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SUMMARY RECORD OF THE 19th MEETING

Chairman: Mr. LOHIA (Papua New Guinea)

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The meeting was called to order at 5.15 p.m.

REQUESTS FOR HEARINGS (A/C.4/39/2/Add.2)

1. The CHAIRMAN drew the Committee's attention to the request for a hearing under agenda item 18 relating to the question of Western Sahara, contained in document A/C.4/39/2/Add.2.
2. Mr. BENLAMHIDI (Morocco), speaking on a point of order, said that the question of Western Sahara was to be considered on 20 November by the Committee and that consequently no hearing related to that question should be authorized before that date.
3. The CHAIRMAN said that at the moment it was merely a question of giving an answer to a request for a hearing, and that the hearing itself would be held at the appropriate time. He would therefore take it, if he heard no objection, that the Committee wished to grant the request.
4. It was so decided.

AGENDA ITEM 105: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued) (A/39/23 (Part IV), chapter VII, para. 15; A/C.4/39/L.8, L.11)

5. Mr. ENGO (Cameroon), speaking on behalf of the African Group of States, introduced an amendment (A/C.4/39/L.11) to the draft resolution contained in document A/39/23 (Part IV), chapter. VII, paragraph 15. The amendment was prompted by the desire to assure compliance with a fundamental principle of the United Nations Charter - the right of peoples to self-determination and independence. Independence should allow all people not only to work towards their own development, but also to work for international peace and security. However, the African Group of States was concerned that in practice some Member States were defying those principles, thus making a mockery of the work of the Organization. The United Nations, and particularly the Fourth Committee, must consequently request all those who had a hand, either directly or indirectly, in preventing the realization of those Charter ideals to stop such adverse activities. Some States claimed to be acting in good faith, arguing that what they were doing had only one ultimate aim, to abolish apartheid, and that by co-operating with the Pretoria régime they could persuade it to change. Yet the facts were clear. For 20 years, collaboration with South Africa had done nothing but encourage that recalcitrant régime to continue its atrocities. It was not only for the African States but for all Member States of the Organization to ensure respect for the principle of the freedom of peoples and for human rights. Any act of collaboration be it the policy of "constructive engagement" or co-operation in various fields, far from helping to isolate the apartheid régime, only buttressed it. The proposed amendment set those facts in the proper perspective and was not being submitted in a spirit of confrontation. The sponsors hoped that the Committee would adopt it without a vote.

6. Mr. FELDMAN (United States of America), referring to the two United States amendments in document A/C.4/39/L.8, said that the seventh preambular paragraph of the draft resolution in question, thus amended, would once and for all express United Nations disapproval of the increased support rendered to the Pretoria régime by certain Western countries, but without singling out two particular countries. In paragraph 10 of the draft resolution, the fact of mentioning the United States in connection with a recommendation that public opinion should be mobilized constituted a direct interference in the internal affairs of his country.

7. No delegation could seriously maintain that the United States was blocking a solution to the Namibian crisis. The assistance provided by the United States in Africa and in many other areas of the world to all suffering people needed no corroboration. However, the means used differed according to the circumstances: at times, material aid was what was required, while at others, persuasion and patient diplomacy were the way to reach a solution. It was clear to all what lay behind the attacks against the United States; but his delegation refused to enter into suspect arrangements and rejected the pressures which had been put upon it to withdraw its amendment.

Explanations of vote before the vote on the draft resolution contained in document A/39/23 (Part IV), chap. VII, para. 15, or on amendments A/C.4/39/L.8 and L.11

8. Mr. CARLSON (Canada), explaining his vote before the vote on the draft resolution in question, recalled that Canada condemned apartheid in South Africa unequivocally and that it had taken a number of measures demonstrating its opposition. However, it considered that the decisions of the International Monetary Fund and the World Bank must be based on the mandate of those bodies and not on political considerations. They were autonomous institutions, and the Organization should not impose its views on them. With regard to the International Monetary Fund in particular, that would be a violation of the agreement concluded between the Fund and the United Nations. Furthermore, Canada was opposed to some elements in the text which were unacceptable to it, among others the explicit reference to certain Member States. It would therefore vote for the amendments contained in document A/C.4/39/L.8 and would abstain in the vote on the draft resolution as a whole.

9. Mr. WERNDL (Federal Republic of Germany) said that he would abstain in the vote on the draft resolution. The specialized agencies were doing very important work in assisting dependent Territories, and the Federal Republic of Germany had regularly supported resolutions which served the cause of those Territories. However, his delegation could not support the terms in which the International Monetary Fund and the World Bank were referred to in certain paragraphs of the draft resolution, which criticized the activities of those institutions and attempted to politicize them. His delegation also regretted that the text questioned South Africa's right to membership in the World Bank and the International Monetary Fund and that it did not give due consideration to the statutes of those institutions. The international institutions must always remain autonomous and be guided by the principle of universality; only thus could they fulfil their important task. In addition, his country rejected the wholly unjustified and arbitrary attacks made in the text on certain Member States.

10. Miss O'FARRELL (Ireland) said that although her delegation was in agreement with the general thrust of the draft resolution, it would be obliged to abstain from voting because of the criticisms it contained of the International Monetary Fund and the World Bank, which did not take into account the status of those institutions, and because certain Member States were singled out for selective and arbitrary criticism.

11. Mr. WARD (New Zealand) said that he would vote for the amendments contained in document A/C.4/39/L.8 and would abstain in the vote on the draft resolution as a whole. Much as New Zealand was opposed to South Africa's continued illegal occupation of Namibia and that Government's apartheid policy, it believed that the World Bank, the International Monetary Fund and other such institutions must retain their independence. Those bodies must make their decisions in accordance with their statutes and mandates and not on the basis of political considerations, and it was regrettable that the draft resolution criticized them and sought to politicize their actions. Moreover, his delegation disagreed not only with the practice of singling out Member States by name but also with the substance of the references in question. At the same time, New Zealand fully supported the provisions requesting United Nations organs to continue their assistance to the people of Non-Self-Governing Territories. In the case of Tokelau, New Zealand had encouraged the specialized agencies to initiate assistance programmes and was working very closely with them in implementing those projects.

12. Mrs. KUROKOCHI (Japan) said that, although international organizations should be encouraged to help colonial Territories to achieve self-determination, they should do so in the light of their specific functions. Each had its own character and area of competence in which the General Assembly should not intervene. The draft resolution under consideration imposed General Assembly directives on some institutions. It also seemed to disregard the principle of universality which should guide those institutions. Furthermore, selective naming of certain Member States, as had been done in previous draft resolutions, was an arbitrary approach which served no purpose. That was why Japan would abstain in the vote.

13. Mr. ENGELS (Netherlands) said that he would abstain in the vote on the draft resolution under consideration. He fully appreciated the contribution made by international organizations to facilitate the attainment of independence by colonial peoples, but the proposed text contained some elements which were at variance with fundamental principles of the United Nations. In particular, the criticism directed against the International Monetary Fund (IMF) and the World Bank because they maintained relations with South Africa was not acceptable. Any attempt to interfere with the autonomy of those institutions and to politicize their action should be rejected. Under its Agreement with IMF, the United Nations could, it was true, propose items to the Fund for discussion. However, the Agreement also stated that the Fund was an independent international organization, and was required to function as such. Any actions which might divert those institutions from their proper, vital task of assisting the economic development of member countries and facilitating the balanced growth of international trade must be avoided.

14. The Netherlands had consistently supported the Security Council resolutions on self-determination for the people of Namibia, in particular resolution 435 (1978).

(Mr. Engels, Netherlands)

However, it could not approve a text which unjustifiably laid the responsibility for South Africa's failure to implement those resolutions at the doorstep of certain specifically named Western countries. Lastly, the draft resolution was much too long and repetitive. The length of the text, which contained issues extraneous to the question or of too limited a scope, in no way contributed to achieving its aim.

15. Mr. STEFANINI (Italy) said that he would abstain in the vote on the draft resolution. Although he agreed that the specialized agencies played an important role in the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, he had several reservations on the substance and wording of the proposed text. Some paragraphs threatened the independence and impartiality of international financial institutions. However, if the IMF and the World Bank had for years been able to help economic and social development throughout the world, it was because they were autonomous. It was not for the General Assembly to give them instructions. Moreover, Italy did not approve of specific references to certain countries. That was why it would vote in favour of the amendments proposed by the United States.

16. Mr. AKYOL (Turkey) said that he would vote in favour of the proposed draft resolution, because his country had always strongly supported the efforts made by the international community to eliminate colonialism. However, it disapproved of the introduction of specific references to certain Western countries.

17. Mr. MORTIMER (United Kingdom) said that there must be general agreement on the role - an important one, as few would deny - of the international organizations referred to in the draft resolution and especially that of IMF and the World Bank: that of IMF was to provide resources to its member States on a temporary basis to enable them to correct balance-of-payments problems without resorting to trade restriction; that of the World Bank was to grant loans in order to stimulate economic growth in the beneficiary developing countries. It might be argued that those were their only tasks. Yet in the extremely lengthy draft resolution before the Committee, only paragraph 21 even hinted - let alone acknowledged - that the primary function of the specialized agencies was economic and social. The rest of the text focused on political matters. It might be asked if, in view of the crucial importance of the specialized agencies in the development process, such tasks deserved high priority. The draft resolution was therefore unbalanced.

18. Moreover, it seemed to assume that the General Assembly was empowered to give instructions or advice to institutions, in particular those concerned with financial questions. But they were autonomous bodies with their own statutes, and it was for them alone to take their own decisions. It was essential to respect their integrity and independence if they were to continue to work effectively and if economic need was to have priority over political expediency. To focus attention on the alleged inadequacies of the institutions instead of emphasizing the crucial role they played in international economic development would not produce constructive results. It was accepted that the international financial institutions must adapt to changes in the world economy, but they certainly did not need proposals which distracted them from completing their tasks. Lastly, his delegation objected to specific references to certain States. It would therefore

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(Mr. Mortimer, United Kingdom)

vote against the draft resolution. It would also vote against the amendment (A/C.4/39/L.11), because the United Kingdom was in favour of a policy of contacts and dialogue, which seemed to it the most productive. "Constructive engagement" had raised new hopes with respect to the independence of Namibia.

19. Mr. TCHINTCHIBIDJ (Togo) paid tribute to the serious work done by the Special Committee of 24 in preparing the draft resolution under consideration. However, certain parts of the text were contrary to his country's position of rejecting on principle any selective condemnation. That was why Togo would vote for the two amendments submitted in document A/C.4/39/L.8.

20. Mr. GVIR (Israel) said that his delegation would vote for the two amendments submitted in document A/C.4/39/L.8. Israel and the United States were selectively mentioned in the draft resolution for maintaining relations with South Africa, whereas most if not all the countries represented in the United Nations had dealings of some kind or another with that country. The United States and Israel simply had the honesty not to hide those relations any more than they concealed their unreserved abhorrence of South Africa's racist policy. In fact, the initiators of the seventh preambular paragraph of the draft resolution, especially those belonging to the Arab world and the Soviet bloc, were concerned less with decolonization than with seizing any opportunity of attacking Israel. Paragraph 10 of the draft resolution called for direct interference in the internal affairs of a State Member of the Organization and was therefore incompatible with Article 2, paragraph 7, of the Charter; that was undermining a fundamental principle of the United Nations. He therefore appealed to all delegations to vote in favour of both the proposed amendments. If they were not adopted, his delegation would be compelled to vote against the draft resolution.

21. Mr. ELLEFSEN (Norway) speaking on behalf of the five Nordic countries, said that they continued to support increased humanitarian, technical and educational assistance to peoples in need and those struggling to achieve self-determination in accordance with the resolutions of the United Nations. The international institutions associated with the United Nations had an important role to play in that regard, and the Nordic countries actively supported their work. They therefore regretted that again at the current session they would have to abstain on the draft resolution under consideration, partly because it singled out individual countries as being responsible for the policies of the Government of South Africa and partly because some paragraphs were irrelevant to the substance under discussion. The Nordic countries wished to reiterate that the statutes of the specialized agencies should be taken duly into account and their universal character retained; those two principles seemed to have been overlooked in certain paragraphs of the draft resolution.

22. Mr. LASARTE (Uruguay) said that his delegation would vote in favour of the proposed draft resolution with the same reservations as those it had expressed in connection with the resolution on the same subject adopted the previous year.

23. Mr. DE ALBA (Mexico) recalled that his delegation had already expressed support for the South African régime's complete isolation. It condemned once more the abuses which that régime committed with the complicity of certain countries, in

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(Mr. De Alba, Mexico)

particular Western countries, and urged again that appropriate measures be adopted, including, as appropriate, those provided for in Chapter VII of the Charter. The responsibility of States with regard to Namibia was clear and their obligations imperative; international institutions associated with the United Nations must furnish concrete and urgent assistance to the Namibian people and sever all relations with the South African régime. His delegation would, therefore, vote for the proposed draft resolution and against the amendments in document A/C.4/39/L.8.

24. Mr. RAJAIE-KHORASSANI (Iran) said that the United States Government, which in the past few months had adopted a friendly and peaceful attitude for reasons of electoral propaganda and domestic policy, had fully recovered its former aggressiveness directly after the elections, as recent events in Nicaragua, Central America and the Caribbean showed. As for United States policy in the Middle East and in southern Africa, it had already cost a heavy price to the American people which, because of that policy, was now isolated and condemned in every continent. Everyone knew that the apartheid régime could not survive without the help of the United States, which, however, denied such collaboration even though newspapers such as The New York Times regularly published articles proving the contrary. His delegation therefore appealed to the people of the United States to try to convince its Government to dissociate itself from the Zionists and from the apartheid régime in order to recover the esteem of all.

25. Rumour had it that the United States delegation exerted pressure and even resorted to blackmail in order to make certain developing countries vote in favour of amendments or drafts which it wanted approved. To resist such pressures was no doubt difficult, but he appealed to the countries concerned not to give in and thus to exercise their right to independence. His delegation would vote in favour of the amendment submitted by Cameroon (A/C.4/39/L.11) and against the amendments submitted by the United States in document A/C.4/39/L.8, and called upon all delegations to do likewise.

26. Mr. ROWE (Australia) said that the specialized agencies were making noteworthy contributions to the decolonization process and that they still had an important role to play in that connection. However, his delegation had reservations about the proposed draft resolution, on which it had also abstained from voting in the Special Committee. In the first place, it had objections of principle to certain paragraphs which questioned the independence and impartiality of specialized agencies and whose provisions went beyond the competence of the General Assembly. Secondly, it disapproved of arbitrarily selective references to certain Member States; and, lastly, some paragraphs of the draft resolution were completely unrelated to its subject. Australia would therefore vote in favour of the amendments proposed in document A/C.4/39/L.8 and would abstain on the draft resolution as a whole.

27. A recorded vote was taken on the first United States amendment in document A/C.4/38/L.8.

In favour: Australia, Austria, Belgium, Belize, Bolivia, Burma, Canada, Central African Republic, Chad, Chile, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Denmark, Dominican Republic, Ecuador,

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El Salvador, Fiji, Finland, France, Germany, Federal Republic of, Greece, Grenada, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Liberia, Luxembourg, Malawi, Mauritius, Netherlands, New Zealand, Niger, Norway, Panama, Papua New Guinea, Paraguay, Peru, Portugal, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Singapore, Spain, Sri Lanka, Sweden, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zaire.

Against: Afghanistan, Albania, Algeria, Angola, Bahrain, Bangladesh, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, German Democratic Republic, Ghana, Guyana, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, 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, Yemen, Yugoslavia, Zambia, Zimbabwe.

Abstaining: Argentina, Barbados, Botswana, Brazil, Brunei Darussalam, Cameroon, Cape Verde, Congo, Cyprus, Guinea-Bissau, Kenya, Maldives, Pakistan, Philippines, Rwanda, Sao Tome and Principe, Suriname, Thailand, Trinidad and Tobago, Venezuela.

28. The first United States amendment in document A/C.4/39/L.8 was adopted by 62 votes to 50, with 20 abstentions.

29. A recorded vote was taken on the second United States amendment in document A/C.4/39/L.8.

In favour: Australia, Austria, Belgium, Belize, Bolivia, Brunei Darussalam, Burma, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Denmark, Dominican Republic, Ecuador, El Salvador, Fiji, Finland, France, Germany, Federal Republic of, Greece, Grenada, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Luxembourg, Malawi, Mauritius, Netherlands, New Zealand, Niger, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Singapore, Spain, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: Afghanistan, Albania, Algeria, Angola, Bahrain, Bangladesh, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Ghana, Guyana, Hungary, India, Iran (Islamic Republic of), Iraq, Kuwait, Lao People's Democratic Republic,

Libyan Arab Jamahiriya, Mexico, Mongolia, Nicaragua, Nigeria, Poland, Qatar, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe.

Abstaining: Argentina, Barbados, Botswana, Brazil, Burundi, Cape Verde, Congo, Cyprus, Egypt, Guinea-Bissau, Jamaica, Kenya, Malaysia, Maldives, Pakistan, Rwanda, Sao Tome and Principe, Saudi Arabia, Sri Lanka, Sudan, Suriname, Thailand, Trinidad and Tobago, Tunisia, Turkey, Venezuela, Yugoslavia, Zaire.

30. The second United States amendment in document A/C.4/39/L.8 was adopted by 64 votes to 39, with 28 abstentions.

31. A recorded vote was taken on the amendment proposed by Cameroon in document A/C.4/39/L.11.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, China, Comoros, Congo, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Egypt, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Canada, Denmark, Fiji, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Burma, Chile, Colombia, Costa Rica, Cyprus, Dominican Republic, Ecuador, Grenada, Guatemala, Haiti, Honduras, Malawi, Panama, Papua New Guinea, Paraguay, Suriname, Thailand, Trinidad and Tobago, Turkey, Uruguay.

32. The Cameroon amendment in document A/C.4/39/L.11 was adopted by 90 votes to 28, with 20 abstentions.

33. A recorded vote was taken on the draft resolution contained in paragraph 15 of document A/39/23 (Part IV), as amended.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Grenada, Iceland, Ireland, Italy, Ivory Coast, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Paraguay, Portugal, Spain, Sweden.

34. The draft resolution in paragraph 15 of document A/39/23 (Part IV), as amended by documents A/C.4/39/L.8 and L.11, was adopted by 116 votes to 3, with 23 abstentions.

Explanations of vote after the vote on the draft resolution contained in document A/39/23 (Part IV), para. 15

35. Mr. BASTELICA (France) said that, as in the preceding year, his delegation had abstained in the vote on the draft resolution concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by international institutions associated with the United Nations. He recalled the serious misgivings which his delegation had already expressed in connection with unjustified criticisms levelled at activities of the World Bank and the International Monetary Fund. France was a staunch supporter of the principles of universality and independence with regard to the specialized agencies. It was in everyone's interests that those principles should be respected. The French

(Mr. Bastelica, France)

delegation was opposed to the condemnations by name which appeared in the draft resolution and had voted in favour of the amendments submitted by the United States. It had voted against the amendment proposed by Cameroon because it considered that the issues it raised were out of place in the resolution.

36. Mr. LESETEDI (Botswana) said that he had voted in favour of the draft resolution but had reservations with regard to its nineteenth, twentieth and twenty-first preambular paragraphs and paragraphs 6, 8, 9, 10 and 23.

37. Mr. ATHANASSIOU (Greece) said that he had supported the draft resolution because assistance by the specialized agencies to peoples under colonial rule could be of great importance in their struggle to achieve independence. He regretted, however, that certain countries had been mentioned in the resolution on a selective basis and had therefore voted in favour of the amendments in document A/C.4/39/L.8. As to the amendment in document A/C.4/39/L.11, his delegation's vote should on no account be interpreted as a change in its support of the Namibian people's struggle for self-determination and national independence.

38. Mrs. de RIBADENEIRA (Ecuador) said that she had voted in favour of the draft resolution recommended by the Special Committee because Ecuador supported the adoption of measures designed to achieve the complete and rapid implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in all Territories still under colonial rule. She did not, however, approve of those parts of the text which mentioned names on a selective basis and were inappropriately worded.

39. Mr. INFANTE (Chile) said that his delegation had voted in favour of the draft resolution but regretted the criticisms levelled at certain financial institutions. It had abstained in the vote on the amendment submitted by Cameroon because, as a matter of principle, Chile did not support texts which named individual countries on a selective basis.

40. Mr. PFIRTER (Argentina) said that his delegation had supported the amendment submitted by Cameroon because it associated itself fully with the action taken by the international community to put an end to apartheid and to bring Namibia to independence, in accordance with the Charter and with United Nations resolutions. In that context, it appreciated the analysis which the African countries had made of certain policies; it nevertheless regretted that countries or groups of countries had been selectively singled out in the amendment in question and in certain parts of the draft resolution under consideration.

41. Mr. PIMENTEL (Dominican Republic) said he had voted in favour of the draft resolution, particularly in consideration of paragraphs 26, 27, 28 and 29. He nevertheless had serious reservations on certain paragraphs which criticized financial institutions and selectively named certain countries.

42. Mr. NGUAYILA MBELA KALANDA (Zaire) said that he had intended to vote in favour of the amendments contained in document A/C.4/39/L.8 but his vote on the second of those amendments had not been recorded correctly. He therefore wished to place on record that the delegation of Zaire had wished to vote in favour of the second amendment in document A/C.4/39/L.8.

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43. Miss MILLAN (Colombia) said that her country fully supported the Namibian people in their struggle for self-determination and independence and that she had therefore voted in favour of the proposed draft resolution. She regretted, however, that she had been obliged to abstain in the vote on the amendment submitted by Cameroon (A/C.4/39/L.11) because of its selective character.

AGENDA ITEM 29: QUESTION OF NAMIBIA

Hearing of the organizations concerned

44. The CHAIRMAN said that it would be recalled that, at its fifth meeting, the Committee had agreed to grant a hearing to Miss Margo Picken, Amnesty International.

45. At the invitation of the Chairman, Miss Picken (Amnesty International) took a place at the petitioners' table.

46. Miss PICKEN (Amnesty International) summarized the current concerns of her organization in respect of Namibia, which included the detention and restriction without trial of real or suspected opponents; allegations of torture, particularly of uncharged political detainees, who might be held incommunicado on an indefinite basis; the continued imprisonment of political prisoners sentenced after trials which did not satisfy international standards of fair trial; "disappearances" and political killings and the use of the judicial death penalty.

47. Detention without trial continued to be used on an extensive scale, particularly in the northern districts of Namibia which had been under a state of emergency for a number of years. In those areas, members of the South African security forces had wide powers of arbitrary arrest and detention without trial pursuant to an administrative decree, Proclamation AG.9, imposed by the South African authorities. That provision permitted the security forces to arrest without a warrant and to detain without charge or trial for up to 30 days any person whom they suspected. The provision covered not only offences actually committed but also intent and made the person concerned responsible not only for his own acts or intent but also for those of other persons. It was, therefore, a licence to arrest any person at any time for any reason. Detained persons did not have the right of access to legal counsel, independent medical examination or contact with next of kin. The South African authorities had in many cases authorized detention beyond the established time-limit, and such detentions had in fact become detentions of unlimited duration. Detainees had no protection. The security services were not required to keep any records of those they detained, and there had been a number of cases in which the South African authorities had authorized prolonged detention incommunicado and without a charge on the basis of memoranda submitted by the security police, which were often inaccurate. Members of the security forces were not subject to civil claim or criminal prosecution for actions committed in "good faith". There were no provisions which would protect detainees against torture or ill-treatment, and there were no checks on the agencies responsible. In addition, there were secret detention camps, and information on individual detainees was withheld.

48. A number of persons who had taken refuge in Angola had been abducted several years earlier by South African military forces. An application for a writ of

(Miss Picken)

habeas corpus on the grounds that the detainees had been unlawfully detained and held incommunicado had been made on their behalf. The South African Ministry of Justice had then applied a clause of the Defence Act to remove the matter from the jurisdiction of the Windhoek Supreme Court. For a time those individuals in question had had no legal status. The International Committee of the Red Cross had been allowed to visit them, but their names had never been publicly divulged.

49. The use of torture and other forms of inhuman treatment in Namibia had been well documented. Most of the victims had been uncharged political detainees held incommunicado under Proclamation AG.9. It was not known exactly how many had been taken to secret interrogation centres or how many such centres existed. It had happened that the courts, following the death or disappearance of detainees, had acknowledged the responsibility of the security services and, on occasion, those responsible for inflicting the injuries had been charged; those individuals had, however, been judged leniently and either acquitted or convicted of assault, rather than culpable homicide, and fined. A case in point was that of a special and particularly brutal, counter-insurgency unit, Koevoet. That unit had used agents provocateurs who had passed themselves off as guerrillas belonging to the South West Africa People's Organization in order to identify civilian supporters of that organization. Those "programmed killers", as they described themselves, received a bounty for every "terrorist" who was physically eliminated. There had reportedly been cases where the murder of civilians had been officially attributed to SWAPO when they had in fact been political assassinations committed by such special South African forces. The Bar Council of Namibia had recently drawn the attention of an official commission of inquiry to political assassinations of so-called "terrorists" and their sympathizers in the north of the country committed at the instigation of the authorities.

50. Amnesty International had called upon the South African Government to repeal Proclamation AG.9 immediately; to introduce full and adequate safeguards to ensure the protection of all persons in custody against torture and other inhuman treatment; to establish immediately an independent judicial commission of inquiry to investigate the allegations of torture and extrajudicial executions; to release immediately all prisoners of conscience in Namibia; and to initiate a full review of the cases of other political prisoners. To date none of those recommendations had been acted upon.

51. Miss Picken withdrew.

ORGANIZATION OF WORK

52. The CHAIRMAN said that the Committee had completed its consideration of all the items on its agenda, with the exception of the question of Western Sahara, which would be dealt with under item 18. Bearing in mind the consultations which had taken place and the programme of work adopted by the General Assembly, he proposed that the Committee should take up that question on Friday, 23 November, instead of Tuesday, 20 November, as had been decided earlier.

53. It was so decided.

The meeting rose at 7.05 p.m.