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Thursday, 13 December 1984,
at 11.10 a.m.

NEW YORK

President: Mr. Paul J. F. LUSAKA
(Zambia).

AGENDA ITEM 17

Appointments to fill vacancies in subsidiary organs and other appointments (*continued*):*

- (a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions;
- (b) Appointment of members of the Committee on Contributions;
- (c) Appointment of a member of the Board of Auditors;
- (d) Confirmation of the appointment of members of the Investments Committee;
- (e) Appointment of members of the United Nations Administrative Tribunal;
- (f) International Civil Service Commission:
 - (i) Appointment of members of the Commission;
 - (ii) Designation of the Vice-Chairman of the Commission

AGENDA ITEM 108

Financial reports and audited financial statements, and reports of the Board of Auditors:

- (a) United Nations;
- (b) United Nations Development Programme;
- (c) United Nations Children's Fund;

- (d) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
- (e) United Nations Institute for Training and Research;
- (f) Voluntary funds administered by the United Nations High Commissioner for Refugees;
- (g) Fund of the United Nations Environment Programme;
- (h) United Nations Fund for Population Activities;
- (i) United Nations Habitat and Human Settlements Foundation;
- (j) United Nations Industrial Development Fund

AGENDA ITEM 114

Pattern of conferences: report of the Committee on Conferences

AGENDA ITEM 117

United Nations common system (*concluded*):**

- (a) Report of the International Civil Service Commission;
- (b) Reports of the Secretary-General

AGENDA ITEM 119

Financing of the United Nations peace-keeping forces in the Middle East (*concluded*):**

- (b) United Nations Interim Force in Lebanon: report of the Secretary-General

1. Mr. MOJTAHED (Islamic Republic of Iran) (Rapporteur of the Fifth Committee): Today I have the honour to introduce ten separate reports of the Fifth Committee. The first six of these deal with agenda item 17 (a) to (f), concerning appointments to fill vacancies in subsidiary organs and other appointments.

2. The report of the Fifth Committee on sub-item 17 (a), concerning the appointment of members of the Advisory Committee on Administrative and Budgetary Questions, is contained in document

*Resumed from the 93rd meeting.

**Resumed from the 81st meeting.

A/39/725. The recommendation of the Committee appears in paragraph 6 of the report.

3. The next report relates to sub-item 17 (b), concerning the appointment of members of the Committee on Contributions, and is contained in document A/39/726. The Committee's recommendation appears in paragraph 5 of the report.

4. The third report relates to sub-item 17 (c), concerning the appointment of a member of the Board of Auditors, and is contained in document A/39/727. The Committee's recommendation is in paragraph 5 of the report.

5. The fourth report of this series relates to sub-item 17 (d), concerning the confirmation of the appointment of members of the Investments Committee, and is contained in document A/39/728. The recommendation of the Committee appears in paragraph 4 of the report.

6. Next, I wish to draw the attention of the General Assembly to the report of the Fifth Committee which relates to sub-item 17 (e), dealing with the appointment of members of the United Nations Administrative Tribunal, and is contained in document A/39/729. The Committee's recommendation appears in paragraph 4 of the report.

7. Finally, as regards appointments, I submit for consideration by the General Assembly the Fifth Committee's report on sub-item 17 (f), concerning the appointment of members of the International Civil Service Commission and the designation of the Vice-Chairman of the Commission; the report is contained in document A/39/820. The recommendation of the Committee appears in paragraph 11 of the report.

8. Allow me now to call the attention of the General Assembly to the report of the Fifth Committee which deals with agenda item 108, concerning the financial reports and audited financial statements, and reports of the Board of Auditors. The report is contained in document A/39/618 and the recommendations of the Fifth Committee appear in paragraphs 12 and 13. In paragraph 12, the Committee recommends to the General Assembly the adoption of two draft resolutions, I and II. Draft resolution I concerns the financial reports and audited financial statements and reports of the Board of Auditors, while draft resolution II deals with the catering operation at United Nations Headquarters. Paragraph 13 of the Committee's report contains the text of a draft decision recommended by the Committee on the subject of the Internal Audit Division.

9. The two draft resolutions and the draft decision recommended were adopted by the Fifth Committee without a vote.

10. The Fifth Committee's report on agenda item 114, concerning the pattern of conferences, appears in document A/39/730. Paragraph 9 of this report contains four draft resolutions, A to D, which the Committee recommends to the Assembly for adoption. These deal, respectively, with the report of the Committee on Conferences, the shortening of sessions or adoption of a biennial cycle for sessions of United Nations organs, the pattern of conferences and the control and limitation of documentation. The four draft resolutions were adopted by the Committee without a vote.

11. The next report which I have the honour to introduce comprises part II of the report of the Fifth Committee on agenda item 117, concerning the

United Nations common system. The report appears in document A/39/718/Add.1 and contains, in paragraphs 9 and 10, the recommendations of the Fifth Committee in the form of a draft resolution and a draft decision which were adopted by the Committee without a vote.

12. I come now to the last report of the Fifth Committee to be considered by the General Assembly at this meeting. I refer to the report on agenda item 119 (b), concerning the financing of the United Nations Interim Force in Lebanon. The report appears in document A/39/767 and contains, in paragraph 9, the recommendation of the Fifth Committee in the form of three draft resolutions, I and II A and B.

13. Draft resolution I concerns the review of the rates of reimbursement to the Governments of troop-contributing States. It was adopted by the Fifth Committee by a recorded vote of 89 to 11, with 5 abstentions.

14. Draft resolutions II A and B concern the financing of the United Nations Interim Force in Lebanon. They were adopted by the Fifth Committee by a recorded vote of 88 to 12, with 3 abstentions.

15. I have the honour, on behalf of the Fifth Committee, to recommend to the General Assembly for approval the various reports to which I have referred.

Pursuant to rule 66 of the rules of procedure, it was decided not to discuss the reports of the Fifth Committee.

16. The PRESIDENT: Statements will therefore be limited to explanations of vote. The positions of delegations regarding the various recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant summary records.

17. May I remind the members of the Assembly that in paragraph 7 of its decision 34/401 the General Assembly decided that when the same draft resolution was considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the committee or in plenary meeting, unless that delegation's vote in plenary meeting was different from its vote in the committee. May I also remind members that, in accordance with the same decision, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

18. I first invite the members of the General Assembly to turn their attention to the report of the Fifth Committee on sub-item 17 (a) [A/39/725].

19. The Fifth Committee, in paragraph 6 of its report, recommends to the General Assembly the appointment of Mr. Even Fontaine-Ortiz, Mr. Jobst Holborn, Mrs. Virginia Housholder, Mr. Igor Vasilevich Khalevinski and Mr. Rachid Lahlou as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term beginning on 1 January 1985. May I take it that the Assembly adopts this recommendation?

It was so decided (decision 39/317).

20. The PRESIDENT: We come now to the report of the Fifth Committee on sub-item 17 (b) [A/39/726]. In paragraph 5 of this report, the Fifth Committee recommends to the General Assembly the appointment of Mr. Amjad Ali, Mr. Ernesto Battisti, Mr. Javier Castillo Ayala, Mr. Anatoly

Semënovich Chistyakov, Mr. Dominique Souchet and Mr. Wang Liansheng as members of the Committee on Contributions for a three-year term beginning on 1 January 1985, and the appointment of Mr. Yasuo Noguchi as a member of the Committee for a one-year term beginning on 1 January 1985. May I take it that the Assembly adopts this recommendation?

It was so decided (decision 39/318).

21. The PRESIDENT: I now invite the members of the General Assembly to turn their attention to the report of the Fifth Committee on sub-item 17 (c) [A/39/727]. In paragraph 5 of this report the Fifth Committee recommends to the General Assembly the appointment of the Auditor-General of Ghana as a member of the Board of Auditors for a three-year term beginning on 1 July 1985. May I take it that the Assembly adopts this recommendation?

It was so decided (decision 39/319).

22. The PRESIDENT: I now invite the members of the General Assembly to turn their attention to the report of the Fifth Committee on sub-item 17 (d) [A/39/728]. The Fifth Committee, in paragraph 4 of the report, recommends to the General Assembly the confirmation of the appointment by the Secretary-General of Mr. Jean Guyot, Mr. George Johnston and Mr. Michiya Matsukawa as members of the Investments Committee for a three-year term beginning on 1 January 1985. May I take it that the Assembly adopts that recommendation?

It was so decided (decision 39/320).

23. The PRESIDENT: We come now to the report of the Fifth Committee on sub-item 17 (e) [A/39/729]. In paragraph 4 of the report the Fifth Committee recommends to the General Assembly the appointment of Mr. Luis María de Posadas Montero and Mr. Endre Ustor as members of the United Nations Administrative Tribunal for a three-year term beginning on 1 January 1985. May I consider that the Assembly adopts that recommendation?

It was so decided (decision 39/321).

24. The PRESIDENT: Finally, we turn to the report of the Fifth Committee on sub-item 17 (f) [A/39/820].

25. In paragraph 11 of the report, the Fifth Committee recommends to the General Assembly the appointment of Mr. Amjad Ali, Mr. Michael O. Ani, Mr. Omar Sirry, Mr. Valery Vasilyevich Tsybukov and Mr. M. A. Vellodi as members of the International Civil Service Commission for a four-year term beginning on 1 January 1985; and the appointment of Mr. Carlos S. Vegega as a member of the Commission for a two-year term beginning on 1 January 1985. Furthermore, the Fifth Committee recommends to the Assembly the designation of Mr. Carlos S. Vegega as Vice-Chairman of the Commission for a two-year term beginning on 1 January 1985. May I take it that the Assembly approves these recommendations?

It was so decided (decision 39/322).

26. The PRESIDENT: The General Assembly will now consider the report of the Fifth Committee on agenda item 108 [A/39/618].

27. The General Assembly will now take a decision on the recommendations of the Fifth Committee contained in paragraphs 12 and 13 of its report. In paragraph 12 the Committee recommends to the

Assembly the adoption of two draft resolutions, I and II. Draft resolution I is entitled "Financial reports and audited financial statements and reports of the Board of Auditors".

28. The Fifth Committee adopted draft resolution I without a vote. May I consider that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 39/66).

29. The PRESIDENT: Draft resolution II, entitled "Catering operation at United Nations Headquarters", was also adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 39/67).

30. The PRESIDENT: In paragraph 13 of the report, the Fifth Committee recommends to the General Assembly the adoption of a draft decision entitled "Internal Audit Division". The Committee adopted that draft decision without a vote. May I consider that the Assembly wishes to do likewise?

The draft decision was adopted (decision 39/416).

31. The PRESIDENT: The General Assembly will now consider the report of the Fifth Committee on agenda item 114 [A/39/730].

32. The Assembly will take a decision on draft resolutions A to D recommended by the Fifth Committee in paragraph 9 of its report, under the general title "Pattern of Conferences". Draft resolution A is entitled "Report of the Committee on Conferences". May I consider that the General Assembly wishes to adopt draft resolution A?

Draft resolution A was adopted (resolution 39/68 A).

33. The PRESIDENT: Draft resolution B, entitled "Shortening of sessions or adoption of a biennial cycle for sessions of United Nations organs", was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to adopt draft resolution B?

Draft resolution B was adopted (resolution 39/68 B).

34. The PRESIDENT: Draft resolution C is entitled "Pattern of conferences". The Fifth Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution C was adopted (resolution 39/68 C).

35. The PRESIDENT: Draft resolution D is entitled "Control and limitation of documentation". It was adopted by the Fifth Committee without a vote. May I take it that the General Assembly wishes to adopt draft resolution D?

Draft resolution D was adopted (resolution 39/68 D).

36. The PRESIDENT: We will now consider part II [A/39/718/Add.1] of the report of the Fifth Committee on agenda item 117.

37. The General Assembly will first take a decision on the draft resolution recommended by the Fifth Committee in paragraph 9 of the report. That draft resolution is entitled "United Nations common system: report of the International Civil Service Commission (Chaps. IV-IX)" and was adopted by the Fifth Committee without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 39/69).

38. The PRESIDENT: In paragraph 10 of the report, the Fifth Committee recommends to the General Assembly the adoption of a draft decision entitled "Statute of the International Civil Service Commission". The Fifth Committee adopted that draft decision without objection. May I take it that the General Assembly decides to do likewise?

The draft decision was adopted (decision 39/417).

39. The PRESIDENT: I now call on the representative of the Union of Soviet Socialist Republics, who has asked to make a statement.

40. Mr. VISLYKH (Union of Soviet Socialist Republics) (*interpretation from Russian*): Under this agenda item the Soviet delegation believes it necessary to state its views on the demonstration by the so-called Staff Union that took place yesterday morning while the General Assembly was working intensively.

41. We view these actions, whatever words are used to describe them, as an attempt by the Staff Union to place itself above Member States and an open defiance of States. In essence, the international civil servants have challenged the right of States to resolve all matters relating to the staff of international organizations, including questions of remuneration. This approach runs counter to the appropriate provisions of the Charter of the United Nations and General Assembly resolutions.

42. The Soviet delegation would stress that the Staff Union has no right to place itself above Member States and to challenge decisions adopted by main bodies of the United Nations. We should like to express our categorical objection to attempts by the Staff Union to turn itself into a political body and to exert pressure on Member States and intergovernmental bodies during their consideration of matters related to staff, in particular remuneration.

43. The delegation of the USSR describes these actions by the Staff Union as illegitimate and prejudicial to the work of the Organization and the United Nations system.

44. The PRESIDENT: The Assembly will now consider the report of the Fifth Committee on agenda item 119 (b) [A/39/767].

45. I call on the representative of Albania, who wishes to speak in explanation of vote before the vote.

46. Mr. PAPAORGJI (Albania): The Albanian delegation will vote against the draft resolutions on the financing of the United Nations Interim Force in Lebanon which appear in document A/39/767 and which the Fifth Committee recommends to the General Assembly for adoption. We should like to reiterate that our negative vote is in conformity with the position always taken by us in votes taken on the financing and dispatching of different United Nations forces to various parts and regions. The Albanian delegation has always clearly explained its attitude before the General Assembly or in the Fifth Committee and will not now repeat it in detail.

47. The PRESIDENT: The recommendations of the Fifth Committee are contained in paragraph 9 of its report in the form of three draft resolutions, I and II A and B.

48. First I put to the vote draft resolution I entitled "Review of the rates of reimbursement to the Governments of troop-contributing States". A recorded vote has been requested.

A recorded vote was taken.

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burma, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Congo, Costa Rica, Cyprus, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Iceland, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Afghanistan, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Poland, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Benin, Democratic Yemen, Iraq, Maldives, Romania, Yemen.

Draft resolution I was adopted by 119 votes to 15, with 6 abstentions (resolution 39/70).¹

49. The PRESIDENT: I now put to the vote draft resolutions II A and B grouped under the general title "Financing of the United Nations Interim Force in Lebanon". A recorded vote has been requested.

A recorded vote was taken.

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burma, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Congo, Costa Rica, Cyprus, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and

Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Afghanistan, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Poland, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Iraq, Maldives, Yemen.

Draft resolutions II A and B were adopted by 121 votes to 15, with 3 abstentions (resolutions 39/71 A and B).²

AGENDA ITEM 31

Policies of *apartheid* of the Government of South Africa (continued):*

- (a) Report of the Special Committee against *Apartheid*;
- (b) Report of the *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports;
- (c) Report of the Secretary-General

50. The PRESIDENT: I shall call first on those representatives who wish to introduce the draft resolutions.

51. Mr. GAREBA (Nigeria), Chairman of the Special Committee against *Apartheid*: I have the honour to introduce the first two draft resolutions on the item. Draft resolution A/39/L.28, entitled "Comprehensive sanctions against the *apartheid* regime and support to the liberation struggle in South Africa", is sponsored by 31 countries.

52. Draft resolution A/39/L.29, entitled "Programme of work of the Special Committee against *apartheid*", is sponsored by 44 countries.

53. Draft resolution A/39/L.28 is essentially a re-statement of the firm commitment of the United Nations to the elimination of *apartheid* in South Africa and of its concern for the oppressed majority in that country, and a reaffirmation of the call for the isolation of the criminal racist régime and of full support for the oppressed people and their national liberation movements in their legitimate struggle for a non-racial democratic society. It is based on resolutions adopted by the General Assembly by overwhelming majorities in past years.

54. The draft resolution takes into account the grave aggravation of the situation in South Africa, resulting from the imposition by the racist régime of a constitution designed to entrench *apartheid* and dispossess the indigenous African people, who constitute 73 per cent of the population; the escalation of repression by that régime and its killing of innocent men, women and children; and the growing resistance by the people against all manifestations of *apartheid*.

55. It is a call to the international community to respond to the inescapable moral challenge posed by *apartheid*, a renewed request to the Security Council

to discharge its responsibilities under the Charter of the United Nations, and an appeal to the major Western Powers to desist from protecting the racist régime and to facilitate comprehensive and mandatory sanctions against it. It is a rejection of the propaganda and actions of the collaborators with *apartheid*, who seek to bestow respectability on the despicable racist régime in Pretoria, and a recognition of the need for more effective action to destroy *apartheid*.

Mr. Helgason (Iceland), Vice-President, took the Chair.

56. I will not refer to all the provisions of the draft resolution, as they are clear and simple, but will only draw special attention to some paragraphs which relate to developments in the past year.

57. For instance, in the fourth preambular paragraph and in paragraph 2, the draft resolution refers to the declarations of four important conferences organized by the Special Committee against *Apartheid* in its untiring efforts to promote action by all Governments and organizations for the elimination of *apartheid*.

58. In the fifth preambular paragraph and paragraph 3, the draft resolution draws attention to the escalation of repression and violence by the racist régime, which has even deployed armed forces against African townships and indiscriminately murdered many men, women and children.

59. In the sixth and nineteenth preambular paragraphs the draft resolution condemns the so-called new constitution, rejected by the great majority of the people of South Africa. The General Assembly and the Security Council have indeed already denounced that constitution, and declared it null and void. The present régime in South Africa, emerging from the obnoxious constitution, can therefore be accorded no recognition whatsoever.

60. Consequently, in paragraphs 11, 12 and 29, the draft resolution calls for the exclusion of that régime from the United Nations and its specialized agencies and for the denial of any legitimacy to that régime by any State.

61. While deploring and condemning the growing collaboration of certain Western States and Israel with the *apartheid* régime, despite repeated appeals by the General Assembly, the draft resolution expresses grave anxiety, in particular, over the increased collaboration by the Government of the United States of America in pursuance of its policy of so-called "constructive engagement". It condemns that policy in paragraph 15, and in paragraph 18 it appeals to all Governments and organizations to exert their influence to persuade the United States Government, and others concerned, to co-operate in international action for the elimination of *apartheid*.

62. On the other hand, the draft resolution commends Governments and organizations, cities and local authorities, and the numerous individuals who have contributed to the international campaign against *apartheid*, often at great sacrifice.

63. The purpose of the draft resolution is to ensure maximum pressure on the *apartheid* régime, to promote all appropriate assistance to the oppressed people and their national liberation movements in their legitimate struggle for a non-racial, democratic society and to mobilize world opinion in support of United Nations action for the elimination of *apartheid*. To that end it lays down guidelines for concrete

*Resumed from the 71st meeting.

and effective action by the Security Council, by Member States, by intergovernmental organizations, by non-governmental organizations and by individuals.

64. While we regard the provisions of this draft resolution as the minimum action required of the international community to discharge its inescapable moral responsibility, I am aware that they are regarded by some delegations as controversial. Some Western States which are basically supportive of the international efforts against *apartheid* have found it difficult to accept some of the formulations. We shall continue patiently to explain our views and to try, we hope, to persuade them.

65. A few delegations, however, are opposed to the thrust of this draft resolution because they are anxious to continue and to expand collaboration with the *apartheid* régime. They advocate a so-called consensus text which would involve no action against *apartheid*, except for verbal condemnations. We cannot accept any such consensus, which not only would be meaningless but would be a betrayal of our responsibility to the millions of people struggling for the principles of the United Nations.

66. We see no merit whatsoever in the argument that a request for effective action against *apartheid* by all organizations and institutions within the United Nations system is inappropriate for the reason that it "politicizes" specialized institutions. *Apartheid* is universally recognized as a crime, a negation of the fundamental purposes of the United Nations and its family of agencies. We cannot, therefore, see how action against the crime of *apartheid* constitutes "politicization" of the agencies.

67. In this connection, I wish to inform the Assembly that I have received assurances from the IAEA that South Africa is no longer a member of any IAEA technical working groups. In the light of those assurances, the Assembly may wish to omit from draft resolution A/39/L.28 the last part of paragraph 31, which reads: "and, in particular, to exclude South Africa from all its technical working groups".

68. We cannot accept the argument that the exclusion of the Pretoria régime violates the principle of universality of the United Nations. That régime, resulting from a constitution denounced by the Security Council and the General Assembly as null and void, has no legitimacy whatsoever, and is rejected by the great majority of the people of South Africa. Acceptance of that régime as the voice of South Africa would be repugnant to the principle of universality.

69. I am aware also that some delegations express opposition to the recognition of the right of the oppressed people of South Africa to engage in armed struggle for liberation. Many of those delegations represent countries which attained their own independence by armed struggle and which, indeed, resorted to armed struggle against Nazi oppression. How, then, can they deny the right of armed struggle to the black majority in South Africa when the racist régime is resorting not only to arbitrary and ruthless repression but also to indiscriminate killings and massacres? We have pleaded again and again for a peaceful and just solution, and the General Assembly has on numerous occasions called for sanctions against the *apartheid* régime as the only effective means towards that end. When United Nations action is paralysed by the intransigence of some

Powers and when the *apartheid* régime has escalated its violence, what other alternatives do the oppressed people have than to struggle by all available means?

70. We must place the blame for violence and conflict where it belongs—that is, on the *apartheid* régime—and press for effective sanctions against that régime as the only way to minimize that violence and eliminate that conflict.

71. Finally, some delegations express opposition to the naming of some countries which are sustaining the *apartheid* régime. In this connection, I should like to refer to the amendments proposed by the United States of America. It gives me no pleasure to express distress at the policies of the United States, with which my country, Nigeria, maintains, and seeks to maintain, friendly relations. But when we deal with the great moral challenge of *apartheid*, which affects the honour and dignity of the continent of Africa, we feel duty-bound to speak the truth without fear or favour.

72. The policy of so-called "constructive engagement" is diametrically opposed to the repeated appeals of this Assembly. It means more collaboration with the *apartheid* régime instead of sanctions against it. It means hostility to the national liberation movements instead of support for them. It means propaganda for inaction on the issue of *apartheid*.

73. Who can deny that this misguided policy of constructive engagement pursued by a great Power has encouraged the *apartheid* régime and thereby caused immense suffering to the black people in South Africa? The *apartheid* régime has expressed great satisfaction at that policy, while the oppressed majority has described it, in the words of Bishop Tutu, as immoral, evil and an unmitigated disaster for the black people.

74. We are encouraged that the conscience of the United States has been outraged by the fruits of that policy and that calls for meaningful action have come from leaders of both political parties and from churches, trade unions and other segments of society. I was gratified that the President of that great country has in the past few days condemned *apartheid* as repugnant. But even as he was speaking on Human Rights Day, the *apartheid* régime was charging six patriots with treason. Let me say that treason against a racist régime is not only an honour but a duty for African patriots, and we cannot stand idly by when the racists seek to sentence them to death.

75. The United States is a great Power and a leader of an alliance. It can make a crucial contribution to the elimination of *apartheid*. In his statement last month to the General Assembly, the representative of the United States said: "We in the United States have asked ourselves what more we can do . . . to work towards greater justice and peace in southern Africa." [69th meeting, para. 261.]

76. Let me offer some suggestions for their benefit. First, the United States should abandon the outdated and discredited policy of constructive engagement; secondly, it should prevail on the South African régime to release Nelson Mandela and other political prisoners and detainees; thirdly, it should prevail on the Botha régime to stop all forms of repression and political trials and instead embark on meaningful negotiations with the leaders of the oppressed people in South Africa; and lastly the United States should harmonize its policies with those of the overwhelming majority of States Members of the United

Nations and join in the concerted action against *apartheid*. Only then can the obnoxious system of *apartheid* be eliminated. We are all waiting to see whether the United States Government will match President Reagan's words with action.

77. Members of the Special Committee have given very careful consideration to the amendments proposed by the United States of America in document A/39/L.43. We feel that a divisive vote on these amendments at this time, when the *apartheid* régime is escalating violence and oppression in South Africa, would be most unfortunate. With all due respect, therefore, I move, under rule 74 of the rules of procedure, that any debate on the United States amendments be adjourned and that the Assembly proceed to vote on the draft resolutions without delay.

78. Let me say from this rostrum that neither the Special Committee against *Apartheid* nor my country seeks confrontation with any Member State of the Organization. We seek consultations and dialogue with all Governments so that there can be effective and concerted action by the international community for the elimination of *apartheid*.

79. As Chairman of the Special Committee, I have had extensive consultations with a number of Western countries on a draft resolution to promote such action. I would like to express my great appreciation to the delegations concerned for their co-operation and commitment, and I hope that the draft resolution which will soon be introduced by my colleague, the representative of Sweden, will receive the widest support.

80. The second draft resolution which I have the honour to introduce, A/39/L.29, is on the programme of work of the Special Committee against *Apartheid*. I need hardly persuade the members of the Assembly of the vital role played by the Special Committee in its constant efforts to inform world public opinion of the situation in South Africa and to promote action by Governments, organizations and individuals in accordance with the relevant United Nations resolutions.

81. I have had the honour to serve as Chairman of the Special Committee this year, and I wish to express my gratitude to all those delegations which have commended the work of the Special Committee at a difficult and critical time for southern Africa.

82. I trust that the draft resolutions will receive unanimous support.

83. The PRESIDENT: I now call upon the representative of Barbados, Chairman of the *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports, to introduce draft resolution A/39/L.31.

84. Mr. MAYCOCK (Barbados), Chairman of the *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports: On the behalf of its sponsors, including my own delegation, I have the honour to introduce to the Assembly draft resolution A/39/L.31, entitled "*Apartheid* in sports".

85. This draft resolution is aimed at extending the mandate of the *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports for another year, in order to permit the Committee to present the final draft to the General Assembly at its fortieth session. As is elaborated in the report of the Committee [A/39/36], progress has been achieved. This progress will I hope continue

during the next year in order that the Committee may finalize its work.

86. The Committee intends to intensify further its contacts with Governments and intergovernmental and non-governmental organizations with a view to overcoming any remaining obstacles.

87. The task before us is very important and deserves the support of the Assembly. The convention we are about to finalize will contribute to the international campaign to fight *apartheid* in sports and to ensure the isolation of the racist régime of South Africa from international sporting events. I sincerely hope that the Assembly will approve the draft resolution by an overwhelming majority.

88. My delegation submitted the amendment to this draft resolution, contained in document A/39/L.41. By that amendment the Assembly would request the Secretary-General to send the text of the revised draft convention and its amendments to all Member States for their comments and views. That proposal was contained in the recommendations of the *Ad Hoc* Committee, and it is considered important for the future work of the Committee. It is hoped that this amendment will be accepted and that comments will be submitted by 31 March 1985 in order to enable the Committee to conclude its work with dispatch.

89. Finally, next year we will celebrate the fortieth anniversary of the establishment of the United Nations. We are looking forward to presenting the draft convention to the Assembly as a contribution to the struggle against *apartheid* and racism on that important occasion.

90. The PRESIDENT: I now call upon the representative of the Lao People's Democratic Republic to introduce draft resolution A/39/L.30.

91. Mr. SAIGNAVONGS (Lao People's Democratic Republic) (*interpretation from French*): On behalf of the 32 delegations which sponsored it, including my own delegation, it is my honour to introduce to the Assembly draft resolution A/39/L.30, entitled "Relations between Israel and South Africa".

92. The collaboration between Israel and South Africa needs no further proof. In its report [A/39/22/Add.1] the Special Committee against *Apartheid* has stressed that that collaboration is constantly increasing and becoming more and more important in all fields, particularly the military and nuclear fields. This is very disturbing for neighbouring African countries, particularly the front-line States, in the light of the aggressive and hegemonistic nature of the racist régime of Pretoria.

93. The Special Committee has furthermore stressed that Israeli-South African relations are becoming closer and are extending to the bantustans, entities that the international community has rejected because they are merely instruments of the *apartheid* policy of Pretoria.

94. We all know that, despite United Nations decisions and almost unanimous condemnation by the international community, South Africa is persisting in its *apartheid* policies, continuing its illegal occupation of Namibia and pursuing its aggressive policies against its neighbours.

95. Israel's collaboration, in addition to the collaboration of some Western countries, particularly the "constructive engagement" of the United States Government, which is linked with Israel by a strategic co-operation agreement, merely strengthens Pre-

tor's position and encourages it arrogantly to pursue its criminal *apartheid* policy and to persist in its intransigence.

96. At various international meetings and during the debate in plenary meetings of the General Assembly on the policies of *apartheid* of the Government of South Africa, an overwhelming majority of delegations have expressed their indignation about this collaboration and condemned it because it poses a threat to the peace and stability of southern Africa and to international peace and security. Therefore, in formulating this draft resolution, the sponsors have taken into account, on the one hand, the general feeling expressed during those deliberations and, on the other, ideas already accepted by the General Assembly last year in resolution 38/39 F.

97. In other words, the wording of this draft resolution is identical to that of resolution 38/39 F, except for the addition of the following two new points. First, the third preambular paragraph takes note of the declaration and resolutions of the Conference of Arab Solidarity with the Struggle for Liberation in Southern Africa, held at Tunis from 7 to 9 August 1984 [A/39/450, annex], in which more than 130 delegations from various countries and international organizations participated. Secondly, paragraph 1 states that the General Assembly commends the Special Committee against *Apartheid* for publicizing the growing relations between Israel and South Africa and promoting public awareness of the grave dangers of the alliance between those two countries as regards international peace and security.

98. The sponsors hope that the draft resolution, like that of last year, will be adopted by the General Assembly without difficulty and without any reservations.

99. The PRESIDENT: I call on the representative of India, who will introduce draft resolution A/39/L.32.

100. Mr. KRISHNAN (India): On behalf of the sponsors, I have the honour to introduce to the Assembly for consideration and adoption draft resolution A/39/L.32, entitled "Public information and public action against *apartheid*".

101. The first Prime Minister of India, Mr. Jawaharlal Nehru, stated in the Indian Parliament in 1958:

"In South Africa, it is the deliberate, acknowledged and loudly proclaimed policy of the Government itself to maintain this segregation and racial discrimination. This makes South Africa's case unique in the world. It is a policy with which obviously no person and no country which believes in the Charter of the United Nations can ever compromise, because it uproots almost everything the modern world stands for and considers worthwhile, whether it is our ideas of democracy or human dignity."

102. That the policy of *apartheid* should persist in this day and age is, to most people, quite unthinkable. It is indeed incredible that a Government should continue, in spite of almost universal condemnation, to persist in the institutionalized practices of *apartheid*. Today, on the eve of the fortieth anniversary of the United Nations, we are no nearer the objective declared decades ago to be rid of this evil. In fact attempts are being made further to entrench the *apartheid* system in South Africa, along with efforts to break the international isolation of

South Africa. Rarely has oppression been so well organized or betrayal made to appear so respectable.

103. Information must be used effectively in the struggle against the *apartheid* régime to convince freedom-loving people all over the world that *apartheid* cannot be reformed; it must be ended. In this context, it is absolutely imperative that the international community be kept informed about developments in South Africa by continuously exposing the evil and cruelty of the *apartheid* régime and correspondingly ensuring concerted public action against the *apartheid* régime which would help and encourage all those who are struggling for freedom in South Africa.

104. The text of the draft resolution needs no elucidation. The international community is well aware that public information and public involvement can be used as a very effective means for the elimination of *apartheid*. In view of the enormous resources of the *apartheid* régime and its collaborators that are devoted to nefarious propaganda, it is essential that the Secretary-General take all appropriate steps to ensure full co-operation by the Department of Public Information, UNESCO and all United Nations offices and agencies with the Special Committee and the Centre against *Apartheid*. The Department of Public Information, in particular, should ensure the widest dissemination of information on the activities of and the crimes committed by the *apartheid* régime. There is an appeal to all Governments, information media, non-governmental organizations, trade unions, religious bodies, individuals, intellectuals, artists, athletes and public leaders to arouse the conscience of the world against *apartheid* and to intensify further the international campaign for the release of Nelson Mandela and all other South African political prisoners and detainees.

105. In order to strengthen the aforementioned efforts, the Special Committee against *Apartheid* and the Centre against *Apartheid* are encouraged to intensify their activities designed to inform world public opinion of the situation in South Africa and promote public action in support of the just struggle of the oppressed people and the objectives of the United Nations. In order that this task may be carried out effectively, an appeal is made to all Governments to contribute generously to the Trust Fund for Publicity against *Apartheid* and to information activities of non-governmental organizations engaged in programmes against *apartheid*.

106. On behalf of the sponsors, including my own delegation, I express the sincere hope that the draft resolution will receive the unanimous support of all the delegations present here representing countries which cherish freedom, equality and human dignity.

107. The PRESIDENT: I call on the representative of Denmark, who wishes to introduce draft resolution A/39/L.33.

108. Mr. BIERRING (Denmark): On behalf of the sponsors, I have the honour to introduce draft resolution A/39/L.33, entitled "United Nations Trust Fund for South Africa".

109. The principal objective of the United Nations Trust Fund for South Africa, which the General Assembly established in 1965, is to alleviate the suffering caused by the policy of *apartheid* of the Government of South Africa and to assist the victims of *apartheid*. The Fund is made up of voluntary contributions from States, organizations and individ-

uals. Since its inception, the Fund has been able to give assistance for the following purposes: first, legal assistance to persons persecuted under the repressive and discriminatory legislation of South Africa; secondly, relief to such persons and their dependants; thirdly, the education of such persons and their dependants; fourthly, relief for refugees from South Africa; and, fifthly, relief and assistance to persons persecuted under the repressive and discriminatory legislation in Namibia.

110. The fight against *apartheid* is one of the few issues on which the international community stands united. We are gravely concerned about the continued and increased repression against opponents of *apartheid* and racial discrimination in South Africa. Increased humanitarian assistance to those persecuted under repressive and discriminatory legislation is essential.

111. The international community has responded positively to the growing need for such assistance. However, there is a continuing need for contributions, and we would like to appeal to all Member States to contribute generously to the Fund. Furthermore, the sponsors hope that the General Assembly will again this year demonstrate its solidarity with the victims of *apartheid* by adopting this draft resolution unanimously.

112. The PRESIDENT: I now call on the representative of Sweden, who will introduce draft resolution A/39/L.36.

113. Mr. FERM (Sweden): I have the honour to introduce draft resolution A/39/L.36, entitled "Concerted international action for the elimination of *apartheid*", which is sponsored by 22 countries.

114. This is a new draft resolution on *apartheid*. During previous years my delegation had the honour to introduce a draft resolution on investments in South Africa. There is now urgent need for increased and effective pressure on South Africa. In this new draft resolution we call for such action against the background of a situation in South Africa of grave concern to us. We note in particular the recent killings, arbitrary arrests and detention of members of mass organizations opposing *apartheid*. We consider that the so-called reforms in South Africa have had the effect of further entrenching *apartheid*. We are convinced that the use of force by the South African authorities will lead to ever-increasing resistance by the oppressed people in South Africa and to increased tension, which will have far-reaching consequences for southern Africa and the world.

115. While in this resolution the Security Council is once again urged to consider without delay effective mandatory sanctions, the sponsors also appeal to all States, pending such action, to consider unilateral measures from an extensive range of options in such fields as investments, financial loans, trade promotion, military and nuclear collaboration. These would, in our opinion, be effective measures to bring about a peaceful solution.

Mr. Lusaka (Zambia) resumed the Chair.

116. Furthermore, the sponsors wish to express their solidarity with all those who at great sacrifice legitimately struggle for a non-racial, democratic society and for lasting peace in South Africa. We consequently appeal for increased assistance to all those individuals, liberation movements and States that are the victims of the oppressive and aggressive policies of *apartheid*.

117. The draft resolution is the joint effort of primarily some African and Western Group States, including the five Nordic countries. The objective of our joint effort has been to present a draft resolution that addresses the wide spectrum of issues involved in the question of *apartheid* in South Africa. We have sought to approach this in a firm but at the same time constructive way. When formulating the operative part of the resolution, we have also been guided by the desire to ensure, in an unambiguous way, broad support from a wide range of countries for this draft resolution. Such broad support would be a clear signal to South Africa that the world community at large considers that the *apartheid* system has no place in today's world and that we are prepared to take concrete measures to bring about its abolishment.

118. The draft resolution now introduced should be seen as a new approach and as a concerted international effort to bring about an end to the *apartheid* system through peaceful means before that approach is too late. In this spirit, and against the background of a deteriorating situation in South Africa, we commend this draft resolution for adoption by the General Assembly.

119. The PRESIDENT: I now call on the representative of the United States of America, who wishes to introduce amendments to draft resolutions A/39/L.28 and L.30.

120. Mr. KEYES (United States of America): Given the universally shared opposition of all Member States to *apartheid*, we deeply regret and strongly deplore the fact that again this year unfair, unjustified and hostile references to the United States are contained in the draft resolutions before us. We have proposed amendments to these texts to delete these references which violate long-established practices of the United Nations and which contravene the very spirit of concern for fair and just treatment that is the foundation of our common opposition to the unjust *apartheid* system.

121. The issue posed by the amendments we propose has nothing to do with the issue of justice in South Africa. It has everything to do with the issue of justice in the General Assembly. It has nothing to do with our common condemnation and abhorrence for the abusive treatment of black South Africans by the South African Government. It has everything to do with whether or not the Assembly means to encourage and perpetuate abusive treatment of individual Member States. The same sense of justice that fuels our outrage against the abuses of *apartheid* should be applied here in the relations among Member States. As justice should be for all in South Africa, so it must be for all in the General Assembly.

122. As we are unanimous in our view that injustice in South Africa must end, so we must be clear in our belief that justice in the international community begins here in the General Assembly, among these united nations. We appeal to all members of the General Assembly to let that simple sense of justice govern their actions today. We ask them to cast their votes in favour of our amendments. We ask them to vote against any manoeuvre that would deprive the General Assembly of an opportunity to declare its unequivocal support for basic fairness in its own proceedings and resolutions. We ask them to take a firm stand that will make clear to all the world that justice cannot be credibly preached unless all efforts

are made to assure that it is consistently practised here, now, in this body.

123. The PRESIDENT: I call on the representative of Nigeria on a point of order.

124. Mr. GARBA (Nigeria): Nigeria feels that a divisive vote on these amendments at this time, when we all know that the *apartheid* régime is escalating violence and repression in South Africa, would be most unfortunate.

125. I move that no action be taken at this time on the United States amendments and that the Assembly proceed to vote on the draft resolutions as presented.

126. The PRESIDENT: The representative of Nigeria has moved, in accordance with the terms of rule 74 of the rules of procedure, that no action be taken on the amendments submitted by the representative of the United States of America. Rule 74 reads:

“During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote.”

127. In accordance with the motion proposed by Nigeria, if the motion is carried no further action will be taken by the Assembly with respect to the amendments contained in documents A/39/L.43 and L.44.

128. Does any representative wish to speak for or against the motion by Nigeria?

129. Mr. KEYES (United States of America): The United States delegation objects in the strongest possible terms to the motion to avoid discussion and vote on our amendments.

130. There are situations where it is undoubtedly in the interests of the Assembly not to take a decision on a particular subject, but there are clearly other situations in which this body has an interest in the consideration of a question.

131. We believe our amendments are proper subjects for discussion, debate and decision. They are not an attempt to solve long-standing disputes by indirect means, but instead are entirely germane to the proper consideration of the texts before us and to a proper affirmation of our fundamental principles and procedures.

132. In these circumstances, where the United States delegation has put forward directly relevant amendments in an effort to delete clear and hostile references to us, the effort to gag debate can be seen only as part and parcel of the same objectionable injustice which our amendments are meant to counter. Fundamental considerations of fairness should allow a country so mentioned and so abused to ask that the General Assembly declare itself on this matter.

133. We therefore hope that even those who prefer to see these draft resolutions remain as they are will be prepared to allow the Assembly its right to consider the question fully. In addition, we ask that a recorded vote be taken on this motion.

134. The PRESIDENT: Does any other representative wish to speak for or against the motion by Nigeria?

135. I see none. I now put to the vote the motion of the representative of Nigeria, that no action be taken

on the amendments proposed by the representative of the United States of America. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Bahrain, Benin, Botswana, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Ghana, Guinea, Guyana, Hungary, India, Iran (Islamic Republic of), Iraq, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mali, Mauritania, Mexico, Mongolia, Nicaragua, Nigeria, Poland, Qatar, Saudi Arabia, Syrian Arab Republic, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Austria, Bahamas, Barbados, Belgium, Belize, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Greece, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Luxembourg, Mauritius, Netherlands, New Zealand, Niger, Norway, Papua New Guinea, Paraguay, Philippines, Portugal, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Singapore, Somalia, Spain, Sri Lanka, Sweden, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Argentina, Bangladesh, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burma, Cyprus, Egypt, Equatorial Guinea, Indonesia, Jamaica, Kenya, Lebanon, Liberia, Malawi, Malaysia, Maldives, Nepal, Oman, Pakistan, Panama, Peru, Rwanda, Senegal, Thailand, Trinidad and Tobago, Venezuela.

The motion was rejected by 56 votes to 50, with 28 abstentions.

136. The PRESIDENT: I call on the representative of the Islamic Republic of Iran on a point of order.

137. Mr. RAJAI-KHORASSANI (Islamic Republic of Iran): My delegation's understanding is that the issue under consideration is *apartheid*. The resolutions against *apartheid* are so many, and there is only one reason for the sanctions against the régime of South Africa and that is *apartheid*.

138. *Apartheid* has rightly occupied the time of the Assembly for years, and the South African régime has been expelled from the General Assembly on the charge of *apartheid*. Therefore *apartheid*, to my understanding, is a very important issue, if not the most important issue of all.

139. It being the most important issue, on the basis of Article 18 of the Charter of the United Nations, my delegation requests a two-thirds majority, and I hope that this even-handedness will be maintained, because yesterday's issue was not any different from today's issue.

140. The PRESIDENT: Article 18, paragraph 2, of the Charter reads:

“Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace

and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1(c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.”

141. Rule 85 of the General Assembly rules of procedure reads:

“Decisions of the General Assembly on questions other than those provided for in rule 83, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.”

142. I call on the representative of the United States of America to speak on a point of order.

143. Mr. KEYES (United States of America): The United States opposes, and opposes unequivocally and strongly, the proposal by the representative of Iran to require a two-thirds majority for the adoption of the United States amendments to the draft resolutions on *apartheid*. There is no provision in the rules of procedure that would call for any special majority for resolutions dealing with the subject of *apartheid*. The procedural situation is entirely different from that which the General Assembly considered yesterday [97th meeting] when it considered the Namibia resolutions and amendments. There is a special rule on the required Namibia resolutions, that is, that such resolutions and amendments require a two-thirds vote, but there is no special rule concerning resolutions on *apartheid*.

144. The only way that a special two-thirds majority could be required for *apartheid* texts is through such a motion as that which has been made by the Iranian delegation under Article 18, paragraph 3, of the Charter and rule 85 of the rules of procedure.

145. We vigorously oppose this motion. Such a motion could only have as its purpose an effort to deny the United States a fair vote on the United States amendments to these resolutions. Such a motion would be an abuse of the rules, for partisan and unfair objectives. None of the countries that might support such a motion has ever before suggested that anything other than a simple majority is needed to adopt *apartheid* resolutions or amendments thereto. The effort to invoke the “important question” technique has no justification in this case.

146. In addition, let me reiterate that, as I stated in introducing these amendments, the issue before us is not the issue of our common condemnation and abhorrence of *apartheid*. The issue before us is a fundamental issue of fairness to the United States, a fundamental issue of whether or not the General Assembly intends to affirm its basic treatment of the principles of fair and civil treatment in its deliberations.

147. We urge all members to join with us in voting against any motion to depart from the simple majority test that has traditionally been applied in these instances.

148. The PRESIDENT: I call on the representative of the Islamic Republic of Iran to speak on a point of order.

149. Mr. RAJAIE-KHORASSANI (Islamic Republic of Iran): I just want to correct a very, very small—let us say, mistake—on the part of the representative of the United States. The issue is not fairness to the United States; the issue is fairness towards the continued support of the United States for *apartheid*. If people want to be fair to that, that would be unfair. From our point of view, the issue is still *apartheid*, and I think the General Assembly is the master of its own rules. Therefore we ask—I request—the Assembly to decide whether *apartheid* is an important issue or not.

150. The PRESIDENT: Does any other representative wish to speak for or against the motion as proposed by the representative of the Islamic Republic of Iran? There appears to be none. I shall therefore ask the Assembly to take a decision. I shall put to the vote the motion as proposed by the representative of Iran that *apartheid* is an important question.

151. I call on the representative of the United States to speak on a point of order.

152. Mr. KEYES (United States of America): We have asked that a recorded vote be taken on this motion.

153. The PRESIDENT: Indeed, a recorded vote was requested.

154. I call on the representative of Ireland on a point of order.

155. Mr. McDONAGH (Ireland): I would welcome some clarification of the matter that we are being asked to vote upon. Are we being asked to vote that *apartheid* is an important question, or are we being asked to vote that resolutions or amendments on *apartheid* should be decided by a two-thirds majority?

156. The PRESIDENT: I shall ask the representative of the Islamic Republic of Iran to clarify the matter.

157. Mr. RAJAIE-KHORASSANI (Islamic Republic of Iran): I should like to reiterate the exact wording of the motion. It is as follows: Is *apartheid* an important issue or not?

158. We believe *apartheid* is an important issue; we believe *apartheid* has already been recognized as a crime against humanity. We hope that the General Assembly will agree with us that *apartheid* is an important issue. I hope it is understood.

159. The PRESIDENT: I call on the representative of the United States of America to speak on a point of order.

160. Mr. KEYES (United States of America): If I may address the issue that has been raised by our colleague from Ireland, we believe that it is obvious that in the history of our treatment of the *apartheid* question it has never before been considered an important question requiring a two-thirds majority, within the meaning of the rules on that issue. It is clear that in this instance what motivates the suggestion is not a question of whether *apartheid* is important or whether the General Assembly's deliberations on that question are important. That is obviously the case. What motivates this move at this time is clearly a political desire to deprive the United States of a fair decision on the amendments which we have placed before the Assembly. We believe that it is crucial that the members of the Assembly should not be confused about this issue. The issue is not the issue of the importance of *apartheid*, for clearly

throughout the history of our treatment of this question we have understood *apartheid* to be an important issue to which we all devote a great deal of our time, attention and effort, both in this hall and elsewhere. The question is a basic issue of fairness and whether we consider the affirmation of those important questions and principles of fairness to be a necessary and absolutely indispensable part of our work here.

161. The PRESIDENT: I call on the representative of Democratic Yemen to speak on a point of order.

162. Mr. AL-ASHTAL (Democratic Yemen): If the delegation of the United States thinks that *apartheid* is an important question, then I do not think that we have a problem. All resolutions regarding *apartheid* will have to be voted on the basis of Article 18 of the Charter, by a two-thirds majority. I have asked to speak in order to explain my understanding of the Iranian motion. I believe that we are on the verge of a very important decision of the General Assembly, one which is similar to the very important decision taken in 1954 regarding Namibia [resolution 844 (IX)]. I therefore believe that the wording of the motion is exactly in consonance with special rule F of annex III regarding Namibia of the General Assembly rules of procedure, but in this case it has to do with *apartheid*. Therefore our understanding of the motion is as follows: decisions of the General Assembly on questions relating to reports and petitions concerning *apartheid* shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations.

163. I have found it necessary to explain this point so that there should be no confusion after the intervention of the representative of Ireland.

164. The PRESIDENT: I call on the representative of the United States on a point of order.

165. Mr. KEYES (United States of America): I think it is clear to all the extent to which some will go in order to attempt to distort the procedures, positions, principles and traditions of this General Assembly in order to achieve their own narrow and vindictive ends.

166. I believe that the issue before us is quite clear. It is not an issue that can be decided by attempting to apply one rule to a situation in which that rule is not applicable, violating therefore the very fundamental principle that we should not change the rules in the middle of the game. I believe that it is important to keep in mind this very fundamental principle of fairness, since what is at stake in an issue of this sort is not simply a substantive question with regard to our deliberations here today. At stake in an issue of this sort are the very foundations for the possibility of what we do here, whether we can come together and, despite our differences, discuss, disagree, but always know that there will be a basic civility and an acknowledgement of the fundamental rules of justice. If that is not to be the case today, if that is not to be the case in the General Assembly, my delegation believes that this point of order raises very serious questions and casts a very serious shadow over the future of the Organization as an open forum for open discussion and exchange and for true and fair consideration of the issues brought before us.

167. The PRESIDENT: I call on the representative of the United Kingdom on a point of order.

168. Mr. MILES (United Kingdom): Since a number of different points of view have been expressed

on this proposal already in this impromptu debate, I think that it would be helpful to the Assembly if you, Mr. President, could give us a ruling on the procedural implications of the decision we are being invited to take, both for the present issue, the motion which we are being asked to vote on later this morning, and for other future questions concerning *apartheid*.

169. The PRESIDENT: I call on the representative of the Islamic Republic of Iran on a point of order.

170. Mr. RAJAIE-KHORASSANI (Islamic Republic of Iran): Although the pros and cons on the issue have been given, and although several delegations have spoken on this matter, the views have not been very different: there are only two views. Although they worded it differently, some representatives want to indicate that *apartheid* is not an important matter. My delegation believes that *apartheid* is a very important matter in exactly the same sense as that mentioned by the representative of Yemen. As is obvious to all, the peace and security of Africa have been and will remain threatened simply because of the policies of *apartheid*.

171. I therefore propose that the debate on this matter be adjourned and that my motion be put to a vote.

172. The PRESIDENT: It is my understanding that the General Assembly is being called upon to determine that the question of *apartheid* and all resolutions and amendments relating thereto are to be decided by a two-thirds majority of representatives present and voting under rule 85 of the rules of procedure. That is my understanding with regard to this motion that the Assembly is being called upon to determine. I hope I have answered the representative of the United Kingdom.

173. I call on the representative of the Congo on a point of order.

174. Mr. GAYAMA (Congo) (*interpretation from French*): I do not know whether your ruling, Mr. President, has put an end to the debate, but my delegation would like to stress its view that this is more than a procedural matter. If we were to decide in this hall whether *apartheid* is an important question or not, my response would be a positive one, because it is an African—indeed, a universal—position.

175. The Assembly has declared *apartheid* a crime against humanity; that is the least that can be said. To take a principled stand today on whether or not *apartheid* should be considered an important question is to commit ourselves totally. Rather, we should limit ourselves to declaring that *apartheid* is a very important issue, regardless of the procedural aspects that may be invoked in this hall.

176. The PRESIDENT: We shall now proceed to the vote on the motion by the representative of the Islamic Republic of Iran. Let me repeat my understanding of the motion: The General Assembly is being called upon to determine that the question of *apartheid* and all resolutions and amendments relating thereto are to be decided by a two-thirds majority of representatives present and voting under rule 85. A recorded vote has been requested.

A recorded vote was taken.

in favour: Afghanistan, Albania, Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon,

Cape Verde, Chad, China, Congo, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Guinea, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Canada, Central African Republic, Chile, Colombia, Denmark, Dominica, Fiji, Finland, France, Germany, Federal Republic of, Iceland, Israel, Italy, Ivory Coast, Japan, Luxembourg, Netherlands, New Zealand, Norway, Paraguay, Portugal, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Spain, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Argentina, Belize, Burma, Cyprus, Dominican Republic, Egypt, Gabon, Greece, Guatemala, Haiti, Honduras, Ireland, Jamaica, Panama, Papua New Guinea, Thailand, Trinidad and Tobago, Venezuela.

The motion was adopted by 81 votes to 33, with 18 abstentions.³

177. The PRESIDENT: I shall now call on those representatives who wish to speak in explanation of vote.

178. Mr. de PINIÉS (Spain) (*interpretation from Spanish*): I should like to point out to the Assembly that for my delegation, *apartheid* is of course an important issue. What in the view of our delegation is not important is the submission of amendments, that those amendments should be adopted by a two-thirds vote, for if someone decides that a sentence in a draft resolution should be submitted to amendment, it means that that could be deleted if a two-thirds vote were required.

179. Mr. PFIRTER (Argentina) (*interpretation from Spanish*): My delegation has no doubt that *apartheid* is an extremely important question. That is why we supported the adoption in the Security Council of urgent, binding, wide-ranging sanctions against South Africa. None the less, on this occasion my delegation cannot fail to note the relation between the fact that the Assembly is asked to recognize *apartheid* as an important issue for the purposes of a two-thirds vote and the fact that approval of the motion means that a Member State is being deprived of the right to have its amendments put to a vote in the Assembly.

180. For this reason, because we cannot fail to ignore the fact that this is a completely politicized vote, my delegation abstained.

181. Mr. RAJAIE-KHORASSANI (Islamic Republic of Iran): I shall begin my very brief point of order again with the name of God. I prayed to God that my motion would win the support of the General Assembly. I congratulate you, Sir, on this victory that was won under your presidency. I should like to request only that you reiterate your understanding, because

some of the explanations of vote are creating ambiguity even for me.

182. So we decided that it is not an important issue psychologically; it is an important issue in the sense that *apartheid* and all resolutions and amendments related to it require a two-thirds majority. My motion does not prevent anybody from presenting any amendment or motion. Indeed, all amendments, motions and draft resolutions can be presented. The only issue that has been decided upon is that they will be decided by a two-thirds majority. That is all. There is no deprivation for anybody.

183. The PRESIDENT: I shall read out my understanding on which the General Assembly has voted. I said, a moment ago: "It is my understanding that the General Assembly is being called upon to determine that the question of *apartheid* and all resolutions and amendments relating thereto are to be decided by a two-thirds majority of representatives present and voting under rule 85." That was my understanding before I put the motion to the vote, and the General Assembly has now taken a decision. I shall continue calling on those who wish to speak in explanation of vote on the motion.

184. Mr. ALBÁN-HOLGUÍN (Colombia) (*interpretation from Spanish*): There can be no doubt that my delegation has always considered *apartheid* to be a question of the highest importance. We have always supported peoples in their struggle against *apartheid*. On the question of Namibia, we have always supported and encouraged actions aimed at the attainment of independence for that country.

185. As you explained, Sir, this is an issue related to a vote, not to the substance of the issue of *apartheid*, but voting procedure, and that is how my delegation understood it. For that reason, our vote should be understood exclusively as a reference to the system that will be used for voting on draft resolutions and amendments related to *apartheid*.

186. It seemed to me inappropriate that issues related to *apartheid* should be taken out of the general norms applying to United Nations resolutions, because that can turn against those of us who are waging the struggle against *apartheid*. There will be new obstructions in the way of draft resolutions that attempt to eliminate that crime. I believe that today in the Assembly we have made a mistake in approving this motion for a two-thirds vote.

187. The PRESIDENT: I see by the clock that it is past the hour. I have a long list of speakers before me on the motion just adopted by the General Assembly. It appears as I look at the list of speakers before the vote on the draft resolutions just introduced this morning that what is being said may be repeated when representatives are called upon to explain their vote before the vote on the draft resolutions. For our deliberations to run smoothly, I appeal to the Assembly that perhaps we could defer our explanations of vote on the decision that has just been taken on the motion by Iran until such time as we come to explain the votes either before or after the vote. That is the appeal I am making to the General Assembly. The Assembly may reject my appeal, since it is master of its own decisions. It is past the hour, and I thought members might wish to go for lunch and then explain in stronger terms their positions with regard to the item under discussion.

188. Mr. KEYES (United States of America): My delegation does not propose to take a position on the

appeal you have just made. However, we do think that it would be important as members think about that appeal to consider the fact that the decision we have just taken, procedural although it may have seemed, was a decision that touched upon the most fundamental principles of our relationships with one another here and of the possible further usefulness of this body as a forum for fair and just discussion.

189. It does seem to us that an issue of this kind is perhaps somewhat more important than our lunches. Perhaps not, since perhaps the attitude expressed in the vote today is one towards the character of the Organization that might suggest that lunch might be of higher priority to many. We do not necessarily subscribe to that view, and that is why we fought against this motion and in favour of certain fundamental principles of fairness.

190. We believe that it is important, given the fact that we had decided such an important issue, for Member States to go on record with their understanding of why they chose to violate those procedures, why they chose to violate those principles or,

on the contrary, why they had the courage to stand up for them.

191. However, as you have suggested and as has been demonstrated today, this General Assembly is indeed the master of its own fate. It will also determine what the character of that fate will be, and I believe that it has taken a step in the wrong direction in that regard today.

The meeting rose at 1.10 p.m.

NOTES

¹The delegation of Colombia subsequently informed the Secretariat that it had intended to vote in favour of the draft resolution.

²The delegation of Colombia subsequently informed the Secretariat that it had intended to vote in favour of the draft resolutions.

³The delegations of Egypt and Yemen subsequently informed the Secretariat that they had intended to vote in favour of the motion and the delegation of Malaysia, that it had intended not to participate in the vote.