United Nations **GENERAL** ASSEMBLY

TWENTY-THIRD SESSION

Official Records

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*Resumed from the 1705th meeting.

PLENARY MEETING

Thursday, 19 December 1968, at 10.30 a.m.

NEW YORK

AGENDA ITEM 58

Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of *apartheid*, in all countries, with particular reference to colonial and other dependent countries and territories: report of the Secretary-General

REPORT OF THE THIRD COMMITTEE (A/7447)

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International Year for Human Rights:

- (a) Measures and activities undertaken in connexion with the International Year for Human Rights: report of the Secretary-General;
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AGENDA ITEM 60

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- (a) Draft Convention on Freedom of Information;
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- Housing, building and planning: report of the Secretary-General
- Town twinning as a means of international co-operation: report of the Economic and Social Council

Elimination of all forms of religious intolerance:

- (a) Draft Declaration on the Elimination of All Forms of Religious Intolerance;
- (b) Draft International Convention on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief
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REPORT OF THE THIRD COMMITTEE (A/7452)

1. Mr. MAHMASSANI (Lebanon), Rapporteur of the Third Committee: I have the honour to present the reports of the Third Committee on agenda items 12, 48, 49, 56, 57, 58, 62, 52, 53, 54 and 61.

2. The first report [A/7448], relating to item 12, contains three draft resolutions submitted to the Committee and which the Committee considered and adopted in two meetings.

3. The Committee recommends to the Assembly the adoption of the following draft resolutions appearing in paragraph 18 of the report. Draft resolution I (United Nations Children's Fund); draft resolution II (International Control of Psychotropic Substances); draft resolution III (Technical Assistance in the Field of Narcotics).

4. The second report [A/7286/Add.1] deals with item 48. The Committee, after having considered in one meeting the draft resolution submitted to it by the Economic and Social Council [A/7244/Add.1, annex] and taking into consideration the suggestion in the Secretary-General's statement of administrative and financial implications [A/C.3/L.1653], revised it and recommends to the General Assembly a draft resolution, set forth in paragraph 7 of the report, on the activities of the United Nations family of organizations in connexion with natural disasters.

5. The third report [A/7388] before the Assembly relates to item 49. I should like first to recall that a preliminary report on the world social situation was first called for in General Assembly resolution 280 (III) of 13 May 1949, and since 1952 reports have been issued at two and three year intervals. The 1967 Report on the World Social Situation¹ was the first of a new triennial series devoted to a review of social conditions and trends in social development in accordance with General Assembly resolution 2215 (XXI) of 19 December 1966.

6. In this connexion members of the Third Committee gave some thought to the periodicity of future reports after 1970. This is reflected in paragraph 11 of the draft resolution before the Assembly.

7. The 1967 report presented in two documents gave sectoral and regional breakdowns respectively. It was the first to provide data on the industrially advanced countries. Also, for the first time, the Committee had before it a report of the Secretary-General [A/7248 and Corr.1] consisting of conclusions and suggestions as requested by General Assembly resolution 2293 (XXII) of 11 December 1967.

8. The Third Committee devoted thirteen meetings to the consideration of item 49. The draft resolution entitled "World social situation", which the Committee recommends to the Assembly, is to be found in paragraph 20 of the report.

9. With regard to item 56, the Committee recommends to the Assembly the adoption of a draft resolution appearing in paragraph 13 of the report [A/7434].

10. On item 57 of the agenda, the Third Committee recommends to the Assembly the adoption of a draft resolution, which appears in paragraph 12 of its report [A/7435], on "Measures to be taken against nazism and racial intolerance".

11. On item 58 of the agenda, because of lack of time, the Committee confined its discussion to two draft resolutions submitted by the Economic and Social Council.

12. The Committee recommends to the Assembly the adoption of two draft resolutions appearing in paragraph 10

1 United Nations publication, Sales No.: E.68.IV.9.

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of the report [A/7447]. Draft resolution I is entitled "Measures for effectively combating racial discrimination, the policies of *apartheid* and segregation in South Africa". Draft resolution II is entitled "Report of the Ad Hoc Working Group of Experts on the treatment of political prisoners in the Republic of South Africa".

13. I also have the honour to present to the Assembly the report [A/7433] of the Third Committee on item 62. The Third Committee devoted twenty-two exceptionally productive meetings to the consideration of that item. The results of the Committee's deliberations on it should, I believe, be a source of satisfaction to all of us. They constitute a wide-ranging record of concrete achievement assuming the form of generally constructive discussions and ten important resolutions, found in paragraph 157 of the report, covering many aspects of the broad spectrum of human rights.

14. In dealing with the first part of item 62 the Committee not only expressed its appreciation to all concerned for the activities undertaken in connexion with the International Year for Human Rights, but also endeavoured to preserve the momentum generated by the Year by inviting Member States to concider its prolongation [see draft resolution I].

15. The consideration by the Committee of the second part of item 62, the International Conference on Human Rights,² provided the opportunity for the formulation of a programme of future activities and objectives in the field of human rights, which was to a considerable extent inspired by the work accomplished, and the actions taken, at that memorable conference. Under the sub-item relating to the Conference, the Committee adopted and recommended to the plenary a general draft resolution [No. II] seeking to ensure that States and the United Nations and its family of organizations will continue and will render more effective the work for the protection of human rights which began at Teheran. At the same time the Committee strengthened the general draft resolution by adopting eight other draft resolutions [Nos. III to X] dealing with timely specific questions or situations concerning human rights. These particular draft resolutions, taken as a whole, demonstrate the spirit of grave concern over the persistence of violations of human rights, as well as the forward-looking thinking which characterized the labours of the Committee in this instance.

16. The specific draft resolutions relate to the following:

(1) Respect for, and implementation of, human rights in occupied territories;

(2) Human rights in armed conflicts;

(3) Teaching in schools of the purposes and principles and the structure and activities of the United Nations and the specialized agencies, with particular reference to human rights;

(4) Measures to achieve rapid and total elimination of all forms of racial discrimination in general, and of the policy of *apartheid* in particular;

(5) Education of youth in the respect for human rights and fundamental freedoms;

(6) Freedom of information;

(7) Legal aid;

.(8) Human rights and scientific and technological development.

17. In all, it can be said that the series of draft resolutions which the Committee proposes for adoption under item 62, offers proof of the Committee's leadership and, in some instances, pioneering approach.

18. The Committee could not, owing to lack of time, consider the following agenda items: 52 (Housing, building and planning), 53 (Town twinning as a means of international co-operation), 54 (Elimination of all forms of religious intolerance) and 61 (Status of the International Covenants on Human Rights). It therefore decided, as stated in its report [A/7452], to recommend to the Assembly the deferment of these items to the twenty-fourth regular session. The Committee also decided to recommend that high priority be given at the twenty-fourth regular session to the consideration of item 54.

19. In connexion with agenda item 60, the Committee, in adopting draft resolution VIII (Freedom of information) under item 62 [see A/7433, para. 157] decided, pending completion of the draft convention on freedom of information, to give priority at the twenty-fourth session to the consideration and adoption of the draft declaration on freedom of information.

20. In connexion with item 90 of the agenda the Committee, in adopting under agenda item 62 draft resolution V (Teaching in schools of the purposes and principles and the structure and activities of the United Nations and the specialized agencies, with particular reference to human rights), disposed of item 90 [ibid.].

21. Since this is the last report of the Third Committee which I shall be introducing to the General Assembly, may I be allowed to conclude by saying a few words of appreciation to the members of the Secretariat who helped make the work of the Committee a success. I should like in particular to express my profound appreciation to Mr. Marc Schreiber, the Director of the Division of Human Rights from whose rich experience, knowledge and dedication to the work of the United Nations in the field of human rights, the Committee had drawn and benefited immensely.

22. My special thanks to Mr. Ilhan Lütem who was at all times available for advice and assistance, and whose ability and valuable contributions to our work are highly acknowledged. My thanks to Mrs. Margaret Bruce for her co-operation and help. The work and achievements of Mr. Chafic Malek, the eminent jurist from the Legal Counsel, ought to be fully recognized. Finally, may I pay tribute to Miss Landerer, Mr. Ghoneim, Mr. Zoupanos, Mr. Landau, Mr. Landor, Mr. Lee and the many others with whom I had the pleasure of working.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Third Committee.

² Held in Teheran from 22 April to 13 May 1968.

23. The FRESIDENT: The items before the Assembly, as Members are aware, have been debated at length in Committee. May I therefore take the liberty of seeking the co-operation of Members of the General Assembly in asking them to make their statements as brief as possible and to confine those statements, as has been decided, to explanations of vote before or after the vote.

24. The General Assembly will first consider the report of the Third Committee [A/7448] relating to chapters of the report of the Economic and Social Council (agenda item 12) which were referred to the Committee. Does any representative wish to explain his vote on any of the three draft resolutions recommended by the Third Committee?

25. As no member wishes to explain his vote the Assembly will now take a decision on the recommendation of the Third Committee appearing in paragraph 18 of its report.

26. Draft resolution I was adopted unanimously by the Third Committee. May I take it that the Assembly also adopts it unanimously?

Draft resolution I was adopted unanimously [resolution 2432 (XXIII)].

27. The PRESIDENT: Draft resolution II was adopted unanimously by the Third Committee. May I take it that it is the wish of the Assembly also to adopt it unanimously?

Draft resolution II was adopted unanimously [resolution 2433 (XXIII)].

28. The PRESIDENT: Since draft resolution III was adopted unanimously by the Third Committee, may I consider that the General Assembly likewise adopts it unanimously?

Draft resolution III was adopted unanimously [resolution 2434 (XXIII)].

29. The PRESIDENT: That concludes our consideration of the chapters of the report of the Economic and Social Council (agenda item 12) which were considered by the Third Committee.

30. The next report of the Third Committee [A/7286/Add.1] is on agenda item 48. Since no representative has asked to be allowed to speak in explanation of vote, the Assembly will now pronounce itself on the draft resolution recommended by the Third Committee in paragraph 7 of its report. The Fifth Committee has submitted a report [A/7457] on the administrative and financial implications of this draft resolution. As this draft resolution was adopted unanimously in the Third Committee, may I take it that the Assembly also adopts it unanimously?

The draft resolution was adopted unanimously [resolution 2435 (XXIII)].

31. The PRESIDENT: That concludes our consideration of agenda item 48.

32. We now pass on the the next report of the Third Committee [A/7388] which relates to agenda item 49.

33. I shall call upon those representatives who wish to explain their votes before the vote.

34. Miss NAIDU (India): My delegation would like to state that, as it did in the Third Committee, it will vote in favour of the draft resolution on the world social situation [A/7388, para. 20].

35. We feel that the draft resolution recommended by the Third Committee is of great significance particularly in view of the fact that it recommends through the members of the United Nations several guidelines to be incorporated in their national plans, programmes and research—social as well as economic—objectives and targets. We hope that the draft resolution will prove to be an effective effort by the United Nations in assisting the Member States in identifying clearly the current problems in the social field and will help them in planning objectively for their solution.

36. Equally significant is operative paragraph 2, in which the General Assembly

"Recommends to Member States to advocate and implement policies aimed at the elimination of colonialism, racial discrimination, *apartheid* and any kind of exploitation of man, all of which hinder social progress and development".

37. Yet another significant paragraph is operative paragraph 4, through which the General Assembly:

"Calls upon the economically advanced Member States which have not yet reached the target fixed in United Nations Conference on Trade and Development resolution 27 (II) of 28 March 1968 on aid volume targets to make every effort to reach it as soon as possible, so that the problems of social development can be dealt with appropriately in co-ordination with the solution of the problems of economic development".

38. My delegation had pointed out in the Third Committee that the gap between the rich and the poor nations has further widened. That fact has been highlighted in almost all economic forums of the United Nations and need not therefore be elaborated before this Assembly.

39. It will be only appropriate for the international community to realize the seriousness of the poverty and want of the poorer nations, and to make a sincere effort to reach the aid volume target fixed in the United Nations Conference on Trade and Development resolution 27 (II) of 28 March 1968.

40. The PRESIDENT: The Assembly will take a decision on the draft resolution recommended by the Third Committee in paragraph 20 of its report [A/7388].

The draft resolution was adopted by 109 votes to none, with 2 abstentions [resolution 2436 (XXIII)].

41. The PRESIDENT: That concludes our consideration of agenda item 49.

42. We shall turn to the Third Committee's report [A/7434] on agenda item 56. Since there are no explanations of vote, the Assembly will take a decision on the

draft resolution recommended by the Third Committee in paragraph 13 of its report.

The draft resolution was adopted by 83 votes to 15, with 16 abstentions [resolution 2437 (XXIII)].

43. The PRESIDENT: That concludes our consideration of agenda item 56.

44. The Assembly will take up the report [A/7435] of the Third Committee on agenda item 57. I invite the Assembly to pronounce itself on the draft resolution whose adoption the Third Committee recommends in paragraph 12 of its report.

The draft resolution was adopted by 111 votes to 1 [resolution 2438 (XXIII)].

45. The PRESIDENT: I call on the representative of the Union of Soviet Socialist Republics for an explanation of vote.

46. Mr. NASINOVSKY (Union of Soviet Socialist Republics) (translated from Russian): The Soviet delegation voted in favour of the resolution on measures to be taken against nazism and racial intolerance [resolution 2438 (XXIII)]. This question, because of its importance and urgency, occupies a special place in the work of the United Nations. It is concerned with measures against the resurgence of those forces which, once already, have plunged the world into the abyss of a world war costing tens of millions of human lives, and against the resurgence of the forces of nazism, to the struggle against, and defeat of which this Organization owes its foundation and very existence.

47. In founding the United Nations, the peoples of the United Nations, who made such great sacrifices in the struggle against Hitlerite fascism, expressed their firm resolve to establish a world system in which nazism did not, and could not, have any place. This is the basis of the Charter of the United Nations and of a number of special decisions, taken both during the early years of the Organization and quite recently, and finding expression in a large number of resolutions of the United Nations and of the International Conference on Human Rights.

48. A year ago, the General Assembly adopted a resolution entitled "Measures to be taken against nazism and racial intolerance" [resolution 2331 (XXII)]. In this resolution the General Assembly confirmed once again that nazism is incompatible with the purposes of the Charter of the United Nations, the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination and other international instruments. The Assembly stressed at that time the need to take measures to halt nazi activities wherever they occur. It resolutely condemned any ideology, including nazism, which is based on racial intolerance and terror as a gross violation of human rights and fundamental freedoms, and called upon all States to take immediate and effective measures against any such manifestations of nazism and racial intolerance.

49. Subsequent events have shown, however, that the measures called for by the General Assembly, on behalf of

the United Nations, have not in fact been taken, particularly in Western Germany. The Federal Republic of Germany has not carried out and is not carrying out the decisions of the United Nations on halting the resurgence of nazism. As a result, the dangerous intrigues of nazi forces in Western Germany are not only still continuing but have markedly increased. The neo-nazi party, which calls itself the National Democratic Party, is still gaining strength and making a bid for power. This party has become a centre around which diehard adherents of the fascist ideology have grouped themselves, cherishing dreams of revenge for their defeat in the war. More than one third of the members of the National Democratic Party were formerly members of the Hitlerite fascist party, and former nazis constitute the overwhelming majority in its central organs.

50. The programme of the neo-nazis has been taken over largely from the Hitlerite National Socialist Party. The demands of the National Democratic Party are centred on the redrawing of the European frontiers and the seizure of foreign territory. The leaders of the National Democratic Party openly propound the slogan of the creation of a Greater Germany, which would encroach upon the territory of more than ten European countries.

51. It is quite clear that all this confronts the United Nations with the urgent need to take new, more energetic and more efficacious measures for effectively halting the resurgence of nazism. The need for such measures was recognized in the decisions of the International Conference on Human Rights, held in Teheran. The participants in the Conference could not fail to realize that, in spite of the resolution adopted by the General Assembly in December 1967 on measures to be taken against the resurgence of nazism, the activities of the neo-nazi forces in Western Germany have continued on steadily increasing scale.

52. It is for this reason that, in 1968, in the resolution on measures to be taken against nazism and racial intolerance, the General Assembly not only confirms its condemnation of nazism and calls upon States to take measures with a view to its eradication, as required by the resolution it adopted in 1967, but also provides for new measures to combat nazism, including the outlawing of groups and organizations which are disseminating propaganda for nazism and racism and advocating such policies, and their prosecution in the courts.

53. In connexion with the discussion of this item and the resurgence of nazi and neo-nazi forces in the Federal Republic of Germany, we should like to refer to the declaration of 2 October 1968 which the Government of the German Democratic Republic has addressed to the twenty-third session of the General Assembly concerning the consideration of this item [A/C.3/610]. This declaration contains the following passage: "The German Democratic Republic has met its obligations under the Potsdam Agreement. This is unequivocally expressed in article 6 of its Constitution adopted by plebiscite on 6 April 1968". This article states specifically that the "German Democratic Republic, faithful to the interests of the German people and the international obligations of all Germans, has eradicated German militarism and nazism from its territory once and for all" / ibid., p. 2].

54. It is the duty of the United Nations to ensure that nazism is eradicated from the other German State, namely,

the Federal Republic of Germany, and from all other countries where this danger exists.

55. The Soviet delegation is convinced that the adoption by the General Assembly of effective decisions and, in particular, of the resolution that has just been approved constitutes a major contribution to the struggle against the resurgence of neo-fascism and revanchism, which are a serious threat to the peace and security of peoples.

56. The PRESIDENT: That concluded our consideration of agenda item 57.

57. The next report of the Third Committee [A/7447] relates to agenda item 58. The two draft resolutions submitted by the Committee appear in paragraph 10 of the report.

58. A separate vote has been requested on the seventh preambular paragraph and on operative paragraphs 5 and 6 of draft resolution I. If there is no objection I shall put them to the vote in the order in which they appear in the draft resolution.

59. I call on the representative of the Ukrainian Soviet Socialist Republic on a point of order.

60. Mr. KRAVETS (Ukrainian Soviet Socialist Republic) (translated from Russian): The seventh preambular paragraph and operative paragraphs 5 and 6 of the draft resolution on which we are about to vote were voted on separately in the Third Committee. At that time, the delegation of the Ukrainian Soviet Socialist Republic requested a roll-call vote on operative paragraphs 5 and 6. We should like to ask for a similar vote on this occasion. Since we can use the mechanical voting equipment, we would request a recorded vote on operative paragraphs 5 and 6 [A/7447, para. 10].

61. The PRESIDENT: I shall put to the vote the seventh preambular paragraph of draft resolution I.

The seventh preambular paragraph was adopted by 71 votes to 24, with 19 abstentions.

62. The PRESIDENT: We shall proceed to vote on paragraph 5. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Barbados, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Chad, Colombia, Congo (Brazzaville), Congo (Democratic Republic of), Cyprus, Czechoslovakia, Dahomey, Ecuador, Equatorial Guinea, Gambia, Ghana, Guinea, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Liberia, Libya, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Southern Yemen, Sudan, Syria, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zambia. Against: Australia, Austria, Belgium, Bolivia, Brazil, Canada, Denmark, Finland, France, Greece, Iceland, Ireland, Italy, Lebanon, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Peru, Portugal, South Africa, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Argentina, Ceylon, Chile, China, Costa Rica, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Israel, Ivory Coast, Japan, Lesotho, Madagascar, Malaysia, Maldive Islands, Mauritius, Panama, Paraguay, Thailand, Turkey.

Operative paragraph 5 of draft resolution I was adopted by 67 votes to 26, with 22 abstentions.

63. The PRESIDENT: We shall proceed to vote on operative paragraph 6. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Barbados, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Chad, Colombia, Congo (Brazzaville), Congo (Democratic Republic of), Costa Rica, Cyprus Czechoslovakia, Dahomey, Ecuador, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Liberia, Libya, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Sudan, Syria, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Australia, Austria, Belgium, Bolivia, Brazil, Canada, Denmark, Finland, France, Greece, Haiti, Honduras, Iceland, Ireland, Italy, Lebanon, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Peru, Portugal, South Africa, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Argentina, Ceylon, Chile, China, Dominican Republic, El Salvador, Guatemala, Israel, Ivory Coast, Japan, Lesotho, Malaysia, Maldive Islands, Mauritius, Panama, Paraguay, Thailand, Turkey.

Operative paragraph 6 of draft resolution I was adopted by 69 votes to 28, with 18 abstentions.

64. The PRESIDENT: The General Assembly will now vote on the draft resolution as a whole.

Draft resolution I as a whole was adopted by 89 votes to 4, with 25 abstentions [resolution 2439 (XXIII)].

65. The PRESIDENT: The Assembly will vote on draft resolution II.

Draft resolution II was adopted by 110 votes to 2, with 1 abstention [resolution 2440 (XXIII)].

66. The PRESIDENT: That concludes consideration of agenda item 58.

67. The Assembly will consider the report [A/7433] of the Third Committee on agenda item 62.

68. I shall give the floor to those representatives who wish to explain their votes before the vote.

69. Miss MARTINEZ (Jamaica): The Jamaican delegation has asked for the floor to explain its vote in respect of draft resolution VI annexed to the report of the Third Committee on agenda item 62, "International Year for Human Rights".

70. Jamaica proposes to vote in favour of draft resolution VI. We do so in the same spirit in which we supported resolution VIII of the International Conference on Human Rights, which dealt with substantially the same issues, as a pledge of Jamaica's support of the struggle for self-determination and independence, as a sign of our repugnance to the policy of *apartheid*, and indeed to all forms of racial discrimination.

71. In supporting the Third Committee's draft resolution VI, however, my delegation wishes to express a considerable reservation regarding the provisions in operative paragraphs 4 and 5. Our gravest and most painful concern today in the struggle against colonialism is with reference to the region of southern Africa, for it is in this region that the denial of the right to self-determination and independence is assuming a most inhuman form. Jamaica recognizes the legitimacy of the struggle against the oppressive colonial régimes in southern Africa. It was, in fact, my delegation which put forward at the Teheran Conference the proposal, adopted as resolution IV, that captured freedom fighters in that region should be treated in accordance with the Geneva Conventions. But we do not believe that the just cause of the African peoples will be strengthened by extending the provisions of the draft resolution to territories in which they are largely irrelevant and, in many cases, quite meaningless.

72. The PRESIDENT: We shall proceed to the vote, but before doing so, in the interests of orderly procedure, may I request representatives who wish to explain their votes kindly to do so after the ten draft resolutions have been voted upon.

73. The Assembly will take a decision on the recommendation of the Third Committee contained in paragraph 157 of its report [A/7433]. The Fifth Committee has submitted a report [A/7458] on the administrative and financial implications of draft resolutions I, III and IV.

74. I invite the General Assembly to vote on draft resolution I.

Draft resolution I was adopted by 110 votes to none, with 9 abstentions [resolution 2441 (XXIII)].

75. The PRESIDENT: We turn to draft resolution II.

Draft resolution II was adopted by 115 votes to none, with 1 abstention [resolution 2442 (XXIII)].

76. The PRESIDENT: We turn to draft resolution III. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Central African Republic,* Ceylon, China, Congo (Brazzaville), Congo (Democratic Republic of), Cuba, Cyprus, Czechoslovakia, Gabon,** Ghana,* Greece, Guinea, Guyana, Hungary, India, Indonesia, Iran, Iraq, Japan, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Maldive Islands, Mali, Mauritania, Mongolia, Morocco, Nepal, Nigeria, Pakistan, Poland, Romania, Saudi Arabia, Senegal, Somalia, Southern Yemen, Spain, Sudan, Syria, Thailand,* Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta,* Yemen, Yugoslavia, Zambia.

Against: Australia, Bolivia, Botswana, Dahomey, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Gambia, Israel, Ivory Coast, Lesotho, Liberia, Madagascar, Mauritius, Nicaragua, Panama, Paraguay, Peru, Swaziland, Togo, United States of America.

Abstaining: Argentina, Austria, Barbados, Belgium, Brazil, Burma, Cameroon, Canada, Chad, Chile, Colombia, Denmark, Finland, France, Guatemala, Haiti,** Honduras, Iceland, Ireland, Italy, Jamaica, Luxembourg, Malawi,** Mexico, Netherlands, New Zealand, Niger, Norway, Philippines, Portugal, Rwanda, Sierra Leone, Singapore, Sweder, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, Uruguay.

Draft resolution III was adopted by 60 votes to 22, with 37 abstentions [resolution 2443 (XXIII)].

77. The PRESIDENT: We turn to draft resolution IV.

Draft resolution *IV* was adopted by 111 votes to none [resolution 2444 (XXIII)].

78. The PRESIDENT: We turn to draft resolution V.

Draft resolution V was adopted by 105 votes to none, with 12 abstentions [resolution 2445 (XXIII)].

79. The PRESIDENT: We turn to draft resolution VI.

80. A separate vote has been requested on operative paragraph 7.

Operative paragraph 7 of draft resolution VI was adopted by 64 votes to 28, with 21 abstentions.

81. The PRESIDENT: I shall now put draft resolution VI as a whole to the vote.

Draft resolution VI as a whole was adopted by 83 votes to 5, with 28 abstentions [resolution 2446 (XXIII)].

^{*}The representatives of Central African Republic, Ghana, Thailand and Upper Volta subsequently indicated that they wished to be recorded as having abstained on the vote on draft resolution III (see paras. 127, 120, 132 and 119, respectively, of this meeting).

^{**}The representatives of Gabon, Haiti and Malawi subsequently indicated that they wished to be recorded as having voted against draft resolution III (see paras. 139, 136 and 121, respectively, of this meeting).

82. The PRESIDENT: We turn to draft resolution VII.

Draft resolution VII was adopted by 118 votes to none [resolution 2447 (XXIII)].

83. The PRESIDENT: I put to the vote draft resolution VIII.

Draft resolution VIII was adopted by 95 votes to 8, with 12 abstentions [resolution 2448 (XXIII)].

84. The PRESIDENT: Draft resolution IX was adopted unanimously in the Third Committee. May I take it that the General Assembly also adopts it unanimously?

Draft resolution IX was adopted unanimously [resolution 2449 (XXIII)].

85. The PRESIDENT: As the tenth and last draft resolution recommended by the Third Committee under agenda item 62 was adopted unanimously in the Third Committee, may I take it that the General Assembly also adopts that draft resolution unanimously?

Draft resolution X was adopted unanimously [resolution 2450 (XXIII)].

86. The PRESIDENT: I call on the representatives who wish to explain their vote.

87. Mr. VALDIVIESO (Peru) (translated from Spanish): The delegation of Peru voted against draft resolution III, which establishes a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, composed of three Member States, because, in our opinion, it prejudges alleged violations of human rights which are said to have been committed by the authorities of the State of Israel in the territories occupied by that country as a result of the last conflict in the Middle East. My delegation considers that, in any event, the Special Committee's function should be clearly specified as investigatory.

88. The operative part of the resolution is affected by the fact that the preambular paragraphs are drafted in positive form and present as true certain accusations whose accuracy should have been previously confirmed.

89. My delegation believes that the establishment of this Special Committee will not help to relieve the tense situation in that part of the world, and that its presence there will, on the contrary, aggravate the differences which regrettably divide the Arab and Israeli peoples.

90. We consider the wording of operative paragraph 4, which requests the Special Committee to report to the Secretary-General as soon as possible and whenever the need arises thereafter, to be particularly prejudicial. This wording clearly implies that the intention is to make the Special Committee a permanent body which, I repeat, will certainly produce provocative situations. My country has always been opposed to this type of committee, whose investigatory nature wounds the sensibilities of the States it visits.

91. My delegation felt obliged to vote against draft resolution VI purely for a reason of principle, since it

considers that operative paragraph 7 of the draft resolution which has just been adopted confers on the General Assembly powers which, as we interpret the Charter, are solely within the competence of the Security Council.

92. The Peruvian delegation believes that the Security Council is the only organ of the United Nations that is expressly empowered to "call upon" the Government of Member States to apply measures that include the severance of diplomatic relations. In this connexion it is only necessary to read, under Chapter VII of the Charter entitled "Action with respect to threats to the peace, breaches of the peace, and acts of aggression", Article 41, which states very clearly:

"The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail ... communication, and the severance of diplomatic relations."

93. Moreover, Article 14 of the Charter states that the General Assembly

"... may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations".

94. It is a situation similar to that described in the last part of Article 14 that has given rise to the resolution just adopted. That is why the present situation is covered by the terms of Article 14, under which, as we have just seen, the General Assembly "may recommend measures for the peaceful adjustment of any situation, regardless of origin".

95. My delegation considers that, having regard to this Article, which reflects the peaceful approach of the Charter and of those who drafted it, the General Assembly should refrain from recommending measures which imply any departure from that approach; in its view, the Assembly is acting unwisely in requesting, recommending or calling for the severance of any kind of relations.

96. The Peruvian delegation has heard interpretations of Article 10 of the Charter according to which that Article empowers the Assembly to proceed as it has repeatedly done. Without embarking upon any argument on this point, which would not be appropriate in an explanation of vote, my delegation nevertheless wishes to point out that Article 10 specifically states that "except as provided in Article 12," the Assembly "may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters."

97. Now, Article 12 (1) categorically states that:

"While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make"—I repeat, "shall not make"—"any recommendation with regard to that dispute or situation unless the Security Council so requests."

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98. Yet the very matters referred to in the resolution of which I am now speaking, namely, resolution VI, are under consideration by the Security Council, which has made no request to the General Assembly concerning them. It is these various considerations that explain and justify my delegation's negative vote.

99. Mrs. ESHEL (Israel): The Israel delegation wishes briefly to explain its vote against resolution III the text of which was distributed only during this meeting. In doing so, I wish to recall the full statement of my delegation's position at the 1631st meeting of the Third Committee. The resolution, since its origination in the Teheran Conference, has been motivated exclusively by political and propaganda considerations and is far from being the humanitarian resolution it purports to be.

100. The obvious political character of the proposal was made unequivocally clear at the 1632nd meeting of the Third Committee when the representative of the United Arab Republic, by moving closure, prevented proper discussion of the matter. In Teheran there was built into this resolution the suggestion of a committee of inquiry and a prejudgement of the results of the proposed inquiry. That same prejudgement was unashamedly repeated in the preamble to the present resolution.

101. In addition to that fatal defect, there is the further one that the resolution completely ignores the tragic plight of the Jewish civilians in the area of hostilities who, to this very day, are being persecuted, maltreated and deprived of their fundamental freedoms and human rights in the wake of the June 1967 war. Their situation cries out for the concern of the international community far more than the situation of the Arab inhabitants in Israel-held territories. In the latter case the Israel authorities are fully ensuring the safety, welfare and security of the Arab inhabitants.

102. My delegation cannot support a discriminatory resolution of this nature which supposedly deals with human rights by actually denying them. We protest against the deliberate attempt to ignore the suffering of the Jewish community which was originally included in the mandate of the humanitarian mission to the Middle East and only later was excluded as the result of the Arab countries' conditions, pressures and objections.

103. Compare the record of Israeli-administered territories, which are open to thousands of visitors, newspapermen, diplomats, politicians, ministers of religion and others from all over the world—including thousands of Arab visitors from neighbouring countries who visit those territories—compare that record with that of the Arab countries, denying all access to and outside scrutiny of the helpless Jewish victims in their midst. For those reasons my Government rejects this resolution outright as being onesided and tainted with discrimination.

104. Furthermore, it is prejudicial to the effort being made under the auspices of the Security Council to bring about a just and lasting peace in the Middle East. It is simply calculated to introduce another complication into an already sensitive and complex situation.

105. My delegation has been gratified to note that the great majority of impartial Member States which maintain

normal relations with both Israel and the Arab countries have refused to support the proposal, while most of those supporting it, which are not themselves Arab States, have consistently identified themselves with the policies of the Arab States. The number of its supporters is less than one half of the Members of the Organization; therefore the resolution reflects a minority point of view and cannot be regarded as a general expression of United Nations opinion.

106. Mrs. NØRTHEN (Denmark): The delegations of Iceland, Norway and Denmark abstained from voting on resolution VIII on freedom of information, now adopted by the General Assembly in accordance with the recommendation contained in the report of the Third Committee [A/7433]. I want briefly to explain why.

107. The unrestrained communication of thought and opinion, which as long ago as the 1789 French Revolution was stated to be one of the most precious rights of man, has for more than a century been a guaranteed freedom in our countries. Our Constitutions explicitly provide for freedom of information. The three Governments are very much aware of the importance and necessity in a true democracy of strong and free information media, and are therefore also in favour of practical measures to promote freedom of information, which should have been the main object of the present resolution.

108. Much to our regret, the text as it stands does not, to our mind, serve that purpose. Notwithstanding the good intentions behind the resolution, we cannot withhold the observation that attempts from Governments to interfere with the substance of communications and comments by the media of information is, by definition, interference with the very freedom of information. The dangers inherent in any trend in that direction must be obvious. Therefore, as experience also has shown, difficulties will inevitably arise if the international community tries to formulate rules governing the responsibility and duties of the media of information. That is why our Governments maintain their scepticism towards a convention in this field and also their reservations with regard to the reference to the convention in this resolution.

109. Independence is a quality desirable in all media of information, and we admit that the existence of monopolies may in some cases jeopardize the objectivity of the information sought and given. However, our Governments cannot endorse the unqualified wording of the eighth preambular paragraph. In each of our countries there is one independent public institution which has a monopoly of all sound and television broadcasting. I shall-not elaborate on why we have chosen this system, but we certainly cannot accept the idea that it should form an obstacle to economic and social progress and prevent freedom of information. As a matter of fact, there is considerable evidence that exactly the opposite has been the case.

110. Mr. RIBEIRO (Uruguay) (translated from Spanish): My delegation abstained from voting on draft resolution III for a number of reasons, which we shall-explain briefly. Some are directly related to my country's unswerving policy with respect to human rights, wherever those rights may be threatened and no matter who tries to violate the elementary rules of normal, peaceful coexistence. 111. The nature of our thinking and arguments are closely bound up with the proposal for the appointment of a special United Nations Commissioner for Human Rights, an Uruguayan proposal, which time and events are daily proving to be increasingly urgent.

112. A number of reasons coinciding with our traditional attitude also make it impossible for us to vote in favour of this draft resolution owing to its highly political nature and the fact that it is concerned exclusively with the State of Israel, although there have been thousands of accusations of violations of human rights in other countries, for which similar treatment is not requested. Moreover, operative paragraph 1 prejudges the situation by assuming the perpetration of inhuman acts, which should first have been investigated and duly proved.

113. Mr. SAYEGH (Kuwait): My delegation has voted for all ten resolutions recommended by the Third Committee under the present item, but I have asked for the floor to explain the vote of my delegation in relation to the third resolution recommended by the Committee. We have voted for this resolution concerning respect for and implementation of human rights in the occupied territories on three understandings, the first of which is that the urgency of the violations of human rights in the occupied territories will prompt the Presidency of the Assembly to expedite the composition and the appointment of the members of the Special Committee on which the Assembly has now resolved, and that the Special Committee will begin its task of investigating the conditions of human rights in the occupied territories as soon as possible, and will submit its report as requested as soon as possible.

114. The second understanding is inspired by paragraph 4 of the resolution which we have just adopted and which clearly indicates that the Special Committee will continue to have its present mandate and be charged with the investigation of the conditions of human rights in the occupied territories as long as occupation lasts or until it is formally relieved of its task by a formal resolution of the General Assembly.

115. The third understanding is that the Special Committee entrusted with investigating the condition of human rights in the occupied territories will utilize all the practices established thus far by the President of the United Nations in relation to investigating committees of this nature.

116. Should it be, contrary to paragraph 3, deprived of the co-operation of the occupation authorities, it should not feel that its investigative functions cannot be implemented. There are other media to which it could resort, as other investigating committees of the United Nations have done in the past—and we trust that this Committee will resort to them too—such as listening to testimony, receiving petitions, studying legislation and enactments of the occupying authorities, and otherwise studying proclamations made by the occupying Powers and reports about measures of the occupying Powers in the occupied territories.

117. The Assembly has adopted a humanitarian resolution and, contrary to the arithmetical acrobatics, we are gratified to say that more than three quarters of the Members present and voting have supported resolution III recommended by the Committee. 118. Mr. SANON (Upper Volta) (translated from French): I should like to say that my delegation was very gratified that all the recommendations of the Third Committee were adopted by the General Assembly. I also wish to take this opportunity to express to Mr. Mahmassani, the Rapporteur, our appreciation of the vast amount of work to be accomplished in record time.

119. However, the speed with which the Assembly voted on these various recommendations created a certain amount of confusion for my delegation during the vote on resolution III, entitled "Respect for and implementation of human rights in occupied territories". When the Third Committee took a vote on this subject and on the relevant draft resolution, my delegation abstained. I wish to say that our vote in favour of this draft resolution this morning should be regarded as an abstention. We hope that the competent services will make the necessary correction.

120. Mr. NAMON (Ghana): I should like to inform you that the mind of the Ghana delegation was not co-ordinated with its needs on the voting for draft resolution III. In other words, we meant to abstain instead of pressing the "yes" button, and I should be grateful if you would make the necessary correction.

121. Mr. MWASINGA (Malawi): Malawi's vote on draft resolution III should read "no".

122. Mr. TOMEH (Syria): My delegation wants, first of all, to address its thanks and appreciation to the Rapporteur of the Third Committee, and to say that it voted on all ten resolutions. With specific reference to draft resolution III, my delegation voted in the affirmative because the Security Council had already voted unanimously on resolution 237 (1967) of 14 July 1967 and resolution 2252 (ES-V) of 4 July 1967 was adopted by an overwhelming majority of the General Assembly. Resolution 259 (1968), recalled in preambular paragraph 4 of resolution III, was adopted in the Security Council by 12 votes in favour with none against.

123. All these considerations have prompted my delegation not only to cast its vote in the affirmative but also to affirm that all those previous resolutions—which have been adopted, either unanimously or with an overwhelming majority—referred to as the humanitarian resolutions have all been rejected by the Government of Israel, and for the same reasons that we have heard today from the representative of the occupying authorities.

124. The issue is not prejudged. That violations of human rights are taking place in the occupied territories has been proved by documents of the United Nations. I refer in particular to the note submitted by the Secretary-General to the Teheran Conference, transmitting the report to the Conference of the Commissioner-General of UNRWA for Palestine Refugees, which is now an official document of the Third Committee and the General Assembly [A/C.3/L.1636].

125. I also refer to the report itself in which it is established beyond any doubt that violations in the occupied territories and against the Arab refugees in the areas of the hostilities have taken place. It is clearly stated that refugee camps have been emptied of the refugees and that schools have been destroyed; and it is only too urgent and too necessary that the General Assembly should form that Committee so that it may investigate the situation in the occupied areas.

126. As I stand here, the violations of human rights in the occupied territories continue, in spite of all the humanitarian resolutions adopted unani...ously either by the General Assembly or by the Security Council and just two days ago, the Israeli occupying authorities, in an attack on Jordan, used napalm bombs against the civilian population, which in itself constitutes a war crime.

127. Mr. FARABA (Central African Republic) (translated from French): The delegation of the Central African Republic voted in favour of draft resolution III, concerning respect for and implementation of human rights in the occupied territories. In point of fact we wished to abstain, and I would therefore request you, Mr. President, to see that the necessary correction is made.

128. Mr. PAOLINI (France) (translated from French): Despite the humanitarian intentions of draft resolution III on respect for and implementation of human rights in the occupied territories, my delegation was unable to support this proposal. We abstained from the vote not for political, but for legal and technical reasons. We consider that Article 12 of the Charter of the United Nations does not permit the General Assembly to make a recommendation on a dispute or situation which is before the Security Council.

12 Draft resolution III is also at variance with Security Council resolution 259 (1968) on the dispatch, to the occupied territories, of a Special Representative of the Secretary-General to deal with humanitarian questions. It is for these reasons that my delegation abstained.

130. Miss HLASS (Jordan): Subsequent to the debate in the Third Committee on the violations of human rights in the occupied territories, important events have happened in the area relevant to the discussion. To supplement my previous statement on this question, my delegation finds it more imperative and more necessary that the Assembly today should have adopted the resolution in this question which calls for the investigation of violations of human rights in the occupied territories.

131. May I be allowed to read to representatives a resolution which was adopted on 9 December 1968 by the Arab Regional Conference on Human Rights, held in Beirut, Lebanon, from the 2nd to the 10th December and I find this resolution relevant to the question which we have just been discussing. The resolution reads:

"The Arab Regional Conference on Human Rights views with grave concern and anxiety the arrest by Israel authorities of three Arab women in the city of Jerusalem. Mrs. Rouhi El-Khatib, wife of the Mayor of Jerusalem, Mrs. Tewfik Al-Husseini and Mrs. Najla Al-Naboulsi have been sentenced, without trial, to three months' imprisonment and were denied their legitimate right to defend themselves.

"These Israel measures, taken against women who were merely exercising their lawful national duty to resist the Israel occupation of their homeland, violate both human rights and private and public law.

"The Conference draws the attention of the world to the seriousness of these flagrant violations by Israel of the basic principles of the United Nations Charter, the Universal Declaration of Human Rights and international law. It appeals to the United Nations, the International Red Cross, and all juridical bodies and women's organizations to recognize the right of the Palestinians to resist the continuous Israel oppression and urges them to take effective and speedy measures to ensure the release of the said Palestinian women.

"The Conference requests that this resolution be brought to the attention of the Secretary-General of the United Nations and all other concerned bodies."³

132. Mr. KAOSAYANADA (Thailand) (translated from French): I wish to request a correction of my delegation's vote on resolution III concerning respect for and implementation of human rights in the occupied territories. It was my delegation's intention to abstain.

133. Mr. ABED (Algeria) (translated from French): I should like, very briefly, to explain the Algerian delegation's vote on draft resolution III.

134. We are glad that that draft resolution has, with our support, been adopted by the General Assembly, and are grateful to those who have upheld equity and respect for human rights. However, my delegation notes that the representative of the Tel Aviv authorities has stated, intentionally or unintentionally, from this rostrum, that the votes of sixty countries do not reflect unanimous international opinion.

135. This kind of statement reveals the contempt of the representatives of the Tel Aviv authorities for countries devoted to equity and justice. Once again that representative has demonstrated to us, by her words from this rostrum, what side she is on. Algeria, for its part, has understood that Israel is simply an extension of the colonial canker which has invaded the heart of the Arab countries, they ask only for a life of peace and progress.

136. Mr. VERRET (Haiti) (translated from French): I have asked for the floor to request a correction. The delegation of Haiti abstained from voting on draft resolution III, whereas it in fact intended to vote against it. I would therefore request that our vote should be recorded as a negative vote.

137. The PRESIDENT: As there have been some points raised regarding the voting of some delegations, I call upon the Under-Secretary-General for General Assembly Affairs to make a statement.

138. Mr. NARASIMHAN (Under-Secretary-General for General Assembly Affairs): Several delegations have explained that errors were made by them in casting their votes on some of the resolutions. That is readily understandable, since we have had to take a large number of votes this

³ Official Records of the Security Council, Twenty-third Year, Supplement for October, November and December 1968, document S/8930.

morning. Under our rules and our practice it is not possible to rectify a vote after it has been cast, but all the statements that have been made with regard to the real intentions of the delegations will of course appear in the verbatim record.

139. Mr. N'DIAYE (Gabon) (translated from French): The delegation of Gabon would like to correct its vote on the draft resolutions relating to agenda item 62. We wished to vote against, and not in favour of, those resolutions. I should like to thank you in advance for making this correction.

140. The PRESIDENT: In the light of the information given by the Under-Secretary-General, the proper notation will be made of the statement just made by the representative of Gabon.

141. I should like to inform the Assembly that in draft resolution III, just adopted, the President is requested to appoint a special committee of three Member States to investigate Israeli practices affecting the human rights of the population of the occupied territories. I have been asked to state that the President of the Assembly is aware of this responsibility.

142. This concludes our consideration of agenda item 62.

143. In connexion with agenda item 60 I understand from the Rapporteur of the Third Committee that this item has

been disposed of with the adoption by the General Assembly of draft resolution VII, entitled "Freedom of information", under agenda item 62. We have thus concluded our consideration of agenda item 60.

144. Similarly, agenda item 90 has just been disposed of by the adoption, under item 62 of draft resolution V, entitled "Teaching in schools of the purposes and principles and the structure and activities of the United Nations and the specialized agencies, with particular reference to human rights". We have therefore concluded our consideration of agenda item 90.

145. The last report [A/7452] of the Third Committee relates to agenda items 52, 53, 54 and 61. The Committee decided, owing to lack of time, to recommend to the General Assembly the determent to the twenty-fourth regular session of consideration of these items.

146. The Committee also decided to recommend to the Assembly that high priority be given at the twenty-fourth regular session to consideration of the agenda item 54.

147. If there is no objection, I take it that the General Assembly adopts these recommendations of the Third Committee.

It was so decided.

The meeting rose at 1.15 p.m.