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SIXTH COMMITTEE
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at 3 p.m.
New York

SUMMARY RECORD OF THE 45TH MEETING

Chairman: Mr. TUERK (Austria)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 142: DRAFT CODE OF CRIMES AGAINST THE PEACE AND SECURITY OF MANKIND
(continued) (A/C.6/44/L.11)

1. The CHAIRMAN said that Jamaica and Madagascar had joined the sponsors of draft resolution A/C.6/44/L.11.
2. Mr. THIAM (Guinea), introducing draft resolution A/C.6/44/L.11, said the sponsors hoped that it could be adopted without a vote.
3. The CHAIRMAN said that the representative of the German Democratic Republic had requested a recorded vote.
4. Mr. AUST (United Kingdom) said that his delegation would vote against the draft resolution, as it had voted against similar texts in previous years, because of reservations with regard to the draft resolution as a whole and to some of its wording. His delegation was not in favour of taking a topic on the work-programme of the International Law Commission and treating it as a separate item on the General Assembly's agenda. It particularly objected to paragraph 5, and had reservations with regard to the sixth and last preambular paragraphs.
5. A recorded vote was taken on draft resolution A/C.6/44/L.11.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Djibouti, Egypt, Ethiopia, German Democratic Republic, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, New Zealand, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: France, Germany, Federal Republic of, Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

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Abstaining: Belgium, Canada, Denmark, Finland, Iceland, Italy, Japan, Luxembourg, Netherlands, Norway, Spain, Sweden, Turkey.

6. Draft resolution A/C.6/44/L.11 was adopted by 95 votes to 5, with 13 abstentions.

7. Ms. WILLSON (United States of America), speaking in explanation of vote, said that her delegation had voted against the draft resolution because it was not rational at the current stage to treat the item on the draft Code separately from the report of the Commission.

8. Mrs. GOLAN (Israel) said that her delegation had voted against the draft resolution because, in its view, the draft Code should be dealt with by the Commission in the same way as any other item.

9. Ms. BJØRKLUND (Norway), speaking on behalf of the Nordic countries, said that they saw no reason to treat the draft Code as a separate item; it could be more usefully dealt with by the Committee in its consideration of the Commission's report. Their abstention reflected their reservations with regard to some of the wording of the draft resolution, specifically in paragraph 5; it should not, however, be construed as a shift from their view that the topic was appropriate for the Commission's consideration.

10. Mr. SCHARIOTH (Federal Republic of Germany) said that the topic did not deserve to be given special priority in the Commission's programme of work. He also believed that it would not be advisable to request the Secretary-General to seek the views of Member States, as would be required under paragraph 3 of the draft resolution.

11. Mr. DELON (France) said that for reasons already expressed, his delegation regretted that the item had again been placed on the agenda of the Committee and had voted against the draft resolution.

12. Mr. ALMUTATRI (Kuwait), Mr. SUYOI (Brunei Darussalam), Mr. LUKABU KHABOUJI N'ZAJI (Zaire), Mr. WISSEH (Liberia), Mr. BERRY (Australia) and Mr. KATRA (Lebanon) said that, had their delegations been present during the voting, they would have voted in favour of the draft resolution.

13. Mr. SALVADO (Portugal) said that, had his delegation been present during the voting, it would have abstained on the draft resolution.

The meeting rose at 3.35 p.m.