39/L.28.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Austria, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, German Democratic Republic, Ghana, Greece, Guinea, 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, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

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

31. Draft resolution A/SPC/39/L.28 was adopted by 93 votes to 2, with 26 abstentions.

32. A recorded vote was taken on draft resolution A/SPC/39/L.29.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, 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 Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Zaire.

33. Draft resolution A/SPC/39/L.29 was adopted by 121 votes to 2, with 1 abstention.

34. Mr. FARRELL (Ireland), speaking in explanation of vote, on behalf of the 10 States members of the European Community, said the Ten had supported draft resolution A/SPC/39/L.29, although they had some reservations about the appropriateness of the language used in paragraph 1. It was important to recognize the fact that the Israeli authorities had begun judicial proceedings against the alleged perpetrators of the crimes to which the draft resolution referred.

35. Mr. DAFGÅRD (Sweden) said that his delegation had voted in favour of all the draft resolutions except draft resolution A/SPC/39/L.25, in keeping with his Government's firm conviction that the fourth Geneva Convention was fully applicable to all the territories held by Israel since 1967. Moreover, the measures taken by Israel to change the legal status of those territories were both illegal and incompatible with Security Council resolutions 242 (1967) and 338 (1973), which Israel claimed to support.

36. The purported annexation of Jerusalem and of the Syrian Golan Heights were flagrant violations of international law, as was the Israeli settlements policy. Indeed, one of the most constructive steps that Israel could take to improve the prospects for peace would be to dismantle the settlements in the occupied territories.

37. While his delegation could support most of the contents of draft resolution A/SPC/39/L.25, in particular the condemnation contained in paragraph 7, it was not convinced that all the formulations contained in that paragraph were justified by proven facts. Moreover, since the draft resolution went beyond the competence of the General Assembly, his delegation had not been able to vote in favour of it.

38. He drew attention to the fact that his delegation's support for draft resolution A/SPC/39/L.27 in no way altered its stand on General Assembly resolution ES-9/1, which his delegation had opposed.

39. Lastly, because of recent events, his delegation had voted in favour of draft resolution A/SPC/39/L.28, despite the somewhat categorical wording of paragraph 2.

40. Mr. SCHIFTER (United States of America) observed that the repetitious draft resolutions just adopted would not serve the cause of peace in the Middle East area and, at worst, might make that undertaking more difficult. His country's long-standing, deep commitment to the cause of peace between the Arabs and the Israelis had been reaffirmed by the President of the United States, in his recent address to the General Assembly. It was that same commitment which had dictated his delegation's vote on the draft resolutions. First of all, the texts contained inflammatory rhetoric and unjustified allegations, which rendered them counter-productive. Secondly, they were one-sided and therefore harmed the credibility of the United Nations. His delegation's votes should be construed as votes in favour of the peace process in the Middle East and in favour of fairness in United Nations proceedings.

41. In general, the explanations of vote his delegation had made the previous year applied equally to the current draft resolutions. While the draft resolution concerning the assassination attempt on the Palestinian mayors had been reworded, certain persons had been brought to trial in that connection. He saw no reason to believe that Israel's legal system would fail to produce a fair result and, accordingly, his delegation considered that any interference by the United Nations was wholly unjustified and highly inappropriate.

42. Mr. GOONETILLEKE (Sri Lanka) said that, although his delegation did not doubt the humanitarian motives of the sponsors of draft resolution A/SPC/39/L.22/Rev.1, his delegation felt that the subject dealt with was outside the mandate of the

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(Mr. Goonetilleke, Sri Lanka)

Special Committee. Since the vote on that draft would have a bearing on the Special Committee's work and on the interests of the population of the occupied territories, his delegation had abstained.

43. Mr. ALMOSLECHNER (Austria) said that his country's rejection of Israel's practices was well known. Accordingly, his delegation had supported seven of the draft resolutions. Although it agreed with the basic thrust of draft resolution A/SPC/39/L.25, his delegation considered some of the formulations to be unacceptable, and it had therefore abstained in that vote.

44. Mr. LAWRENCE (Canada) regretted the confusion surrounding the exchange of prisoners dealt with in draft resolution A/SPC/39/L.22/Rev.1. Although his delegation would have preferred the use of more constructive language, particularly in paragraph 2, it had voted in favour of the draft resolution. It was important to encourage international support for humanitarian arrangements directed towards mitigating the suffering resulting from conflicts.

45. Miss JACOB (Guyana), Mr. ADAN (Somalia) and Mr. HAJI OSMAN (Brunei Darussalam) said that, if their delegations had been present, they would have voted in favour of all the draft resolutions.

46. Mr. CAPPAGLI (Argentina) said that his delegation had voted in favour of the draft resolutions, because it agreed with their substance and attached the highest priority to the human rights principles with which they dealt. However, he expressed concern about some of the wording, which was not consistent with the Special Committee's findings, as contained in its report.

47. Mr. WOLFE (Jamaica) said that, although his delegation had voted in favour of draft resolution A/SPC/39/L.25 as a whole, it had intended to abstain in the vote on operative paragraph 6.

48. Mr. FARTAS (Libyan Arab Jamahiriya) said that his delegation had supported all the draft resolutions. However, it had reservations about any reference they contained which could in any way be construed as recognition of the de facto status quo or as giving legitimacy to the Zionist entity.

49. Mr. BARROMI (Israel), speaking on a point of order, said that his delegation had hoped that, as the current session drew to a close, the representative of the Libyan Arab Jamahiriya would have learned that the name of his country was Israel. He asked that he should be reminded of that fact and duly reprimanded.

50. Mr. FARTAS (Libyan Arab Jamahiriya) pointed out that no article in the United Nations Charter obliged any Member State to call any other by the name which the latter had chosen. The previous speaker represented an entity which no longer had the same characteristics as when it had been admitted to the United Nations in 1949. Moreover, that entity still refused to call the Palestine Liberation Organization by its proper name or to implement General Assembly resolution 194 (III), which established the right of the Palestine refugees to return to their homes and to receive compensation.

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51. Mr. BARROMI (Israel) reiterated that his delegation was intent on defending the rights and prerogatives of Israel as a State Member of the United Nations. The General Assembly had taken a decision at its two previous sessions on the question of calling Member States by their proper names, and no attempt should be made to infringe the established procedure.

52. The CHAIRMAN announced that the Committee had thus concluded its consideration of agenda item 71.

AGENDA ITEM 72: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE
(continued)

(a) REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (continued)
(A/39/20)

(b) IMPLEMENTATION OF THE RECOMMENDATIONS OF THE SECOND UNITED NATIONS CONFERENCE ON THE EXPLORATION AND PEACEFUL USES OF OUTER SPACE: REPORT OF THE SECRETARY-GENERAL (continued) (A/39/515)

53. Mr. VALLE (Brazil) drew attention to the need for the Committee on the Peaceful Uses of Outer Space (COPUOS) to intensify its commitment to expanding and perfecting the legal framework governing specific aspects of space activities. Unfortunately, the international community seemed unable to keep pace with the unrelenting tide of new developments, and COPUOS had produced but meagre results in connection with most of the items on its agenda.

54. The elaboration of draft principles on remote sensing seemed almost impossible. There was a consistent failure to take into account the undeniable rights of sensed States, in particular regarding the dissemination of data, apparently because of a lack of political will. Moreover, despite the widespread support for his delegation's initiatives, discussions in the Legal Sub-Committee were at a standstill. Similarly, the activities of both Working Groups on the use of nuclear power sources in outer space had had little impact. It was essential to curb the potential dangers such devices posed to both the environment and to mankind as a whole.

55. He stressed that the geostationary orbit was a limited natural resource, which should be the subject of a special régime that took into account the future needs of developing countries concerning its use. He hoped that the Working Group established for the first time to consider that subject would produce results. The technologically advanced countries should heed the just expectations and the right to equitable access of the less advanced countries.

56. Although COPUOS had a good record, it must be revitalized and given an agreed mandate so as to ensure that technological developments followed an orderly path and respected legitimate rights.

57. His delegation noted with satisfaction that some progress had been made in implementing the recommendations of UNISPACE 82, for example, through the studies

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(Mr. Valle, Brazil)

carried out by three Groups of Experts (see A/39/20, para. 41). However, financial support and the necessary will were still needed in order to implement other recommendations, which were valuable for both current and future international debates and activities in the field of outer space.

58. His delegation continued to attach paramount importance to the United Nations Programme on Space Applications. Brazil had hosted a Latin American regional seminar in 1983 and had recently offered 10 fellowships in the field of remote sensing to technicians from developing countries.

59. It was imperative that no effort should be spared in order to prevent an extension of the arms race into outer space and to ensure its preservation for exclusively peaceful purposes. Unfortunately, there was disagreement about the role of COPUOS in that regard. Efforts undertaken within COPUOS would naturally take duly into account the parallel work of the Conference on Disarmament. Moreover, the question of the competence of different forums and developments in the Conference on Disarmament were not sufficient arguments to preclude the consideration of that vital issue by COPUOS as well. It was essential to identify, restrict or prohibit any activity which ran counter to the goal of preserving outer space for peaceful purposes.

60. Consensus was necessary in order to attain common objectives, and, while adhering to its convictions, his delegation would continue to display flexibility to that end.

61. Mr. STANICA (Romania) said that the Special Political Committee should seek to strengthen international co-operation with a view to ensuring that space technology was used to accelerate the economic and social progress of all States, particularly the developing States. The discovery of new resources through space activities expanded knowledge, promoted development and improved production. At the same time, there was a growing threat of an extension of the arms race to outer space and of an increase in military space programmes, at the expense of peaceful civilian programmes. Those activities appreciably increased the threat of a nuclear disaster. Specific measures were needed to deal with the danger of military rivalry in outer space. As the President of Romania had said; the uncontrolled abuse of outer space threatened both the ecological balance and human life on earth. Outer space was the common property of all States and must not be used for military purposes.

62. The yardstick for evaluating co-operation was the extent to which it led to practical proposals for the use of outer space as the common heritage and resource of all mankind.

63. Space activities should be based on the real needs of States and above all on the legitimate aspirations of the developing countries to obtain access to land-based applications of space technology, on equitable terms and without any discrimination. So far, those results had been enjoyed above all by States able to bear the vast cost of that technology, the other countries usually having to be content with what was handed out by those countries on terms imposed by them.

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(Mr. Stanica, Romania)

64. In his report to the Thirteenth Congress of the Romanian Communist Party, the President of Romania had said that the United Nations must assume the responsibility for drafting an international treaty on outer space. The organization of a world conference might also be considered and possibly the establishment within the United Nations of a special body to defend outer space.

65. The activities of COPUOS must enter a new phase directed towards the joint formulation of specific solutions for specific problems. Otherwise, without international rules on the matter, States would merely apply their own rules for remote sensing activities, access to the data obtained and their dissemination or for direct broadcasting by satellite. The Committee, and especially its Legal Sub-Committee, must intensify their efforts to agree on principles to govern the use of outer space.

66. As a follow-up to UNISPACE 82, measures must be adopted to establish co-operation in space matters in order to ensure unrestricted access on advantageous terms to the data obtained by remote sensing satellites and space technology in general as an essential factor for the establishment of a new international economic order, in the interests of all peoples.

67. Mr. IBRAHIM (Indonesia) said that few areas of human endeavour were expanding as fast as that of space science and technology. All countries could benefit from the great potential of that technology for their future development. The United Nations must therefore develop a framework to ensure the equitable sharing of space technology so that no country was denied an opportunity to derive practical benefit for its national development programme. Unless rapid progress was made, the gap between the space Powers and other technologically advanced countries, on the one hand, and the developing countries, on the other, would widen. There was therefore cause for concern that COPUOS had been unable to make progress on the generalization of benefits for the whole international community. That Committee's basic structures and objectives continued, however, to be valid and were following the right course. The main hurdles to be overcome were a lack of mutual understanding of each other's concerns, a retreat from the political will to compromise and thus a breakdown of co-operation among some members.

68. A degree of progress could however be noted in the United Nations Programme on Space Applications, although the limited resources still provided for it had left many needs and expectations unfulfilled.

69. Indonesia had continued its efforts in such programmes within its means by hosting the United Nations Regional Meeting on Space Science and Technology and its Application for the benefit of States in the ESCAP region, conducting remote-sensing programmes, offering fellowships for in-depth training and preparing for a regional remote-sensing centre under United Nations auspices. Developing countries with modest national space programmes seemed to have been more active than some developed States. His delegation urged the technically advanced countries to make a greater commitment to the various programmes and initiate new ones as a confirmation of their pledge to co-operate and share their knowledge. The urgent

(Mr. Ibrahim, Indonesia)

need for substantially increased contributions was emphasized by the request of 47 Member States to participate in the Programme on Space Applications and the recommendation by the Chairman of COPUOS on the need to explore funding means other than voluntary contributions deserved serious attention.

70. His delegation, like many other members of COPUOS, was disappointed at the lack of progress made by the Legal Sub-Committee. There had always been controversy over the legal implications of remote sensing of the earth from space and his delegation hoped that all members of the Sub-Committee would reassess their positions in the context of the real concerns of the developing States. Indonesia, with Colombia, Ecuador and Kenya, had submitted a working paper on draft general principles governing the geostationary orbit, based on the view that the orbit was of a unique nature and that a special régime should be established. As a limited natural resource, the planning of its effective and economic use must not be delayed, for there was a real threat that the orbit might become saturated, thus precluding further access for developing countries and contravening the special rights of the subjacent States. It was to be hoped that those draft principles would be used by the relevant Working Group as a basis for future discussion.

71. Without prejudice to the Conference on Disarmament as the single multilateral disarmament negotiating forum, COPUOS could contribute to its work, particularly by identifying the uses of outer space that could endanger international peace and security. A body dedicated to preserving outer space for peaceful purposes could not ignore any developments that might infringe on that fundamental goal. On that basis, his delegation had supported the draft resolution on the prevention of an arms race in outer space (A/C.1/39/L.37/Rev.2) recently adopted by the First Committee.

72. Finally, members of the Group of 77 emphasized the need for compromise in order to achieve consensus on the draft resolution being prepared on the item and felt that it might be wiser not to insist on the exact wording of General Assembly resolution 38/80. His delegation hoped that all members would recognize the need for compromise in order to facilitate the preparation of a draft resolution acceptable to all.

73. Mr. BOLD (Mongolia) expressed appreciation of the important role played by COPUOS in promoting the exploration and use of outer space for peaceful purposes and the extension to all States of the benefits derived from that undertaking. It was regrettable, however, that certain Powers, and especially one of the States with the greatest space capability, had embarked on the militarization of outer space, thus jeopardizing not only the process of international co-operation but also international peace and security. Mongolia categorically condemned that policy and had recently joined other States participating in the INTERCOSMOS programme in an appeal for urgent measures to prevent the militarization of outer space.

74. His delegation reiterated its strong support for the draft resolution submitted by the Soviet Union to the First Committee on the use of outer space

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(Mr. Bold, Mongolia)

exclusively for peaceful purposes for the benefit of mankind (A/C.1/39/L.1), which envisaged, inter alia, the prohibition of the use of force in outer space and from space against Earth, as well as of an entire class of space weapons and any land-, air- or sea-based systems designed to destroy objects in outer space. His delegation endorsed paragraph 18 of the report of COPUOS (A/39/20), which welcomed the unilateral commitment of the Soviet Union not to become the first to launch into outer space any kind of anti-satellite weapons so long as other States refrained from doing so. It also agreed that the current session should declare a general moratorium on the testing and deploying of weapons of any kind in outer space pending the conclusion of an international instrument prohibiting any weapons in outer space. Despite the request made in General Assembly resolution 38/80, the negative position taken by a handful of States had prevented COPUOS from tackling the militarization of outer space constructively. His delegation shared the view expressed by the vast majority of members of COPUOS that it did have a responsibility and competence to deal with questions relating to the elaboration of legal principles governing the peaceful use of outer space and urged that COPUOS should be given a more clearly defined mandate.

75. His delegation recommended that the report of COPUOS should be approved by the General Assembly. In the Legal Sub-Committee, priority should be given to the speedy completion of an international legal instrument to regulate remote sensing activities. Special attention should also be paid to other outstanding matters already given priority in General Assembly resolution 38/80, especially the definition and delimitation of outer space and the character and utilization of the geostationary orbit. The lower limit of outer space should be established at an altitude no more than 100 kilometres above sea-level, and the right of innocent and peaceful passage through airspace should be recognized. The geostationary orbit was an inseparable part of outer space, which could therefore not be subject to national acquisition. Since in the not too distant future there would probably be congestion in individual sections of that orbit, planning of its use was necessary.

76. His delegation commended the activities of the Scientific and Technical Sub-Committee and noted with interest its work on the implementation of the recommendations of UNISPACE 82 and the studies prepared in that connection.

77. Mr. LAWRENCE (Canada) drew attention to developments in space science and technology over the past year which had affected Canada, including the journey of the first Canadian into space aboard the space shuttle "Challenger", the successful launch of the communications satellite Anik D-2, the decision to design a remote sensing satellite with Canada's European partners in the European Space Agency and especially the vital role played by the Canadian-developed remote manipulator system "Canadarm" in the rescue of satellites by the United States space shuttle.

78. The record of multilateral co-operation in outer space had also been good. The European Space Agency (ESA) was an outstanding example of regional co-operation. The COSPAS/SARSAT partners - Canada, France, the United States and the Soviet Union - were continuing to save human lives through constructive application of the latest developments in space technology and had undertaken to

(Mr. Lawrence, Canada)

pursue the programme. Applications of space technology in remote sensing, direct broadcasting and communications were expanding through individual and collective efforts to meet the national needs and interests of an increasing number of countries.

79. On the other hand, the crisis in COPUOS appeared to be more than just a temporary halt in its usually productive course of action. Canada remained committed to that Committee, for which there was no substitute. Other more specialized or regionally based organizations had valuable contributions to make, but the mandate of COPUOS was unique.

80. The Outer Space Treaty of 1967 was and, despite its imperfections, would undoubtedly remain the cornerstone of international law governing the use of space. Subsequent international legal instruments had further amplified the scope of international legal rules governing activities in outer space. However, rapid technological change often outpaced the ability of Governments to arrive at workable legal frameworks to encompass those new developments. If the rule of law in outer space was to be confirmed and extended, there was no multilateral forum other than the United Nations where that could be done.

81. Canada remained committed to doing everything in its power to bring about progress in the Conference on Disarmament on the militarization of outer space but retained its reservations concerning the utility of COPUOS becoming engaged in that complex question. That Committee's mandate lay in the equally complex scientific, technical and legal fields related to the peaceful uses of outer space.

82. Canada was pleased that the report of the Scientific and Technical Sub-Committee reflected a consensus. However, in some important areas such as remote sensing, it had largely reiterated principles developed at earlier sessions. Some suggestions made by the Chairman of that Sub-Committee for enhancing its scientific and technical content might be particularly relevant. His delegation was also pleased to note that the Group of Experts on Remote Sensing had successfully completed its study project and looked forward to reviewing it at the next Sub-Committee meeting. It also noted the extensive range of remote sensing-related seminars and training courses conducted under the Programme on Space Applications. The effort to build upon the 1981 report of the Working Group on the Use of Nuclear Power Sources in Outer Space should be strengthened by the anticipated contribution of technical papers by Working Group members on a wide variety of subjects. Canada would circulate several papers within the next few weeks and looked forward to receiving those of other members.

83. The report of the Legal Sub-Committee reflected a regrettable lack of progress or stalemate on many items, which should not, however, prevent constructive work in the future. It should be possible to agree on basic principles for remote sensing and there must be substantive discussion on nuclear power sources in outer space. The momentum achieved in 1983 with the agreed text concerning the format and the procedure for notification in case of malfunction of a spacecraft carrying a nuclear power source on board must not be lost. The current session of the General

(Mr. Lawrence, Canada)

Assembly should give the Legal Sub-Committee a clear mandate to draft principles governing the use of nuclear power sources in outer space on a priority basis.

84. He reiterated his delegation's view that it was essential to return to the tradition of consensus which had guided the work of COPUOS to its present achievements and hoped that the draft resolution on that item would be adopted by consensus.

The meeting rose at 1 p.m.