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**GENERAL  
ASSEMBLY**

TWENTY-THIRD SESSION

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**THIRD COMMITTEE, 1561st  
MEETING**

Monday, 7 October 1968,  
at 10.55 a.m.

**NEW YORK**

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*Chairman:* Mr. Erik NETTEL (Austria).

AGENDA ITEM 59

Capital punishment (*continued*) (A/7203, chap. XI, sect. B; A/7243, A/C.3/L.1557/Rev.1, A/C.3/L.1558)

1. Mr. CHABAFIMBI (Zambia) stressed that the unfortunate situation in southern Africa was a cause of concern to the whole world. In Zambia it had been demonstrated that two races could live together in harmony; however, further south, the evils of racism and apartheid were claiming new victims every day. The draft resolution under discussion (A/C.3/L.1557/Rev.1) contained nothing new, since everyone had already condemned the barbarous practices of the illegal régimes in southern Africa; nevertheless, the Third Committee should unequivocally condemn the widespread practice in that region of imposing the death sentence and life imprisonment as a means of silencing all opposition to racism, oppression and economic exploitation.

2. Everyone remembered the cold-blooded executions carried out several months ago in Southern Rhodesia, notwithstanding world opinion and appeals for mercy. Since the Southern Rhodesian régime was illegal, those executions were tantamount to murder. The situation was serious and required that measures be adopted to prevent further bloodshed.

3. Mr. CALOVSKY (Yugoslavia) noted that the draft resolution on capital punishment submitted by the Economic and Social Council had won virtually unanimous approval (1559th meeting), indicating a commendable attitude on the part of the Committee. However, now that it was confronted with a text condemning a practice that had repeatedly been repudiated and was contrary to the spirit of the Council's draft resolution that enthusiasm had apparently waned. If the Committee wished to encourage the abolition of capital punishment, it should not hesitate to progress from an abstract text to the consideration of specific situations.

4. Mr. SQUIRE (United States of America) introduced his delegation's amendments (A/C.3/L.1558) to the revised draft resolution (A/C.3/L.1557/Rev.1), noting that, although he approved the principles underlying the latter, he felt that to make it more effective its language should be more objective and factually

accurate and its legal aspects should be more clearly stated. The sole purpose of his amendments—which strengthened rather than weakened the ideas expressed by the co-sponsors—was to make the resolution more clear and precise—thus making it more effective.

5. Miss DIALLO (Senegal) said that her delegation wished to become a co-sponsor of the draft resolution and was thoroughly satisfied with the text, since the Government of Senegal had consistently condemned racism and apartheid.

6. Mr. SHERIFIS (Cyprus) felt that the moment was appropriate for the Committee to condemn the application of capital punishment to patriots fighting for economic and social equality in southern Africa. The sponsors had not had time to consult other regional groups on the draft resolution, as they had hoped to do, but they considered humanitarian questions to be of universal interest and hoped that all groups would support the draft. Nevertheless, document A/C.3/L.1557/Rev.1 was the result of suggestions and views expressed after the Committee's previous meeting, and he therefore hoped it would be adopted unanimously.

7. Mrs. RAOELINA (Madagascar) said that not only Africa, but the whole world should fight racism and apartheid since no one could subscribe to the United Nations Charter and at the same time subject a people to oppression. The application of the death penalty in Southern Rhodesia would only create more bitterness, and the practice should therefore be abolished.

8. Mr. SANON (Upper Volta) proposed that the meeting should be suspended to allow discussions with a view to incorporating the proposed suggestions and amendments in a single text which could be adopted unanimously. He reiterated the sponsors' desire to co-operate with all delegations to that end.

*The meeting was suspended at 11.35 a.m. and resumed at 12.25 p.m.*

9. Mr. SANON (Upper Volta) announced that Ghana, Mali and Senegal had become co-sponsors of draft resolution A/C.3/L.1557/Rev.1. After consultations, the sponsors had further revised that draft. In the preamble, it had been decided: to leave the first and second paragraphs of the draft resolution unchanged; to insert as the third paragraph the second preambular paragraph of the United States amendments (A/C.3/L.1558), replacing the words "which, inter alia, appealed to the Government of the Republic of South Africa" by "urging the Government of the Republic of South Africa"; to include the third paragraph of the original text as the fourth paragraph; to incorporate the first preambular paragraph of the United States amendments as the fifth paragraph; and, lastly, to

insert as the sixth paragraph the last preambular paragraph of A/C.3/L.1557/Rev.1, changing the words "régime in South Africa" to "Government in South Africa". The third preambular paragraph of the United States amendments was unnecessary. In the operative part, it had been decided: to retain paragraph 1, replacing the words "régime in South Africa" by "Government in South Africa" and adding the words "and threat or use" after "for resorting to the application"; to insert paragraph 2 of the United States amendments, replacing the words "Urgently reiterates the appeal to the Government of the Republic of South Africa to" by "Calls upon the Government of the Republic of South Africa to"; and, finally, to renumber paragraph 2 as paragraph 3.

10. Mrs. ROQUET (Canada) pointed out a discrepancy between the French and English texts of the revised draft resolution (A/C.3/L.1557/Rev.1). Operative paragraph 1 of the English text read "for resorting to the application of the death sentence", whereas the French text simply read "Qui ont recours à la condamnation à mort", without mentioning "application". She felt that the French text was more appropriate.

11. Mr. VALDIVIESO (Peru), referring to the Upper Volta representative's suggested change in operative paragraph 1, felt that "application" and "use" meant the same thing, and that the latter should therefore be deleted.

12. Miss MARTINEZ (Jamaica) also wondered whether the words "application" and "use" were synonymous.

13. Mr. ABOUL-NASR (United Arab Republic) suggested that the words "civil rights" should be inserted between the words "to social and economic justice" and the words "and political freedom" in operative paragraph 1 of the text (A/C.3/L.1557/Rev.1); he hoped that the sponsors would look with favour upon his suggestion.

14. Mr. SANON (Upper Volta) welcomed the United Arab Republic representative's suggestion. Replying to the Jamaican representative's question, he explained that the word "application" referred specifically to the execution of the death sentence. Hence, both words should be retained.

15. The CHAIRMAN asked the sponsors of the draft resolution whether they accepted the United Arab Republic representative's suggestion that the words "civil rights" should be inserted in operative paragraph 1.

16. Miss DIALLO (Senegal) accepted the United Arab Republic representative's proposal on behalf of the sponsors.

17. Mr. SQUIRE (United States of America) accepted the Upper Volta representative's suggested change in the second preambular paragraph of his delegation's amendments and agreed with the replacement of the word "régime" by "Government" in the last preambular paragraph and in operative paragraph 1. He also accepted the new order of the paragraphs and the insertion of the words "civil rights". He considered the régimes of Southern Rhodesia and Namibia, but not that of South Africa, to be illegal, which was why the latter was mentioned separately. He therefore asked the sponsors to reconsider that point and to accept his delegation's wording of paragraph 1.

18. Miss BENNETT (Jamaica) suggested that in the amended text of operative paragraph 1 of the draft resolution, the phrase "for resorting to the application and threat or use of the death sentence" should be replaced by "for resorting to the application of the death penalty and the threat or use of capital punishment".

19. Mr. SANON (Upper Volta) accepted the Jamaican representative's amendment on behalf of the sponsors.

20. Mr. WALDRON-RAMSEY (United Republic of Tanzania) pointed out that the main difference of opinion between the United States delegation and the sponsors of the draft resolution under discussion involved operative paragraph 1; the United States version (A/C.3/L.1558), instead of condemning the southern African régimes themselves which was the aim of the resolution, merely condemned certain acts of those régimes. The serious nature of those acts clearly called for an unequivocal condemnation of those who perpetrated them and the original text should therefore be retained.

*The meeting rose at 1.10 p.m.*