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AGENDA ITEM 36

Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations

REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/8175)

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REPORT OF THE SPECIAL POLITICAL COMMITTEE (PART II) (A/8204/Add.1)

1. The PRESIDENT (*interpretation from French*): I request the Rapporteur of the Special Political Committee, Mr. Mahjoubi of Morocco, to present in one

intervention the reports on items 36, 34 and 35 which are now before us.

2. Mr. MAHJOUBI (Morocco), Rapporteur of the Special Political Committee (*interpretation from French*): I have the honour to present to the General Assembly the reports of the Special Political Committee on agenda items 36, 34 and 35.

3. On the first item, I shall introduce in a few words the report of the Special Political Committee on the comprehensive review of the whole question of peace-keeping operations in all their aspects [A/8175]. The particular interest shown in this question in the debate in the Special Political Committee and the importance which many delegation attach to it reflect in large measure both the need felt by members of the Committee for the strengthening of the peace-keeping resources of the Organization and the concern felt at the slow rate of progress achieved in the Special Committee in laying down the general principles to attain that objective. But these feelings are not exclusive to the Special Political Committee for they are shared by members of other committees that are still discussing the fundamental principles of international security or the corollary aspects of that matter.

4. During the twenty-fourth session the General Assembly, when it adopted resolution 2576 (XXIV), no doubt felt optimistic and confident that the twenty-fifth anniversary of our Organization would inspire solemn declarations this year on this subject which would possibly lead to a compromise on a general agreement on such a vital question as international peace and security.

5. Delegations were almost unanimous in their disappointment at the absence of such a compromise. In this regard several delegations recognized that the inadequacy of the results was in part due to the approach of the Special Committee. While it is true that the approach adopted so far has been a sure one with a certain number of advantages, it should not be considered as the only possible way. In the view of certain delegations it could be improved by other initiatives, even of a pragmatic kind. To help the Special Committee to persevere in its efforts to discharge its task, which is so difficult and delicate, the Special Political Committee during its debate heard important and useful new proposals. In this regard two draft resolutions were submitted to the Committee.

6. On the financial aspect of the matter, the draft resolution submitted by the Kuwait delegation [see A/8175, para. 4] proposed that, on the basis of collec-

* Resumed from the 1864th meeting.

** Resumed from the 1918th meeting.

tive international responsibility in the role of peace-keeping by the Organization, a permanent fund for peace-keeping operations should be established in accordance with the criteria and ways and means laid down in the draft resolution. The sponsors of this draft resolution, responding to the appeal of certain delegations, did not insist on the text being put to the vote, on the understanding that it would be reproduced verbatim in the report and would subsequently be the subject of detailed study in the Special Committee.

7. Hence, only the second draft resolution was put to the vote in the Committee, which adopted it unanimously. This draft resolution is now before the Assembly [*ibid.*, para. 7].

8. With regard to item 34, on 13 October 1970 I had the honour of presenting to the General Assembly [*1864th meeting*] as an interim measure the first part of the report of the Special Political Committee [*A/8106*]. A draft resolution dealing with this first part of the report and requesting all States to take immediate measures to comply fully with the provisions of resolution 282 (1970) of the Security Council was adopted by the General Assembly [*resolution 2624 (XXV)*].

9. After the adoption of that resolution by the Assembly, the Special Political Committee resumed its debate and continued it until 18 November 1970. In the course of the debate all delegations proclaimed once again their profound faith in fundamental human rights and in human value and dignity without distinction as to race, colour or religion. Those delegations were unanimous also in proclaiming that all human beings are born and remain free and equal in dignity and law. They all recognized also that, after a quarter of a century of debate and deliberation in our Organization, no progress had been made to date either in eliminating or making more tractable the racist policy pursued by the South African Government towards the coloured people of its country.

10. The guiding principle, unanimously accepted, which emerged from the debate was based on a primordial idea which is that the whole African population and also the other non-white communities in South Africa should all be in a position to live their lives freely on an equal footing with the white population in the political and economic life of the country. In order to attain those objectives, the Committee, as the number of resolutions in part II of the report [*A/8106/Add.1*] proves, proceeded to a general but precise examination of the deplorable situation in which the majority of the people living in this country are deprived of their most elementary rights.

11. While the majority of delegations chose the means described in the resolution before the Assembly in order to achieve those objectives, a very small number of delegations advocated a different approach to the attainment of the same objectives. I would therefore request the Assembly to take a decision on draft resolutions A to F before the Assembly [*ibid.*, para. 30].

12. As to the last item which I have the honour of submitting—item 35—I would remind the Assembly

that at the 1918th meeting of the General Assembly I presented as an urgent measure the first part of the report of the Special Political Committee [*A/8204*]. Under resolution 2656 (XXV) adopted by the General Assembly a working group was to be set up with the task of studying all questions relating to means of financing the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

13. Two draft resolutions adopted by the Committee appear in part II of the report [*A/8204/Add.1*]. They proposed, by appealing for greater generosity on the part of Governments, organizations and private persons, obtaining additional means which would enable them to face the grave financial situation affecting the Agency at the present time. Several delegations recognized, however, that these were only temporary solutions and situations. The Palestine refugees should certainly not remain dependent for ever on international charity. Most delegations also stressed the need to avoid at all costs reductions in the services provided by the Agency to refugees, particularly in the field of education and health. Such reductions would be liable to entail greater suffering for the people and an aggravation of tension in the region.

14. However fruitful the efforts of the Agency might appear in the future for those refugees, in the view of several delegations it was appropriate not to lose from sight that a lasting global solution should be sought to meet the legitimate concern and hopes of those people. In this regard two draft resolutions—C and D—were adopted by the Committee, bearing, respectively, on the rights of the people of Palestine and on the need to restore displaced persons to their homes and camps. Both of those draft resolutions are now before the Assembly [*ibid.*, para. 16].

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

15. The PRESIDENT: I invite representatives to turn their attention first to the report of the Special Political Committee on agenda item 36 [*A/8175*].

16. I shall now call on those representatives who wish to explain their vote before the vote.

17. Mr. DIAMONIKA (Democratic Republic of the Congo) (*interpretation from French*): If there is one lesson which the recent events in Guinea have taught us, it is that we must redouble our efforts to enable the Organization to respond almost automatically to appeals of the kind made by the President of Guinea on 22 and 23 November last. It was to achieve this objective that the Special Committee, whose report [*A/8081*] is the subject of the present recommendation, was created a few years ago.

18. In the course of past sessions my delegation has stated its position on the principles of the Charter, especially as regards the joint responsibility of the Security Council and the General Assembly in the area of peace-keeping. We have not heard to date any argu-

ment which makes us believe any less in this position. On a number of occasions we have said that it would be dangerous to say that the veto is a right which can be used to maintain certain interests, rather than to safeguard the interests of the international community when they are seriously threatened.

19. The main difficulty at the origin of the creation of the Committee whose report we are now considering came from the financial crisis of the Organization as a result of operations agreed on under the Charter on the initiative of the Security Council. Today, after the event, it is easy enough to criticize the thinking at the basis of those operations and to argue about the various responsibilities involved in the carrying out of these agreements. We can also try to agree on a clear statement of the responsibilities of bodies which must act to ensure the smooth functioning of peace-keeping operations. We welcome those efforts, and we support them, but we have no illusions that it will be possible to achieve unreserved agreement on this subject so long as the Organization continues to be in debt. We continue to believe that the best way to expedite the work of the Special Committee is to settle the present financial crisis of the United Nations without prejudice to the legal positions of anyone.

20. We continue to believe that the fervour with which we celebrated the twenty-fifth anniversary of the Organization will inspire further efforts to eliminate this very serious handicap which has prevented our Organization from discharging its primary responsibility for the maintenance of peace. It is in that spirit that we can support the draft resolution presented to us [A/8175, para. 7].

21. Mr. KHANACHET (Kuwait) (*interpretation from French*): My delegation is happy that the statement of the Rapporteur of the Special Political Committee contained a very good account of the debate in and the conclusions reached by that Committee. I should like to pay a tribute to the Rapporteur for the remarkable work he has done.

22. My delegation, faithful to its conception of its duties in this Organization, believes that it must make its contribution, however modest—and it is always modest—to all the activities of the United Nations.

23. In the field of peace-keeping, ever since this problem has been before bodies of the Organization, my delegation has taken an active part not only in the debates but also in the consultations and exchanges of view on the subject. My delegation has followed with the greatest of interest the work of the Special Committee on Peace-Keeping Operations. In the course of the debates, it expressed its disappointment at the fact that that Committee in previous years had not been able to accomplish the tasks assigned to it and, as I said in the Special Political Committee, the responsibility for this lies not with the Committee itself but primarily with the great Powers, and with certain circumstances which made it impossible for that Committee to do its work effectively and constructively. That is why my delegation deemed it necessary to pro-

pose the creation of a permanent fund for the United Nations, contributions to which would be compulsory, and not voluntary as has been the case for some years, so that the Organization would have available the necessary means to face any situation which might arise in this area and would not find itself at the mercy of those who might or might not make contributions to a fund on which the Organization could draw to finance peace-keeping operations.

24. The conviction of my delegation is that the question of peace-keeping is a matter of collective responsibility for the international community, and it is on the basis of that principle that my delegation drafted a resolution containing the necessary provisions to confirm this principle of collective responsibility. An important point which did not escape my delegation when it studied and prepared this draft resolution is the balance which should be preserved between the powers of the Security Council and those of the General Assembly. My delegation believes that these powers, as laid down in the Charter, are complementary and not contradictory.

25. A new factor has been introduced by my delegation in this area. The activities of the United Nations in the field of development must benefit from the sums which would be available in this permanent peace-keeping fund. To that end, my delegation has proposed that close co-operation be established between the United Nations, on the one hand, and the World Bank and the United Nations Development Programme, on the other, so that these funds, when they are not being used for peace-keeping, could be used for economic and social development purposes. My delegation is happy to see that the proposal it made is included in full in the report of the Special Political Committee just submitted by the Rapporteur to the General Assembly and that it will be transmitted, in turn, to the Special Committee on Peace-keeping operations for detailed study. My delegation hopes that this study will bear the desired fruit. We hope, furthermore, that it will be possible for my delegation to take part, as an observer, in the work of the Special Committee to defend its views and to offer any explanations that might be required.

26. The PRESIDENT: The General Assembly will now proceed to take a decision on the draft resolution recommended by the Special Political Committee in paragraph 7 of its report [A/8175].

27. Since the draft resolution was adopted unanimously by the Special Political Committee, may I take it that the General Assembly wishes to do likewise?

The draft resolution was adopted unanimously (resolution 2670 (XXV)).

28. We shall consider next part II of the report of the Special Political Committee on item 34 [A/8106/Add.1].

29. I shall now call on those delegation which wish to explain their votes before the voting.

30. Mr. GOMEZ NAAR (Colombia) (*interpretation from Spanish*): On this occasion my delegation will vote in favour of draft resolution F [A/8106/Add.1, para. 30] to reaffirm our complete repudiation of the policies of *apartheid* of the Government of South Africa. Our social and legal reasons for doing this—as already set forth during the general debate—are directly related to our conception of ourselves as a nation.

31. The reservation which we should like to explain on this occasion concerns a point in operative paragraph 2 which prompted our abstention in the vote in the Committee. We are now able, however, to vote in favour of the draft resolution in view of our complete opposition to the policy of *apartheid*. I sincerely hope that the sponsors of the draft resolution will once again pay attention to a matter of considerable importance for the Organization and for small countries.

32. I said before [731st meeting] and I wish to repeat now that no recommendation or mandate of the United Nations can be contrary to the Charter. The actual functioning of the Organization must always be in line with its basic constitution.

33. I should like to make two points in relation to operative paragraph 2. It reaffirms—by ratifying resolution 2396 (XXIII) of 1968 and 2506 B (XXIV) of 1969—that the struggle of the people of South Africa to eliminate *apartheid* is a legitimate one, and authorizes the use of all means at their disposal in their struggle.

34. The first point is revolutionary in nature: that is, the self-defence of a people fighting its government because that government violates the Charter and the Universal Declaration of Human Rights. There is no unqualified moral endorsement of the right of self-defence, although, of course, Article 51 of the Charter refers concretely to aggression or an armed attack against a Member of the Organization which then has the right to defend itself until the Security Council intervenes to maintain peace and security. There is, however, no other provision covering self-defence or a legitimate struggle.

35. My country takes a scientific and dynamic approach to law, interpreting its basic principles in the light of great social changes and modern jurisprudence. For that reason we are not surprised that, under Article 96, paragraph 1, of the Charter, the International Court of Justice handed down an advisory opinion conferring legal validity on a political declaration of the Assembly to the effect that a people whose fundamental rights to freedom, life, security and human dignity had been permanently violated by its Government—to the extent that the peace of a region or continent had been threatened—could be authorized by the United Nations to fight against that Government in self-defence.

36. The case of South Africa is undoubtedly extremely serious. There are violations of the second preambular paragraph of the Charter and the overwhelming majority of the principles of the Univer-

sal Declaration of Human Rights adopted and proclaimed by the General Assembly on 10 December 1948. Those violations create the right to security and protection to be given by this Organization, but this has not yet happened in accordance with the constitutional means laid down in the Charter.

37. Although the right to self-defence conferred by the General Assembly is open to debate and the United Nations has been remiss in connexion with the situation in South Africa in taking enforcement action and other action to protect security there, the fact is that this right is reasonable and in keeping with the general principles of the Charter. However, an advisory opinion of the International Court of Justice is needed to determine its true meaning and scope.

38. Therefore, my delegation does not question the right of the people of South Africa to self-defence with the gratifications mentioned. But we do question the authorization in operative paragraph 2 to the people of South Africa to struggle “by all the means at their disposal”, including unlawful means. The United Nations stands for peace; it does not stand for violence. The United Nations can never, of course, in any circumstances recommend the use of violence. This is the real meaning of the Charter. In the debate in the Committee I recommended that the means to be used in the struggle be called appropriate, especially since on 24 October of this year the General Assembly, in its Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations [resolution 2627 (XXV)] used this same term in stating that the peoples still subject to colonialism had the right to exercise self-defence. How can it fail to use this term a month later? Is there any justification for this?

39. Neither the United Nations nor the smaller countries of the world which so enthusiastically defend the right to use violence in the struggle against South Africa, without considering that such violence may be a crime, will stand to gain. Revolutionary idealism is on the march, but the smaller countries of the world must realize that as small countries their security depends on law, for law is truly a great equalizer and politically we are dwarfed by the overwhelming might of those who control the future of the world.

40. I will leave it to the sponsors of this draft resolution to consider the appropriateness of their position after having heard my arguments. Our position on the inhuman policies of *apartheid* is quite clear and we are prepared to vote in favour of draft resolution F to dispel any doubts about our possibly having reservations on the other provisions of draft resolution F. But we wanted to make this statement so as to set forth our traditional thinking and to state what we believe our future responsibility will be.

41. Finally, my delegation would like to state that we will vote in favour of the other draft resolutions—A, B, C, D, and E—as indeed we voted in favour of resolution 2624 (XXV) before the commemorative session.

42. Mr. OUELLET (Canada) (*interpretation from French*): In explaining its vote on the draft resolutions before us the Canadian delegation wishes to re-emphasize the strong revulsion felt by the Canadian Government and people towards the system of *apartheid* and the systematic denial of human rights it involves. These Canadian views are well known and are today reflected in our support for draft resolutions A, B, C, D, and E of the report of the Special Political Committee [A/8106/Add.1, para. 30]. We are happy to be able to support draft resolution C on the dissemination of information, since my delegation believes that that is a useful method of combating *apartheid*. We are grateful to the sponsors for the spirit of accommodation and compromise they displayed during the Committee's examination of that draft resolution in accepting our clarifying amendment, [*ibid.*, para. 17], which makes plain the principle that the United Nations should retain editorial control and responsibility over material broadcast by or through other organizations with United Nations assistance.

43. As a general rule the Canadian delegation favours a wide variety of measures, including an arms embargo, designed to combat *apartheid* through peaceful means. My Government has recently taken an important step in this field.

44. On 2 November last, the Canadian Secretary of State for External Affairs announced to the House of Commons in Ottawa that the Government had been reviewing its policy with regard to the application of an embargo on the export of arms to South Africa. This review was undertaken as a result of Security Council resolution 282 (1970) of 23 July 1970, which elaborated upon the terms of the Council's 1963 resolutions on this subject. Since the latest resolution went beyond the terms of the arms embargo as originally established, thorough consideration was called for to determine what steps the Government should take in compliance with the terms of that new Security Council resolution.

45. The Canadian Government has since 1963 applied a general embargo on arms exports to South Africa. Exceptions have been made, however, to allow for shipment of maintenance spare parts for equipment supplied before the 1963 resolutions were adopted, as well as for the export of certain aircraft piston engines and spare parts for them.

46. In the light of the review just completed, the Government has decided that henceforth the supply of all vehicles and equipment, and the supply of spare parts for vehicles and equipment for the use of armed forces and paramilitary organizations of the Republic of South Africa will be prohibited.

47. Therefore, if today we had before us General Assembly resolution 2624 (XXV) concerning Security Council resolution 282 (1970)—which in its draft form was adopted in the Committee on 9 October and in the plenary Assembly on 13 October—the Canadian delegation would be in a position to vote in favour of it. Our abstention at that time was caused only by

the fact that the Canadian Government's review of the subject had not been completed.

48. My delegation regrets that draft resolution F in the report was not formulated in terms which would enable us to vote for it. We shall therefore abstain. The draft resolution contains some paragraphs that the Canadian delegation could have supported; however, there are a number of other clauses about which we have serious reservations.

49. For example, Canada cannot support measures to isolate South Africa from the world community, since it believes that such measures could result only in making South Africa more determined to pursue its abhorrent racial policies. Nor could we vote in favour of the kind of action called for in paragraph 6 of this draft resolution, which, in calling the attention of the Security Council to the situation in South Africa and southern Africa, recommends that the Council resume urgently the consideration of effective measures, including those under Chapter VII of the Charter. My delegation believes that it is the task of the Security Council to determine whether a situation requires action under Chapter VII, and, if so to decide on the precise nature of the response required. The Security Council has made no such judgement about the situation in South Africa, and, in our view, it is therefore inappropriate to propose action under Chapter VII at this time.

50. The General Assembly is well aware of Canada's unalterable opposition to *apartheid* and of our support for various practical and effective measures to combat *apartheid* through peaceful means. However, I must repeat that my delegation believes that the answer to the problem of *apartheid* does not lie in armed conflict. We cannot therefore support action which could possibly serve to encourage developments which might lead to the outbreak of a violent conflict in South Africa and southern Africa, with incalculable consequences for people of all races living in that region. We strongly oppose the practice of *apartheid* but we wish to combat it by peaceful means.

51. In conclusion, I wish to reiterate the emphatic opposition of the Canadian Government and people to the practice of *apartheid* and our support for a wide range of peaceful measures against *apartheid*, including several which have been approved by the Special Political Committee. As I have already stated, Canada fully complies with the arms embargo against South Africa, and we hope that all Members of the United Nations will find it possible to observe that embargo.

52. Mr. FARAH (Somalia): My delegation made its views clear in the Special Political Committee on all the draft resolutions on *apartheid* that are currently before this Assembly.

53. As a sponsor of those draft resolutions there are a few points which it would like the General Assembly to take into account before the votes are cast. The first concerns the question of how this Organization should organize its efforts to combat *apartheid*. The

draft resolutions before the Assembly chart the course which the United Nations should take to deal effectively with the various aspects of the problem.

54. I should like to speak briefly on draft resolution A, contained in paragraph 30 of the report. This draft resolution relates to the terms of reference and the composition of the Special Committee on *apartheid*. It stands to reason that if the international campaign against *apartheid* is to be effective and is to reflect international endeavour, the Special Committee should be composed of members from all geographic groups of the Organization. Furthermore, they should be from States that are unreservedly committed to the campaign against *apartheid*.

55. In the course of the debate in the Special Political Committee members of the non-aligned group attempted to get all delegations involved, so that there could be a useful and constructive exchange of views on this matter and a discussion of ways and means by which the Organization could lend its efforts collectively in reaching a practical solution. Unfortunately, the major Western Powers, and in particular those countries which have extensive interests in South Africa, chose to remain silent. None of them took the floor in the general debate; none of them made any suggestion whatsoever as to how our Organization should approach this problem. Yet, when various proposals were brought to their attention and voting took place upon them all that we heard from those representatives were unconvincing reasons why their countries could not vote in favour of them. In the opinion of my delegation this was not a constructive attitude, it was a negative one. It was not an attitude calculated to give truth to their own professions of horror at the policies of *apartheid*. In short, they adopted an attitude of calculated indifference to what we all consider to be a criminal affront to the dignity and conscience of mankind.

56. In the course of the debate in the Special Political Committee there were suggestions that perhaps the time was now ripe for this Organization to give serious consideration to the membership of South Africa in this world Organization. We must ask ourselves a question: does the United Nations gain or lose by rejecting its own criteria for membership in its emphasis on the principle of universality? My delegation believes, of course, that all States which are prepared to make a commitment to the Charter should be welcomed as Members and must be given the opportunity to prove their commitment. In the case of South Africa's continued membership of the United Nations this question has arisen in many minds: can this Organization of ours accommodate a Member State whose transgressions against human rights have been universally acknowledged and condemned and still remain an effective instrument for order and justice? Would not the Organization become an instrument for disorder and aggression if the moral obligations of its Members were nullified by the need to preserve universality? Admittedly the answer to this question is not an easy one. The setting up of criteria for membership that are more precise than those of the Charter and the judgements

of sovereign States is a weighty matter. But to ignore this problem, which in the view of my delegation goes to the very heart of the purpose and effectiveness of the United Nations, would be to do a grave disservice to the world Organization.

57. My delegation strongly believes that the question of the membership of the Republic of South Africa in the United Nations must be taken up and considered in all its ramifications at the next session of the General Assembly. Meanwhile, my delegation will endeavour to maintain a careful documented brief on South African policies on the treatment of the black people of South Africa so that when the time is ripe for a discussion of this problem the General Assembly will at least have some pertinent facts available to it.

58. I recently attended a special ceremony in this very hall—on 1 December of this year. It was the laying of the foundation stone for a United Nations international school building. Looking from the podium, where I was seated, I could see a sea of radiant young faces of children of all colours wearing costumes of great splendour. They were the representatives of the new international generation. I was struck by a most ironic coincidence: the seats currently reserved for the true representatives of the peoples of South Africa, but which continue to be confined exclusively to the representatives of one race, one colour and one section of the population, were occupied by a happy group of black, brown and white children. I think that the meaning of *apartheid* was strikingly illustrated by that coincidence, for if the rulers of South Africa have their way those seats will never reflect the multi-racial character of the Territory and may never be filled by the representatives of all of its peoples.

59. If our task here today is to save future generations from the scourge of war and to promote the cause of human rights, we cannot ignore the challenge presented by the sight of those children, of the United Nations International School who, for a fleeting moment, showed what justice in South Africa could mean.

60. Mr. LEGNANI (Uruguay) (*interpretation from Spanish*): I shall make a brief statement merely to repeat the reservation which my delegation entered in the Special Political Committee [731st meeting].

61. My delegation will vote in favour of draft resolution F in the report of the Special Political Committee. We will be voting similarly on the other draft resolutions because they reflect our opposition to the policy of *apartheid*.

62. But we cannot support paragraph 2 of draft resolution F because the text could be interpreted as meaning that the draft resolution recommends even the use of force, beyond the cases covered by the provisions of the Charter.

63. The PRESIDENT: The Assembly will now take a decision, one by one, on the draft resolutions recommended by the Special Political Committee in paragraph 30 of its report [A/8106/Add.1].

Draft resolution A was adopted by 105 votes to 2, with 6 abstentions (resolution 2671 A (XXV)).

Draft resolution B was adopted by 111 votes to 2, with 1 abstention (resolution 2671 B (XXV)).

64. We turn now to draft resolution C. A recorded vote has been requested. The administrative and financial implications arising out of paragraphs 1 and 4 of the draft resolution are set forth in paragraph 6 of document A/8200.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Argentina, Austria, Barbados, Belgium, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Democratic Republic of), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Dominican Republic, El Salvador, Ethiopia, Finland, France, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, People's Republic of the Congo, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Spain, Sudan, Sweden, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Portugal, South Africa.

Abstaining: Australia, Botswana, Malawi, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Draft resolution C was adopted by 107 votes to 2, with 6 abstentions (resolution 2671 C (XXV)).

65. The PRESIDENT: Next we turn to draft resolutions D and E. The administrative and financial implications arising out of paragraphs 1 and 2 of draft resolution D are set forth in paragraph 13 of document A/8200.

Draft resolution D was adopted by 106 votes to 2, with 7 abstentions (resolution 2671 D (XXV)).

Draft resolution E was adopted by 111 votes to 2, with 1 abstention (resolution 2671 E (XXV)).

66. We now turn to draft resolution F. A recorded vote has been requested. Before we vote, I should like to announce that a separate recorded vote has been requested on paragraph 3.

67. As I hear no objection, a separate recorded vote will be taken on paragraph 3.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Argentina, Austria, Barbados, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Ceylon, Chad, China, Colombia, Congo (Democratic Republic of), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Dominican Republic, El Salvador, Ethiopia, Finland, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, People's Republic of Congo, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Spain, Sudan, Sweden, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Portugal, South Africa.

Abstaining: Australia, Belgium, Brazil, France, Italy, Luxembourg, Netherlands, Nicaragua, United Kingdom of Great Britain and Northern Ireland.

Paragraph 3 of draft resolution F was adopted by 100 votes to 2, with 9 abstentions.

68. The PRESIDENT: Finally, we shall take a recorded vote on draft resolution F as a whole.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Barbados, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Ceylon, Chad, China, Colombia, Congo (Democratic Republic of), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, El Salvador, Ethiopia, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, People's Republic of the Congo, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Sudan, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Australia, France, Portugal, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Belgium, Botswana, Canada, Denmark, Finland, Italy, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Spain, Sweden.

Draft resolution F as a whole was adopted by 91 votes to 6, with 16 abstentions (resolution 2671 F (XXV)).

69. The PRESIDENT: In paragraph 31 of its report, the Special Political Committee recommends that the General Assembly shorten the title "Special Committee on the Policies of *Apartheid* of the Government of the Republic of South Africa" to "Special Committee on *Apartheid*".

70. If I hear no objection I shall consider that it is the wish of the General Assembly to approve that recommendation.

It was so decided.

71. I now invite members to turn their attention to part II of the report of the Special Political Committee on agenda item 35 [A/8204/Add.1].

72. I shall call on those representatives who wish to explain their vote before the voting on the four draft resolutions recommended by the Special Political Committee.

73. Before doing so, I call on the representative of the Dominican Republic, who has asked to speak on a point of order.

74. Mr. BONILLA-AYBAR (Dominican Republic) (*interpretation from Spanish*): Thank you for giving me the floor to raise a point of order in connexion with a proposal [A/L.618] which, I believe, representatives now have before them. My proposal, which I submit on behalf of the Dominican Republic, reads as follows: "Draft resolution C recommended by the Special Political Committee (A/8024/Add.1, para. 16) refers to the maintenance of international peace and security and, therefore, falls into the category of 'important questions', to which Article 18, paragraph 2 of the United Nations Charter refers and on which decisions shall be made by a two-thirds majority of the members present and voting. Consequently, the vote on draft resolution C should be taken in accordance with rule 85 of the rules of procedure.

75. The PRESIDENT: I call on the representative of Somalia on a point of order.

76. Mr. FAHAH (Somalia): Draft resolution C, recommended in paragraph 16 of part II of the report of the Special Political Committee [A/8204/Add.1], comes within the category of "other questions" referred to in Article 18, paragraph 3, of the Charter of the United Nations on which decisions shall be made by a majority of the Members present and voting. Therefore, my delegation asks that the vote of draft resolution C should be in accordance with rule 87 of the rules of procedure.

77. The PRESIDENT (*interpretation from French*): I call on the representative of Mauritania who wishes to speak on a point of order.

78. Mr. OULD TAYA (Mauritania) (*interpretation from French*): My delegation simply wishes to request that, under rule 93 of the rules of procedure, the proposal just made by the representative of Somalia be put to the vote first.

79. The PRESIDENT: The representative of the Dominican Republic has drawn attention to the motion he has put forward in document A/L.618, in which it is proposed that draft resolution C, requires a two-thirds majority under Article 18, paragraph 2, of the Charter. He has suggested that the President should give a ruling on this question.

80. Before responding to his suggestion I believe that I should briefly inform the General Assembly of the precedents in this matter. All resolutions that have been accepted by the Assembly concerning reports of the Commissioner-General of UNRWA have received more than a two-thirds majority and, prior to the last session of the Assembly, it was accepted without question when separate votes were taken that those paragraphs which received only a simple and not a two-thirds majority were rejected. At the twenty-fourth session of the General Assembly, however, a motion was made that a draft resolution recommended by the Special Political Committee under the item here concerned, and which referred to the inalienable rights of the people of Palestine, came within the category of "other questions" referred to in Article 18, paragraph 3, of the Charter and thus required only a simple majority. This motion was adopted by 50 votes to 46, with 21 abstentions. The draft resolution, when put to a vote, obtained more than a two-thirds majority. It is in the light of these conflicting precedents that I respond to the request of the representative of the Dominican Republic.

81. After a careful study of the matter I note that the draft resolution before us this year goes further than the similar draft resolution last year in that it refers to the inalienable rights of the people of Palestine as "an indispensable element in the establishment of a just and lasting peace in the Middle East". A recommendation by the General Assembly bearing upon elements relating to a just and lasting peace in the Middle East would seem to me to be a recommendation with respect to the maintenance of international peace and security.

82. While I have now put on record my view concerning the majority required, I do not think that it would be proper, in the present circumstances, for the President to make a ruling in view of the two proposals of a procedural nature which have just been circulated. A vote must be taken on those proposals. We have two proposals before us: one by the delegation of the Dominican Republic asking for a two-thirds majority, and one by the delegation of Somalia asking for a simple majority. According to the rules of procedure, the proposal which has been made first should be voted upon first. Rule 93 of the rules of procedure states:

“If two or more proposals relate to the same question, the General Assembly shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The General Assembly may, after each vote on a proposal, decide whether to vote on the next proposal.”

83. Here a formal demand has been made to give priority to the proposal of the delegation of Somalia. It would seem to be the normal thing that we straight away take a vote on whether priority should be given to the proposal by the delegation of Somalia. If there is no objection, we shall now take a vote. A roll-call vote has been requested.

A vote was taken by roll-call.

The Byelorussian Soviet Socialist Republic, having been drawn by lot by the President, was called upon to vote first.

In favour: Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Ceylon, Chile, Cuba, Cyprus, Czechoslovakia, Guinea, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nigeria, Pakistan, People's Republic of the Congo, Poland, Romania, Saudi Arabia, Senegal, Somalia, Southern Yemen, Spain, Sudan, Syria, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia, Afghanistan, Albania, Algeria, Bulgaria.

Against: Cambodia, Canada, Costa Rica, Denmark, Dominican Republic, El Salvador, Finland, Gambia, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Luxembourg, Malawi, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Rwanda, South Africa, Sweden, United States of America, Uruguay, Australia, Austria, Barbados.

Abstaining: Chad, China, Colombia, Congo (Democratic Republic of), Dahomey, Ethiopia, Fiji, France, Gabon, Ghana, Greece, Guyana, Italy, Ivory Coast, Jamaica, Japan, Kenya, Laos, Lesotho, Liberia, Madagascar, Mauritius, Nepal, Niger, Peru, Philippines, Portugal, Sierra Leone, Singapore, Swaziland, Thailand, United Kingdom of Great Britain and Northern Ireland, Venezuela, Argentina, Belgium, Botswana, Brazil, Burundi.

The proposal was adopted by 50 votes to 31, with 38 abstentions.

84. The PRESIDENT: We shall vote now on the proposal of Somalia [A/L.619]. I shall read it out in order to be sure that all delegates understand clearly what they are voting on:

“Draft resolution C recommended by the Special Political Committee (A/8024/Add.1, para. 16) comes within the category of ‘other questions’ referred to in Article 18, paragraph 3, of the Charter of the

United Nations, on which decisions shall be made by a majority of the members present and voting. Therefore, the voting on draft resolution C will be in accordance with rule 87 of the rules of procedure.”

If this proposal is adopted, the voting on draft resolution C will be by a simple majority, in accordance with rule 87 of the rules of procedure. A roll-call vote has been requested.

A vote was taken by roll-call.

Turkey, having been drawn by lot by the President, was called upon to vote first.

In favour: Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Yemen, Yugoslavia, Zambia, Afghanistan, Albania, Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Chile, Cuba, Cyprus, Czechoslovakia, Guinea, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nigeria, Pakistan, People's Republic of the Congo, Poland, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, Southern Yemen, Spain, Sudan, Syria, Tunisia.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Australia, Austria, Barbados, Botswana, Canada, Colombia, Costa Rica, Dahomey, Denmark, Dominican Republic, El Salvador, Fiji, Finland, France, Gabon, Gambia, Greece, Guatemala, Haiti, Iceland, Ireland, Israel, Ivory Coast, Jamaica, Japan, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Mexico, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Rwanda, South Africa, Sweden.

Abstaining: Upper Volta, Venezuela, Argentina, Belgium, Bolivia, Brazil, Burundi, Cambodia, Cameroon, Central African Republic, Chad, China, Congo (Democratic Republic of), Ethiopia, Ghana, Honduras, Italy, Kenya, Laos, Mauritius, Nepal, Peru, Philippines, Portugal, Singapore, Swaziland, Thailand.

The proposal was adopted by 49 votes to 44, with 27 abstentions.

85. The PRESIDENT: The Assembly has thus decided that a decision on draft resolution C shall be taken by a simple majority.

86. I shall now call on those delegations that wish to explain their votes before the voting on the four draft resolutions recommended by the Special Political Committee.

87. Mr. GIMER (United States of America): The United States Government has repeatedly stated its position that the legitimate concerns and aspirations of the Palestinians must be taken into account if there is to be just and lasting peace in the Middle East. If the wording and intent of draft resolution C merely

reaffirmed and reinforced this position, we would vote for it. However, as I pointed out in the Special Political Committee [743rd meeting], any objective observer can see that the wording of this draft resolution and the interpretation given by its supporters carry it far beyond such a meaning. True, there have been some ambiguous statements made about this draft resolution. However, I believe the Members of the United Nations will not be misled on such important issues.

88. We are being asked to vote for a resolution which would distort the Charter principle of self-determination by applying it, not to a non-self-governing territory, but to one or more sovereign Members of this Organization. Before voting we should all be very clear on what is clearly implied. Some of us are clear, judging from the excellent statement made in the Special Political Committee by the representative of Nigeria [ibid.]. Others appear not to understand that if the principle of self-determination is to be applied in this way, it would be applicable as well to cases involving other peoples who have no sovereign status but who also may have long-standing claims to self-determination, which challenge the legitimate sovereign rights of other States. Much as we may sympathize with the plight of the Palestinian people and the peoples of other such lands, my Government does not believe that the Charter envisages the application of the principle of self-determination to Member States of this Organization in contravention of Article 2, paragraph 7, of the Charter. This is not what the United Nations Charter means by self-determination, yet we are today being asked to support such an interpretation.

89. We are also being asked to vote for a resolution which is meant by its supporters to distort Security Council resolution 242 (1967) as the basis for a peaceful settlement in the Middle East. The voting in plenary barely one month ago on two draft resolutions on the situation in the Middle East showed overwhelming support for Security Council resolution 242 (1967) as the basis for a peaceful settlement. We should not undermine or distort that resolution on which rest virtually all our hopes for peace in the Middle East.

90. As I said in Committee, draft resolution C makes not the briefest reference to the refugee question, the subject of our debate, or to any of the United Nations resolutions on this question. Even General Assembly resolution 2535 B (XXIV) adopted last year, which "reaffirms the inalienable rights of the people of Palestine" in its paragraph 1, refers to Israel. It recalls former resolutions calling upon the Government of Israel to take effective and immediate steps for the return of the displaced persons. Resolution 2535 B (XXIV) also recognized Israel as a sovereign State and recognized its role in a settlement of the plight of the Palestinian refugees. Yet the draft resolution before us makes no mention of these facts.

91. General Assembly resolution 2628 (XXV), adopted on 4 November of this year, reaffirms Security Council resolution 242 (1967) as the basis for a peaceful settlement in the Middle East. Seven Arab delegations voted for General Assembly resolution 2628 (XXV),

which explicitly endorses Security Council resolution 242 (1967) and quotes directly that section on the rights of all States in the area—and this can only mean Israel as well as the Arab States—to full sovereignty. Although my delegation did not find it possible to vote for this resolution in the General Assembly, we agree with the idea contained therein that respect for the rights of the Palestinians is an indispensable element in the establishment of a just and lasting peace based on Security Council resolution 242 (1967). The resolution which we are currently discussing is virtually the antithesis of the one adopted by the General Assembly on 4 November 1970, at least if one judges it by what its sponsors and most ardent supporters—those who refused to vote for General Assembly resolution 2628 (XXV)—say it means.

92. For these reasons, I would urge the Members of this Organization to join my Government in voting against the draft resolution. The issues of achieving peace in the Middle East and the correct application of the Charter principle of self-determination are too important for any of us to take the easy way out by closing our eyes and pretending that we are voting for a resolution which does not do violence to these issues.

93. Mr. EL-FARRA (Jordan): My delegation will vote in favour of draft resolution C because it offers a chance for a just peace. It is in line with the jurisprudence of the United Nations on the Palestine question. It deprives no entity in Palestine of a just right. We would like to see genuine, just and lasting peace prevail, and we shall encourage any chance of restoring peace in the area.

94. The draft resolution offers a reminder to Israel not to rely on power for peace, not to shoot its way to peace, not to act as a conqueror. It is a draft resolution that is needed, since the Israeli policy of fait accompli was rejected by this Assembly. It has been resisted by the Palestinians for 23 years. Today it has become more obvious that the Palestinians refuse to reward Israel for its new aggression. The draft resolution is therefore a reflection of the reality of the situation. It is a factual draft resolution.

95. The representative of the United States has just preceded me and announced that the United States will vote against the draft resolution on the grounds, *inter alia*, that it distorts the Charter and violates the domestic jurisdiction clause embodied in the Charter.

96. He made reference to Article 2, paragraph 7, of the Charter, and what-not. But the United States has every reason to know that even Israel is estopped from raising this argument on this question of Palestine. The history of the question in the United Nations shows that Israel recognized, as a precondition to its admission to the United Nations, the restoration of the rights of the people of Palestine. Mr. Eban himself, as representative of Israel, when asked whether Israel, if admitted to United Nations membership, would agree to co-operate with the United Nations in settling the very problem we have now been considering for

twenty-three years, including the Jerusalem question, answered in the affirmative. Prior to the admission of Israel, he was asked openly in the *Ad Hoc* Political Committee—and I want the representative of the United States to hear this—whether Israel would invoke Article 2, paragraph 7 of the Charter, and this is what he said:

“The Government of Israel will co-operate with the Assembly in seeking a solution to those problems I do not think that Article 2, paragraph 7, of the Charter”—the provision just quoted by the United States representative—“which relates to domestic jurisdiction, could possibly affect the Jerusalem problem, since the legal status of Jerusalem is different from that of the territory in which Israel is sovereign.”¹

He further said, on the question of Article 2, paragraph 7, which has just been cited by the United States representative:

“Moreover, as a general theory—and as I explained yesterday—during the past year we arrived, in connexion with resolutions of the General Assembly, at the view that we must be very careful not to make an extreme application of Article 2, paragraph 7, if such an application would deprive Assembly decisions of all compelling . . . force . . . the General Assembly would then be able to make recommendations directly to the Government of Israel which would, I think, attribute to those resolutions extremely wide validity.”¹

97. At that time many Members wanted to make sure that Israel would not be admitted as a special State with special obligations under the Charter unless and until it undertook to abide by all the obligations and the resolutions. Some Members were in doubt about this, and one of them was a jurist from Latin America, Mr. Castro, of El Salvador. He stated in the *Ad Hoc* Political Committee on 3 May 1949, according to the summary record of the meeting:

“The delegation of El Salvador intended to vote in favour of the admission of Israel, provided that Israel’s attitude towards the General Assembly resolution of 29 November 1947”—partition resolution—“on the internationalization of Jerusalem and the resolution of 11 December 1948 on the repatriation of the refugees was first fully clarified by the representative of Israel.”²

98. The representative of Brazil said the following in the same Committee, according to the summary record:

“In view of those considerations, the Brazilian delegation would be unable to take a final stand on the question of the admission of Israel until the Government of Israel had given a formal and clear assurance of its intention to achieve a satisfactory

settlement of the problems still remaining unsolved.”³

99. After those assurances, after those undertakings, and after those utterances by Mr. Eban before the admission of Israel, the United Nations decided to admit Israel. What did the United Nations say about the admission of Israel? It said something which has not been said in any resolution concerning the admission of any other Member into the United Nations. This will be found in the resolution on the admission of Israel, resolution 273 (III) of 11 May 1949:

“Noting that, in the judgement of the Security Council, Israel is a peace-loving State and is able and willing to carry out the obligations contained in the Charter,

“ . . .

“Noting furthermore the declaration by the State of Israel that it ‘unreservedly accepts the obligations of the United Nations Charter and undertakes to honour them from the day when it becomes a Member of the United Nations’,

“Recalling”—and it is very important that the United States representative should note this—“its resolutions of 29 November 1947”—the resolution that called for the creation of Israel—“and 11 December 1948 and taking note of the declarations and explanations made by the representative of Israel before the *Ad Hoc* Political Committee in respect of the implementation of the said resolutions,

“The General Assembly,

“ . . .

“Decides to admit Israel to membership in the United Nations.”

100. Therefore, the representative of the United States has good reason to know that, unlike the admission of any other Member to the United Nations, Israel’s admission to the United Nations was conditional on its implementation of all the United Nations resolutions recognizing the rights of others—and some of those resolutions were sponsored by the United States of America.

101. For our new colleagues who are not familiar with the way Israel’s membership was determined, I thought of bringing to their attention how Israel was admitted to the United Nations and the conditions subject to which that admission was achieved. It is unlike any other Member of the United Nations. It is the only Member which was created by the United Nations subject to certain specific conditions—one of them the restoration and recognition of the rights of the Arab people of Palestine.

102. The United States is well familiar with this background. One wonders therefore why the representative of the United States has raised this point here and now, just before the vote is to be taken. Is it an attempt to relieve Israel of this clear commitment, or is it a deliberate attempt to confuse the issue and thus furnish

¹ *Official Records of the General Assembly, Third Session, Part II, Ad Hoc Political Committee*, 47th meeting, p. 286.

² *Ibid.*, 42nd meeting, p. 187.

³ *Ibid.*, 43rd meeting, p. 193.

Israel with some excuses for evading an international obligation? I submit that this attempt by the United States can neither mislead this Assembly nor help Israel. The limitations imposed on Israel by this Assembly prior to its acceptance as a Member are permanent limitations. Neither Israel nor the United States of America is entitled to avoid them.

103. I do appeal to all colleagues in this august body not to be misled by the distortions and misrepresentation of facts of the United States. I appeal to all of them to vote for this draft resolution, which is a constructive attempt to help the area and prevent more bloodshed and more tension.

104. Mr. RAMPHUL (Mauritius): My delegation is not prepared to do anything that might at this stage still further embitter relations between Arabs and Israelis on the issue of Palestine. My delegation has faith in the Jarring Mission. We urge our Arab and Israeli friends to use the good offices of Ambassador Jarring to arrive at a just and lasting peace in the Middle East.

105. It is in this spirit that a moment ago my delegation abstained on the procedural question and will abstain in the vote on draft resolutions C and D. We shall, of course, vote in favour of draft resolutions A and B.

106. Mr. BIKOUTHA (People's Republic of the Congo) (*interpretation from French*): On instructions from my Government I wish to explain in a few words the votes my delegation is about to cast on the draft resolutions now before the Assembly. I do not think it necessary to reaffirm here the position of my country on the terrible tragedy in the Middle East. My Foreign Minister, in his statement to this Assembly [*1855th meeting*], has already done so. I should like to stress, however, that the existence of Israel as a State, recognized as such by our Organization, has never been called into question by my country. If it had been, it would be difficult to understand why the People's Republic of the Congo maintains diplomatic relations with Israel.

107. Our attitude is one of complete objectivity and calmness in the face of the facts, namely, that the political or juridical entity constituted by the State of Israel is a fact, and our firm attachment to respect for the fundamental rights of the Palestinian people is another fact. That is why we are convinced that no serious discussion on the settlement of the Middle East crisis can come to a fruitful conclusion if the Palestine people is not associated fully and equally with it in rights and obligations. That is at least our conviction, a conviction in the light of which the delegation of the People's Republic of the Congo will vote in favour of all the draft resolutions before us.

108. I should like to take this opportunity to state that the attempt to impose the two-thirds rule is simply a regrettable manoeuvre. My delegation was unable to subscribe to it. I also find it regrettable that the representative of the United States saw fit to appeal

here to people to vote against draft resolution C. The representative of Jordan explained here his sufficiently cogent reasons—and permit me now to take them up myself and to appeal, in my turn, to all delegations present, and invite them to vote overwhelmingly in favour of all the draft resolutions before us.

109. Mr. DAVIN (Gabon) (*interpretation from French*): My delegation will not be in a position to give its support to draft resolution C because, in our view, it does not contain the necessary and proper balance which would have made of it a text acceptable to all.

110. Draft resolution C is not balanced because it does not take account of all the interests of all the parties concerned, and deals only with the rights of a single Arab people of Palestine. It thus discriminates dangerously against other peoples of the region. To recognize, as we are invited to do, that a single people alone has the right to self-determination is tantamount, in our view, to refusing the benefit of this same right to other peoples, particularly the Israeli people to whom we would be denying at the same time the right to exist. Such a state of affairs would be in total contradiction to the efforts being undertaken elsewhere to find a satisfactory solution to this problem. To act in that way would run counter to Security Council resolution 242 (1967), which we have all accepted and on the basis of which we are attempting to build a just and equitable solution.

111. My delegation's negative vote should not be interpreted as opposition to the right of peoples to self-determination nor as a denial of the legitimate rights of the Palestine refugees.

112. The right of peoples to self-determination as laid down in the Charter and other international instruments, to which we have all subscribed, is a sacred right, and we remain firmly attached to it. That is why we shall continue to defend this principle and call for its application for the benefit of peoples who have been deprived of this right because of foreign domination and colonialism, particularly in South Africa, Namibia and Southern Rhodesia, and in Angola and Guinea (Bissau).

113. On the problem of the Middle East my delegation has on other occasions given its support to initiatives to grant and implement the full rights of the Palestine refugees as, indeed, of all the other peoples of the region. Accordingly, a few weeks ago we voted in favour of resolution 2628 (XXV) on the Middle East, a balanced resolution which took account of the interests of all the parties involved, because it reaffirmed the inadmissibility of the appropriation of territory by force and called for restoration of it and for full respect for the rights of the Arab people of Palestine and, finally, requested the prompt implementation of Security Council resolution 242 (1967), which, as we all know, affirms also the right of the Israeli people "to live in peace within secure and recognized boundaries free from threats or acts of force".

114. If draft resolution C had called for equality of rights for all the peoples of the region we would have

voted in favour of it. We shall vote against it because of the imbalance which characterizes it and which establishes a dangerous discrimination between the peoples of the region that we cannot accept.

115. However, my delegation will vote in favour of the other draft resolutions.

116. Mr. BONILLA AYBAR (Dominican Republic) (*interpretation from Spanish*): When in the Special Political Committee my delegation voted against draft resolution C we did so because we were anxious to maintain international peace and security in the Middle East. The Dominican Republic, a small country but one which adheres strictly to the principles of self-determination and non-intervention, considered that that draft resolution departed from the spirit of Security Council resolution 242 (1967). We said on that occasion [743rd meeting]—and I think it is appropriate to stress this once again this afternoon—that we were voting against draft resolution C because, as a peace-loving and small country interested in maintaining peace and anxious to have the resources devoted to war used instead to combat the hunger, poverty, sickness and illiteracy which beset the majority of countries represented here, we thought that it would only be adding fuel to the flames to vote in favour of that draft resolution.

117. We would not wish to do that in the conflict in the Middle East. For that reason we voted against draft resolution C in the Special Political Committee and we shall also vote against it in the Assembly.

118. We referred, also on that occasion, to something which Benito Juárez, a great American, once said—that respect for the rights of others is peace. We believe that that thought by Juárez is still most relevant today. For that reason we would again bring it to the Assembly's consideration. Furthermore, the Dominican Republic has great confidence in the super-human efforts of the Secretary-General of our Organization and in Ambassador Jarring's mission. That is why we shall vote against this draft resolution.

119. Finally, I should like to mention also for the consideration of the Assembly something said by another great Latin American, the apostle of freedom José Martí. It was that everything has already been said, but that whenever things are said sincerely they are new. I believe that that thought by Martí, the apostle of freedom, has once again great relevance this afternoon, because it is true that everything has already been said here, and that everything has been said in the course of the past 25 years, but when things are said in sincerity, as Martí pointed out, they are indeed new.

120. That is the position of the Dominican Republic.

121. The PRESIDENT: The General Assembly will now take a decision on draft resolutions A and B contained in paragraph 16 of the report [A/8204/Add.1].

Draft resolution A was adopted by 111 votes to 2, with 1 abstention (resolution 2672 B (XXV)).

Draft resolution B was adopted by 114 votes to 1, with 2 abstentions (resolution 2672 B (XXV)).

122. The Assembly will now turn to draft resolution C. A roll-call vote has been requested.

A vote was taken by roll-call.

Sweden, having been drawn by lot by the President, was called upon to vote first.

In favour: Syria, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Yemen, Yugoslavia, Zambia, Afghanistan, Albania, Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Chile, Cuba, Cyprus, Czechoslovakia, Greece, Guinea, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Mauritania, Mongolia, Morocco, Pakistan, People's Republic of the Congo, Poland, Romania, Saudi Arabia, Senegal, Somalia, Southern Yemen, Spain, Sudan.

Against: United States of America, Uruguay, Australia, Barbados, Belgium, Canada, Costa Rica, Dominican Republic, El Salvador, Gabon, Guatemala, Israel, Italy, Liberia, Luxembourg, Malawi, Netherlands, New Zealand, Nicaragua, Panama, Paraguay, Rwanda.

Abstaining: Sweden, Thailand, Togo, United Kingdom of Great Britain and Northern Ireland, Upper Volta, Venezuela, Argentina, Austria, Bolivia, Botswana, Brazil, Burma, Burundi, Cameroon, Central African Republic, Chad, China, Colombia, Congo (Democratic Republic of), Dahomey, Denmark, Ethiopia, Fiji, Finland, France, Gambia, Ghana, Guyana, Honduras, Iceland, Ireland, Ivory Coast, Jamaica, Japan, Kenya, Laos, Lesotho, Madagascar, Mauritius, Mexico, Nepal, Niger, Nigeria, Norway, Peru, Philippines, Portugal, Sierra Leone, Singapore, Swaziland.

Draft resolution C was adopted by 47 votes to 22, with 50 abstentions (resolution 2672 C (XXV)).⁴

123. The PRESIDENT: Finally, I put to the vote draft resolution D. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Ethiopia, Fiji, Finland, France, Gabon, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Japan, Jordan, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libya, Luxembourg, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Netherlands, New

⁴ The delegation of Ecuador subsequently informed the Secretariat that it wished to be recorded as having voted against the draft resolution.

Zealand, Niger, Nigeria, Norway, Pakistan, Paraguay, People's Republic of the Congo, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Spain, Sudan, Swaziland, Sweden, Syria, Thailand, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Costa Rica, Guatemala, Israel, Nicaragua, Panama.

Abstaining: Barbados, Botswana, Brazil, Central African Republic, Congo (Democratic Republic of), El Salvador, Gambia, Ivory Coast, Jamaica, Kenya, Malawi, Mauritius, Nepal, Peru, Portugal, Togo, Uruguay.

Draft resolution D was adopted by 93 votes to 5, with 17 abstentions (resolution 2672 D (XXV)).⁵

124. The PRESIDENT: I shall now call on those representatives who wish to explain their vote after the vote.

125. Mr. TEKOAHI (Israel): Today's vote on draft resolution C is a further illustration of the causes behind our Organization's continuing loss of prestige and effectiveness. When rules of procedure are set aside and Charter provisions are violated in order to push through texts unacceptable to the majority of Member States, United Nations actions become valueless.

126. The goal of the United Nations is not to offer a forum to the kind of distortions and falsifications that the General Assembly heard today from the representative of Jordan. A country which on its admission to the United Nations accepted all the obligations under the Charter has repudiated every single one of them in relation to Israel, and still has the audacity to come before this organ and offer advice on behaviour in accordance with United Nations principles.

127. The goal of the United Nations is not to offer opportunities for voting contests, but to encourage Member States to reason together, to seek understanding, to harmonize their differences, to strengthen friendly relations among States. The vote on draft resolution C makes mockery of these objectives. Indeed, the Arab States have once again perverted the United Nations into an instrument for the pursuance of their hostile policies towards Israel.

128. The resolution was supported by a minority of States; the majority refused to give it its approval. The fact that it will nevertheless be recorded as having been adopted is due to procedural manipulations whereby its sponsors established that it is not an impor-

tant question. Israel will treat it accordingly as a text of no import, and the Government of Israel cannot be expected to attach to it greater importance than the Assembly itself which, at the instigation of the sponsors, has decided that the matter is not important.

129. The resolution reflects the well-known views of a group of States concerned, apparently, more with the vagaries of vote mechanics in this Organization and with paper achievements than with peace in the Middle East. If part of the effort expended by the Arab delegations to accumulate votes in support of continued enmity were devoted by them to utilizing the United Nations for the attainment of peace, the interests of all of us in the United Nations and the peoples of the Middle East would be better served.

130. The States which have initiated and supported this resolution will recall that Jewish history is the story of a people that has remained faithful to its ideals and has not faltered in its struggle for equality, justice and independence, though it has always confronted nations more numerous than itself. In all epochs, expressions of belligerency have strengthened our unity and our determination to vindicate our rights. It is clear that a Middle East settlement will not be encouraged by votes in the United Nations reflecting controversy, hostility and a narrowly partisan approach. The only way to contribute to a settlement is by promoting agreement between Israel and the other parties to the conflict. Israel will continue to struggle for its right to peace and security, and this struggle is in conformity with the true principles of the United Nations.

131. Mr. MALM (Sweden): The fact that the Swedish delegation has abstained on draft resolution C, recommended by the Special Political Committee, does not reflect indifference to the plight of the refugees. My delegation is confident that Sweden's record as regards concern for the Palestine refugees speaks for itself. We feel, however, that the resolution in question is out of context under the item of UNRWA which is of humanitarian nature.

132. I should also like to emphasize that we do not make any interpretation to the effect that the resolution casts doubts on any Member State's right to exist.

133. Mr. MUNK (Denmark): The sincere concern of the Danish Government and the Danish people for the plight of the Palestine refugees and the displaced persons has often been demonstrated within and outside the United Nations and has been expressed in a tangible way by our contributions to UNRWA, which over the years have placed Denmark as a main supporter of that agency and of the welfare of the unfortunate people under its care.

134. Therefore, when today we have had to abstain on draft resolution C, on which we have strong reservations, it is evident that the reason is not lack of concern for the persons involved, but rather because we feel that the text does not contribute in a constructive way to improve the fate of those concerned, let alone the

⁵ The delegation of Belgium subsequently informed the Secretariat that it wished to be recorded as having voted in favor of the draft resolution and the delegation of Ecuador that it wished to be recorded as having voted against the draft resolution.

present situation in the Middle East. It could be added that the debate on UNRWA is hardly the right forum in which to adopt resolutions on political problems concerning the situation in the Middle East.

135. Furthermore, we had to abstain on this draft resolution because it is worded in terms that leave considerable queries about its intentions and implications. Indeed, some interventions during this debate have raised implications with respect to the continued existence of the State of Israel. In the opinion of the Danish Government, Israel's right to exist as an independent and sovereign State and as a full and equal Member of the United Nations cannot legitimately be questioned.

136. Finally, let me repeat that the foundation for the handling of the problems of the conflict in that area is Security Council resolution 242 (1967) of 22 November 1967, which to us remains the only solid basis for the establishment of a just and lasting peace in the Middle East.

137. Mr. ÅLGÅRD (Norway): In explaining our vote on draft resolution C, my delegation wishes to make it clear that this resolution in no way can be interpreted as placing in question the right of Israel to exist as an independent State. Furthermore, my delegation does not regard the resolution as having any relevance to the effect of Security Council resolution 242 (1967) which, in our opinion, forms the only base for a just settlement of the Middle East problem.

138. Finally, it is the position of my delegation that, while the refugee problem is basically a political one, the context in which we deal with it here is primarily humanitarian and that this is the aspect on which we ought to have concentrated.

139. The PRESIDENT: May I ask the indulgence of members of the Assembly to make an announcement before I call on the remaining speakers.

140. Referring to resolution 2656 (XXV), which was adopted at the 1918th plenary meeting, yesterday, I should like to state that after appropriate consultations eight States have given me their agreement to be members of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. So far there has been no agreement by a ninth. I believe, however, that it is so urgent that the Working Group should start work that I ask the permission of the Assembly to appoint the eight States that have agreed, so that they can start work immediately. The eight States that have so far agreed to serve are: France, Ghana, Japan, Lebanon, Norway, Turkey, The United Kingdom of Great Britain and Northern Ireland and the United States of America. The Working Group will have its first meeting tomorrow at 10.30 a.m. I hope in the very near future to be able to announce the name of the ninth member of the Group.

141. We shall now continue the explanations of vote.

142. Mr. SAYEGH (Kuwait): My delegation voted for all the draft resolutions that were before us both in the Committee and today in the plenary Assembly. I rise to explain our vote on resolution C.

143. In supporting this draft resolution both during the debate and during the vote we have felt that we have been supporting the spirit and the letter of the Charter of the United Nations. The victory of this draft resolution today makes this day in our estimation a great and joyous one. It is great and joyous for peace and peace-lovers, for justice and justice-lovers, for the right to self-determination, and for all those who, animated by their faith in self-determination, have worked to speed up the process of decolonization, which is one of the achievements in which the United Nations can take the greatest pride. It has been a great and joyous day for the Charter and all lovers of the Charter.

144. Our joy is all the greater because this resolution has been adopted in spite of the last-minute efforts in the Committee to sabotage the vote by postponing it, in spite of efforts made today to prevent approval of this draft resolution by requiring for it a majority which the majority of the voting members of the General Assembly did not think was necessary, and in spite of the pressures to which many representatives were subjected in an attempt to defeat this draft resolution. It has been adopted in spite of the efforts to distort the meaning and import of the draft resolution—efforts led in particular by the delegation of the United States of America. Our joy is all the greater because this victory has been won in spite of those efforts both in the Committee and in the plenary Assembly. Despite the efforts the draft resolution did obtain more than a two-thirds majority, even though it was the view of the majority of the voting members that it did not require more than a simple majority.

145. For the representative of Israel nevertheless to call it a minority resolution is possible only because he is the representative of a country which has made itself famous by its disregard for the Charter and its contempt for the procedures of the United Nations as well as its resolutions. When the representative of Israel goes through these perennial arithmetical acrobatics at the end of any vote on any resolution which he does not like and calls it a minority resolution, he leaves the impression that if it had not been a minority resolution his Government would have paid greater heed to it, whereas it is a well-known fact that resolutions adopted even unanimously by the General Assembly or by the Security Council have been contemptuously disregarded by his Government.

146. The right to self-determination, my delegation said last year and repeats today, is not granted by this Assembly to anyone. The right to self-determination is possessed by the people of Palestine inherently and not by the grace of a vote by this Assembly. Indeed this Assembly has graced itself by voting, in accordance with the Charter, to recognize the right of the people of Palestine to self-

determination. Last year the Assembly voted [*resolution 2535 B (XXIV)*] to recognize the inalienable rights of the people of Palestine. My delegation said at that time that a corollary to that vote was that the right to self-determination had been recognized for the people of Palestine. We are glad that today the Assembly has made that implicit recognition explicit and added to it the explicit recognition that until and unless this right is respected there can be no just peace in the Middle East.

147. There has been an attempt to state that this particular resolution is extraneous to the subject. My delegation has submitted in Committee and submits again today that the presence of this resolution makes all the other resolutions adopted on this item under discussion an organic whole which is essentially balanced in its internal constitution. Were it not for this resolution, the Assembly would have been adopting decisions about the Palestinians recognizing them as individuals entitled to food, entitled to relief, entitled to return, but not as a people and a people entitled to equal rights and self-determination. It is this resolution that has made all the others meaningful and valid in the spirit of the Charter.

148. Finally, the people of Palestine, who today have seen the United Nations once again reject the counsel of self-betrayal and vote in accordance with its Charter, the spirit as well as the letter, will take heart from the vote taken today by this Assembly and will rededicate themselves to the universal principle for which they have been struggling and will continue to struggle, the principle of self-determination for all peoples including themselves.

149. Mr. YAZID (Algeria) (*interpretation from French*): The Algerian delegation and 46 other delegations voted in favour of a resolution bearing in mind the equal rights of peoples and their right to self-determination, principles which are proclaimed in our Charter, and recognizing that the people of Palestine are entitled to equal rights and self-determination in accordance with the United Nations Charter.

150. This resolution adopted by the General Assembly adds that full respect for the inalienable rights of the people of Palestine is an indispensable element in the establishment of a just and lasting peace in the Middle East.

151. The vote of the Algerian delegation was determined, not because of racial or religious ties with the Palestinian people, but by principles which we have constantly upheld—which we upheld first when we were victims of a failure to respect those principles, and then in the United Nations when those principles were flouted in Africa, Asia and Latin America. If

we found ourselves in a situation in which the government of a fraternal people with which we had racial or religious ties flouted the right to self-determination of another people, we would vote against it.

152. Our position on those principles is constant. We support all those who are fighting for the principle of self-determination, regardless of their race or religion. This is not a mere act of solidarity; it is an act expressing our support for the principles we believe in. Our belief in those principles is especially strong, for we came here and upheld those principles, not only in this hall but also in our informal discussions, away from this General Assembly hall, and our Palestinian brothers have done likewise and are present, in a sense, in our activities.

153. Formerly others defended the rights of Algerians, and today it is our duty to defend the rights of the Palestinians and their representatives, and we uphold those principles when the peoples of Africa, Asia and Latin America are involved.

154. There is another constant fact which we should like to bring out for the record, and that is that it always seems to be the same countries who are standing by those principles, and it always seems to be the same countries who are against those principles. The situation has not changed since we came into this Organization. Our constant support for those principles has shown that it is always the same who vote for them and the same who vote against them.

155. Today we have had procedural votes, as a result of an initiative taken by some who wanted to find an indirect and irregular means of preventing our Assembly from recognizing the rights of the Palestinian people to self-determination. This comes as no surprise. We always have to deal with the same kind of manoeuvring. If tomorrow we brought here the constitutions of some countries and used those texts to defend the struggle of the Palestinian people, the same countries would use the same techniques to try to prevent the adoption of the principles we are defending.

156. The PRESIDENT: Before we adjourn, I should like to remind representatives once more that I should be extremely grateful for their help in inscribing their names as early as possible on the list of speakers on the colonial issue which we have decided to discuss on Wednesday, Thursday and Friday of this week. So few delegations have inscribed themselves on the list that it might be difficult to hold the meetings we have arranged. I would ask representatives to try to be as helpful as they can.

The meeting rose at 5.55 p.m.