

matter to a vote by a secret ballot, as requested by one delegation.

57. Mr. BENHOCINE (Algeria) supported the statements made by the representatives of Sierra Leone and Nigeria. He considered that two principles were involved in the entire issue: one was respect for the rules of procedure of the Council, and the other was respect for a decision taken by a group, and in that particular instance a decision adopted by consensus in the Group of African States. That second principle involved a question of a political nature. His delegation wished to respect the decision of the Group of African States. It was for the Council to decide whether or not it wished to apply its rules of procedure.

58. Miss BALOGUN (Nigeria), after reading out rule 72, paragraph 2, of the rules of procedure, said that she did not believe that Morocco had been invited to take the floor and, even if that had been the case, Morocco would have no right to propose that a vote should be taken on any question unless a member of the Council so proposed. She asked the Council to support the decision submitted by the Group of African States at the morning meeting.

59. Mr. SOBHY (Observer for Egypt), speaking at the invitation of the President, said that Egypt understood that there had actually been no consensus in the Group of

African States. It was not raising that question in the Council but merely reiterating that Egypt had officially offered its candidacy and had not withdrawn it. The Egyptian delegation would oppose any attempt to prevent the Council from following the proper procedure in accordance with its request.

60. Mr. MUBAREZ (Yemen) suggested that a vote should be taken by secret ballot to elect the members of the Commission on Human Rights to represent the Group of African States.

61. Miss BALOGUN (Nigeria) insisted that no official proposal had been made to the Council that would prevent it from electing the three candidates proposed by the Group of African States. She therefore urged the Council to act accordingly.

62. The PRESIDENT suggested that the election of three members of the Commission on Human Rights to represent the African States should be postponed until the next meeting of the Council.

It was so decided.

The meeting rose at 6.25 p.m.

2057th meeting

Thursday, 12 May 1977, at 11.15 a.m.

President: Mr. Ladislav ŠMÍD (Czechoslovakia).

E/SR.2057

AGENDA ITEM 15

Elections (*concluded*) (E/L.1747 and Corr.1)

COMMISSION ON HUMAN RIGHTS (*concluded*) (E/L.1747)

1. The PRESIDENT invited the Council to proceed to the election of three members from African States to the Commission on Human Rights for a three-year term beginning on 1 January 1978.

2. Mr. SIMBANANIYE (Observer for Burundi), speaking at the invitation of the President, said that he had not wished to take part in the debate because his country was one of the candidates for a seat on the Commission. However, there seemed to be some confusion, which he would like to clear up. The Group of African States had reached a consensus on its candidates for the three seats on the Commission and had made its choice known to the Council on two occasions. It had always been agreed that the three African posts should go to representatives of the three regions of Africa. Furthermore, it was the practice of the United Nations, as reaffirmed in General Assembly resolution 2813 (XXVI), to ensure that the composition of seats in each group should at all times give due expression to adequate subregional representation.

3. He wished to pay a tribute to the delegations of the Upper Volta, Senegal and Egypt, which had rendered the Commission a service of which they could be proud. His delegation had supported their election for the term that was about to expire, and it appreciated the democratic gesture of those States which could have sought re-election but had refrained from doing so in order to leave room for others. He appealed to the other African States which had submitted their candidatures to withdraw them in order to allow the Council to elect the candidates that had been endorsed by the African Group and to maintain the cohesion of the Group.

4. Mr. KOROMA (Observer for Sierra Leone), speaking at the invitation of the President, said that, if the Council decided to vote, he wished to reserve the right to speak before the vote.

5. Mr. IBRAHIM (Ethiopia) drew the attention of the Council to summary record No. 13 of the 1974 session of the Organization of African Unity, in which it was indicated that the Permanent Representative of Gabon, endorsed by the representative of Zaire, had informed the Group that the two delegations were ready to yield the seat allotted to the central region to the delegation of Egypt. They had also emphasized that the seat, which should be occupied by Egypt, should go back to the central region at the end of the latter's mandate.

6. Mr. SOBHY (Observer for Egypt), speaking at the invitation of the President, said that he had been awaiting instructions from his Government with regard to the appeal to his delegation to withdraw its candidature. However, since he had received no new instructions, he maintained his country's candidature for a seat on the Commission. He regretted the confusion and misunderstanding that had arisen on the matter. There had, in fact, been no agreement in the African Group, and it was unfortunate that some delegations had dramatized a situation which otherwise would have been very simple. It was quite normal for a group to have difficulty in reaching agreement on candidates for such positions; the problem was an internal one within the Group and should not be discussed in the Council.

7. Miss BALOGUN (Nigeria) said the observer for Egypt knew very well that the seat his country was seeking belonged to another subregion. Perhaps he personally wished to withdraw his country's candidature. The General Assembly had traditionally recognized the need for adequate representation of subregions within each region. That had been the basis for her plea at the preceding meeting. It was simply not correct to say that the African Group had not reached a consensus. The Council had no choice but to go along with the African position that had been agreed upon in OAU. The discussion on the matter should now be closed. If the Council wished to proceed to a vote, she had no objection, as she knew that justice would be done. She trusted that Burundi, Ethiopia and the Ivory Coast would be unopposed in the election.

8. Mr. SOBHY (Observer for Egypt) said that the representative of Nigeria was mistaken in her interpretation of his previous statement. He had no private desire to withdraw the candidature of Egypt and had clearly stated that, in the absence of instructions to the contrary, he wished to maintain that candidature.

9. Mr. OULD SID'AHMED (Mauritania) said that the whole question was one of procedure. The discussions on the African candidatures should not be taking place in the Council, as they were an internal affair of the African Group. The Council should proceed to vote, since there had been no consensus in the Group.

10. Mr. FALL (Observer for Senegal), speaking at the invitation of the President, said that he had not wished to intervene in the discussion, since his country was a candidate for a seat on the Commission. His delegation had submitted its candidature at the request of many Member States which had appreciated the work of Mr. Kéba M'Baye as Chairman of the *Ad Hoc* Working Group of Experts on southern Africa. However, in considering candidates for seats on the Commission, the African Group had to apply other criteria in addition to that of merit, and the candidature of Senegal had not been endorsed because the Group gave priority to the criterion that members of a body should not stand for immediate re-election. His delegation had deferred to the rules of the African Group. However, the Council was not bound by the Group's decision; if it decided to proceed to a vote, taking into account the criterion of merit, his delegation would have to reaffirm the desire of its Government that Mr. Kéba M'Baye should continue to sit in the Commission. In brief, if the

Council went along with the consensus of the African Group his delegation would agree, but if a vote was taken it would maintain its candidature.

11. Mr. BAMBA (Upper Volta) said that his delegation had accepted the consensus of the African Group in deciding to submit the candidatures of the Ivory Coast and other friendly African countries. It had done so only out of respect for the agreement that had always existed in the African Group, but now it seemed that the accepted rules were no longer being applied. If the Council proceeded to a vote in accordance with its rules of procedure, he, having no new instructions, would withdraw his delegation's candidacy. He continued to believe that the principle of equitable geographical distribution in all United Nations bodies, by region and also by subregion, should be respected. His delegation had always adhered to that principle and would continue to do so, regardless of the outcome of the current election.

12. Mr. KOROMA (Observer for Sierra Leone) said that in his statement at the preceding meeting, when he had been speaking on behalf of the Chairman of the African Group for the month of May, he had not thought it proper to discuss the criteria for the Group's endorsement of Burundi, Ethiopia and the Ivory Coast for the three seats allotted to African States, as the Group continued to feel that the basis for its decisions was an internal matter. He had attempted to preserve unity within the Group but, since the Council now appeared to be preparing to vote on the elections, it was his responsibility to seek to protect the interests of every member of the Group. He therefore appealed to the Council and all regional groups to respect the position of the African Group, which was clear and was in accordance with General Assembly resolution 2813 (XXVI), paragraph 1 (c).

13. The PRESIDENT said that, since there were more candidates than there were seats available, he would invite the Council, in accordance with its rules of procedure, particularly rule 68, to elect by secret ballot three members from African States to the Commission on Human Rights for a three-year term beginning on 1 January 1978.

14. Mr. CORDOVEZ (Secretary of the Council) said that the candidates endorsed by the African Group were Burundi, Ethiopia and the Ivory Coast, and the other candidates were Egypt, Morocco, Senegal and the Upper Volta.

At the invitation of the President, Ms. Kongshem (Norway) and Mr. Nakamura (Japan) acted as tellers.

A vote was taken by secret ballot.

<i>Number of ballot papers:</i>	54
<i>Invalid ballots:</i>	0
<i>Number of valid ballots:</i>	54
<i>Required majority:</i>	28

Number of votes obtained:

Ivory Coast	33
Senegal	27
Egypt	26
Morocco	26

Burundi	20
Ethiopia	19
Upper Volta	4

Having obtained the required majority, the Ivory Coast was elected a member of the Commission on Human Rights.

15. The PRESIDENT announced that, since none of the other candidates had obtained the required majority, a further ballot would be held. In accordance with rule 70, paragraph 2, of the Council's rules of procedure, the ballot would be restricted to the four unsuccessful candidates which had obtained the greatest number of votes in the first ballot, namely Burundi, Egypt, Morocco and Senegal. He invited the Council to elect two members from among those candidates.

A vote was taken by secret ballot.

<i>Number of ballot papers:</i>	54
<i>Invalid ballots:</i>	3
<i>Number of valid ballots:</i>	51
<i>Required majority:</i>	26

<i>Number of votes obtained:</i>	
Senegal	33
Egypt	25
Morocco	23
Burundi	18

Having obtained the required majority, Senegal was elected a member of the Commission on Human Rights.

16. The PRESIDENT said that, since none of the other candidates had obtained the required majority, a further ballot would be held. In accordance with rule 70, paragraph 2, of the Council's rules of procedure, the ballot would be restricted to the two unsuccessful candidates which had obtained the greatest number of votes in the second ballot, namely Egypt and Morocco. Furthermore, since only one place was to be filled, rule 69 of the rules of procedure would apply.

A vote was taken by secret ballot.

<i>Number of ballot papers:</i>	53
<i>Invalid ballots:</i>	3
<i>Number of valid ballots:</i>	50
<i>Abstentions:</i>	5
<i>Number of members voting:</i>	45
<i>Required majority:</i>	23

<i>Number of votes obtained:</i>	
Egypt	28
Morocco	17

Having obtained the required majority, Egypt was elected a member of the Commission on Human Rights.

The meeting rose at 12.55 p.m.

2058th meeting

Thursday, 12 May 1977, at 3.30 p.m.

President: Mr. Ladislav ŠMÍD (Czechoslovakia).

E/SR.2058

AGENDA ITEM 3

Decade for Action to Combat Racism and Racial Discrimination (continued)* (E/5920, E/5921, E/5922, E/L.1759, E/L.1764, E/L.1765, E/L.1767, E/NGO/62)

1. The PRESIDENT drew attention to an error in the French text of draft resolution E/L.1759, entitled "Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination". At the end of paragraph 5, the word "*activités*" should be replaced by the word "*entreprises*".

2. Mr. BUFFUM (Under-Secretary-General for Political and General Assembly Affairs) said that paragraph 2 of draft resolution E/L.1765, concerning the appointment of the Secretary-General of the World Conference to Combat Racism and Racial Discrimination, restricted the powers of the Secretary-General of the United Nations by requesting that such appointment be made at the level of Assistant Secretary-General and after consultation with regional

groups. The Legal Counsel had expressed the opinion that Article 101 of the Charter of the United Nations laid down as the only procedural limitation on the appointment of staff by the Secretary-General that such appointments should be made "under regulations established by the General Assembly". The proposed text of the draft resolution would therefore not be in accordance with the Charter. Since the Secretary-General attached great importance and priority to the success of the World Conference, he recognized that the individual appointed to co-ordinate it must be highly competent, must enjoy wide confidence and must be of the highest level necessary to ensure the successful organization of the Conference. For the sake of economy, the candidate would be appointed from among United Nations staff. The Secretary-General therefore hoped that the Council would not limit his flexibility in choosing the most experienced and competent senior official available at the required time.

3. Under paragraph 8 of the draft resolution, the Council would recommend "that the Conference be held in Geneva or New York or any other place which may be suggested by and accepted from, any Government that may subsequently

* Resumed from the 2052nd meeting.