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GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE SEVENTY-SIXTH MEETING

Held at Headquarters, New York,  
on Friday, 9 December 1988, at 10 a.m.

President:

Mr. CAPUTO

(Argentina)

- Question of Palestine [37] (continued)
- Credentials of representatives to the forty-third session of the General Assembly [3] (continued)
  - (b) Report of the Credentials Committee
- Consideration of the draft articles on most-favoured-nation clauses: Report of the Sixth Committee [125]
- Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States: Report of the Sixth Committee [126]
- Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts: Report of the Sixth Committee [127]

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- Progressive development of the principles and norms of international law relating to the new international economic order: Report of the Sixth Committee [128]
- Peaceful settlement of disputes between States: Report of the Sixth Committee [129]
- Draft Code of Crimes against the Peace and Security of Mankind: Report of the Sixth Committee [130]
- Report of the United Nations Commission on International Trade Law on the work of its twenty-first session: Report of the Sixth Committee [131]
- Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives: Report of the Sixth Committee [132]
- Report of the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries [133]
  - (a) Report of the Sixth Committee
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- Development and strengthening of good-neighbourliness between States: Report of the Sixth Committee [136]
- Report of the Committee on Relations with the Host Country: Report of the Sixth Committee (Part II) [137]
- Draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment: Report of the Sixth Committee [138]
- Review of the efficiency of the administrative and financial functioning of the United Nations [49] (continued)
  - (a) Note by the Secretary-General
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- Question of Antarctica [70] (continued)

- Appointments to fill vacancies in subsidiary organs and other appointments  
[17] (continued)
- (a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions: Report of the Fifth Committee
- (b) Appointment of members of the Committee on Contributions: Report of the Fifth Committee
- (c) Appointment of a member of the Board of Auditors: Report of the Fifth Committee
- (d) Confirmation of the appointment of members of the Investments Committee: Report of the Fifth Committee
- (e) Appointment of members of the United Nations Administrative Tribunal: Report of the Fifth Committee
- (f) Appointment of members of the International Civil Service Commission: Report of the Fifth Committee
- (g) Appointment of members and alternate members of the United Nations Staff Pension Committee: Report of the Fifth Committee
- (i) Appointment of members of the Consultative Committee of the United Nations Development Fund for Women

The meeting was called to order at 10.25 a.m.

AGENDA ITEM 37 (continued)

QUESTION OF PALESTINE

The PRESIDENT (interpretation from Spanish): In order to assist delegations in planning their work, I should like to inform the members of the Assembly of the programme for the plenary meetings to be held in Geneva.

On Tuesday, 13 December, at 11 a.m. the Assembly will begin its consideration of item 37, entitled "Question of Palestine", and will hear Mrs. Absa Claude Diallo of Senegal, in her capacity as Chairman of the Special Committee on the Exercise of the Inalienable Rights of the Palestinian People, who will introduce the item, and Mr. Alexander Borg Olivier, Rapporteur of the Committee, who will introduce the report.

On the same day, at 3 o'clock in the afternoon, the Assembly will continue its consideration of item 37 and hear the first speaker in the debate on that item, Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization.

As the Assembly decided at its plenary meeting on Friday, 2 December 1988 to consider this item in Geneva from 13 to 15 December, it is my intention to conclude the consideration of the item by the evening of Thursday, 15 December. Since there are already about 90 delegations on the list of speakers, it may be necessary to continue the afternoon meetings on Tuesday and Wednesday until late in the evening - perhaps into the night - in order that the draft resolutions may be taken up on Thursday.

AGENDA ITEM 3 (continued)

## CREDENTIALS OF REPRESENTATIVES TO THE FORTY-THIRD SESSION OF THE GENERAL ASSEMBLY

## (b) REPORT OF THE CREDENTIALS COMMITTEE (A/43/715/Add.1)

The PRESIDENT (interpretation from Spanish): The Assembly will now consider the second report of the Credentials Committee (A/43/715/Add.1).

I invite members of the Assembly to turn their attention to the draft resolution recommended by the Credentials Committee in paragraph 11 of its report.

The Credentials Committee adopted that draft resolution without a vote. May I consider that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution 43/10 B).

AGENDA ITEMS 125 to 134, 135 (continued), 136, 137 (continued) and 138

CONSIDERATION OF THE DRAFT ARTICLES ON MOST-FAVoured-NATION CLAUSES: REPORT OF THE SIXTH COMMITTEE (A/43/879)

OBSERVER STATUS OF NATIONAL LIBERATION MOVEMENTS RECOGNIZED BY THE ORGANIZATION OF AFRICAN UNITY AND/OR BY THE LEAGUE OF ARAB STATES: REPORT OF THE SIXTH COMMITTEE (A/43/880)

STATUS OF THE PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTIONS OF 1949 AND RELATING TO THE PROTECTION OF VICTIMS OF ARMED CONFLICTS: REPORT OF THE SIXTH COMMITTEE (A/43/819)

PROGRESSIVE DEVELOPMENT OF THE PRINCIPLES AND NORMS OF INTERNATIONAL LAW RELATING TO THE NEW INTERNATIONAL ECONOMIC ORDER: REPORT OF THE SIXTH COMMITTEE (A/43/881)

PEACEFUL SETTLEMENT OF DISPUTES BETWEEN STATES: REPORT OF THE SIXTH COMMITTEE (A/43/882)

DRAFT CODE OF CRIMES AGAINST THE PEACE AND SECURITY OF MANKIND: REPORT OF THE SIXTH COMMITTEE (A/43/883)

REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW ON THE WORK OF ITS TWENTY-FIRST SESSION: REPORT OF THE SIXTH COMMITTEE (A/43/820)

CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION, SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVES: REPORT OF THE SIXTH COMMITTEE (A/43/821)

REPORT OF THE AD HOC COMMITTEE ON THE DRAFTING OF AN INTERNATIONAL CONVENTION AGAINST THE RECRUITMENT, USE, FINANCING AND TRAINING OF MERCENARIES

(a) REPORT OF THE SIXTH COMMITTEE (A/43/884)

(b) REPORT OF THE FIFTH COMMITTEE (A/43/943)

(c) LETTER FROM ZAIRE (A/43/935)

REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FORTIETH SESSION: REPORT OF THE SIXTH COMMITTEE (A/43/885)

REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

(a) REPORT OF THE SIXTH COMMITTEE (A/43/886)

(b) REPORT OF THE FIFTH COMMITTEE (A/43/944)

DEVELOPMENT AND STRENGTHENING OF GOOD-NEIGHBOURLINESS BETWEEN STATES: REPORT OF THE SIXTH COMMITTEE (A/43/887)

REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY: REPORT OF THE SIXTH COMMITTEE (Part II) (A/43/900/Add.1)

DRAFT BODY OF PRINCIPLES FOR THE PROTECTION OF ALL PERSONS UNDER ANY FORM OF  
DETENTION OR IMPRISONMENT: REPORT OF THE SIXTH COMMITTEE (A/43/889)

The PRESIDENT (interpretation from Spanish): I request the Rapporteur of the Sixth Committee, Mr. Carlos Velasco Mendiola of Peru, to introduce the reports of the Sixth Committee in one statement.

Mr. VELASCO MENDIOLA (Peru), Rapporteur of the Sixth Committee (interpretation from Spanish): I have the honour to introduce to the General Assembly the reports of the Sixth Committee on agenda items 125 to 138.

Members will recall that at the sixty-fifth plenary meeting, on 30 November, I introduced the first part of the report of the Sixth Committee (A/43/900 and Corr.1), on item 137, entitled "Report of the Committee on Relations with the Host Country", and that on the same day the General Assembly adopted a draft resolution on the subject. Furthermore, at the sixty-eighth plenary meeting, on 5 December 1988, I introduced the first part of the report of the Sixth Committee (A/43/886) on agenda item 135, entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization". The General Assembly adopted on that same day the draft resolution contained in the report.

With the reports I have mentioned, the reports I have the honour to introduce this morning provide a complete picture of the work done by the Sixth Committee at this session.

I shall now introduce the reports of the Sixth Committee in the order in which they appear in the Journal.

Accordingly, I shall begin with the report (A/43/879) on agenda item 125, "Consideration of the draft articles on most-favoured-nation clauses". Members will note that the draft decision recommended by the Sixth Committee to the Assembly for adoption is in paragraph 7 of the report. By the draft decision the General Assembly would take note of the complexity of codification or progressive

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Sixth Committee)

development of international law on most-favoured-nation clauses and decide that accordingly, additional time should be given to Governments for thorough study of draft articles, and consideration of the question would be postponed until the forty-sixth session.

The Sixth Committee adopted the draft decision without a vote.

Members will observe that in paragraph 12 of the report of the Sixth Committee (A/43/880) on agenda item 126, entitled "Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States", two draft resolutions are recommended to the General Assembly for adoption.

In draft resolution A, in the third and fourth preambular paragraphs, the General Assembly would recall the resolutions whereby it granted observer status to the Palestine Liberation Organization and the South West Africa People's Organization. In the fifth preambular paragraph it would express the desire to enhance the effective role played by these national liberation movements.

In the operative part of the draft resolution the General Assembly would decide that these liberation movements are entitled to have their communications relating to the sessions and work of the General Assembly and all international conferences convened under the auspices of the United Nations and United Nations organs and conferences issued and circulated directly as official documents of the organ or conference in question. In this context, the General Assembly would request the Secretary-General to take the necessary steps for the implementation of the draft resolution.

Draft resolution A was adopted by the Sixth Committee by 81 votes to 2, with 25 abstentions.



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Sixth Committee)

In draft resolution B, in the preamble, the General Assembly would recall the resolution of the United Nations Conference on the Representation of States in Their Relations with International Organizations relating to the observer status of national liberation movements and the current practice of inviting these movements to participate as observers in the work of international organizations.

In the operative part of draft resolution B, the General Assembly, desirous of ensuring the effective participation of the above-mentioned movements in the work of international organizations and of regulating their status to that end, would urge all States that have not yet done so to consider as soon as possible the question of ratifying, or acceding to, the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, and to accord to delegations of the above-mentioned national liberation movements the facilities, privileges and immunities necessary for the performance of their functions.

Draft resolution B was adopted by the Sixth Committee by 87 votes to 9, with 14 abstentions.

I turn now to the report of the Sixth Committee (A/43/819) relating to agenda item 127, entitled "Status of the Protocols Additional to the Geneva Convention of 1949 and relating to the protection of victims of armed conflicts". The draft resolution recommended to the General Assembly for adoption is in paragraph 8 of the report.

In the preamble to the draft resolution the General Assembly would stress the need for consolidating and implementing the existing body of international humanitarian law and for the universal acceptance of such law, and in particular the need to protect the civilian population, especially women and children, against the effects of hostilities.

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Sixth Committee)

In the operative part of the draft resolution the General Assembly would, inter alia, note that, in comparison with the Geneva Protocols, the number of States parties to the two additional Protocols is still limited. Accordingly, it would appeal to all States parties to the Geneva Conventions of 1949 that have not yet done so to consider becoming parties also to the additional Protocols at the earliest possible date. It would request the Secretary-General to submit to its forty-fifth session a report on the status of the Protocols based on information received from Member States.

The Sixth Committee adopted this draft resolution without a vote.

Turning to the report of the Sixth Committee (A/43/81) on agenda item 128, entitled, "Progressive development of the principles and norms of international law relating to the new international economic order", the draft resolution recommended to the General Assembly for adoption appears in paragraph 9.

In the sixth preambular paragraph of the draft resolution the General Assembly would recognize the need for the codification and progressive development of the principles and norms of international law relating to the new international economic order.

In the operative part of the draft resolution the General Assembly would request the Secretary-General to continue to seek proposals of Member States concerning the most appropriate procedures to be adopted with regard to this task and would also recommend that the Sixth Committee consider making a final decision at the forty-fourth session of the General Assembly on the question of the appropriate forum to undertake this task.

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Sixth Committee)

The Sixth Committee adopted this draft resolution by 81 votes to none, with 23 abstentions.

I turn now to the report of the Sixth Committee contained in document A/43/882, under agenda item 129, "Peaceful settlement of disputes between States". The draft resolution recommended to the General Assembly is contained in paragraph 9 of the report. Under the fourth paragraph of the preamble the General Assembly would express its deep concern at the continuation of conflict situations and the emergence of new sources of disputes and tension in international life, and especially at the growing tendency to resort to force or the threat of the use of force and to intervention in internal affairs, and at the escalation of the arms race, which gravely endanger the independence and security of States as well as international peace and security. In the operative part of the draft resolution the General Assembly would urge Member States to use all existing methods of peaceful settlement of disputes and, in this context, to observe and promote in good faith the provisions of the Manila Declaration on the Peaceful Settlement of International Disputes. It would also stress the need to continue efforts to strengthen the process of the peaceful settlement of disputes through progressive development and codification of international law and through enhancing the effectiveness of the United Nations in this field.

The General Assembly would also request the Secretary-General to submit to it at its forty-fourth session a further report containing the replies of Member States, relevant United Nations bodies and specialized agencies, regional intergovernmental organizations and international legal bodies on the implementation of the Manila Declaration on the Peaceful Settlement of International Disputes and on ways and means of increasing the effectiveness of this document. This last provision, contained in operative paragraph 4, and the

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provision in operative paragraph 5, by which the Assembly would decide that this question should be examined at the forty-fourth session as a separate agenda item, in conjunction with the item of the provisional agenda entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization", were adopted by a separate vote. The Sixth Committee adopted the draft resolution as a whole by a recorded vote; there were 90 votes in favour, none against and 20 abstentions.

I shall refer now to the report of the Sixth Committee relating to agenda item 130 entitled "Draft Code of Crimes against the Peace and Security of Mankind" (A/43/883). Representatives will see in paragraph 8 of the report a draft resolution recommended by the Sixth Committee to the General Assembly. In the operative part of the draft resolution, if adopted, the General Assembly would invite the International Law Commission, taking into account the progress made at its recent session as well as the views expressed during the forty-third session of the General Assembly, to continue its work on the preparation of the draft Code, including the elaboration of a list of crimes. The Sixth Committee adopted the draft resolution by 104 votes to 5, with 13 abstentions.

I shall now turn to the report of the Sixth Committee on agenda item 131, entitled "Report of the United Nations Commission on International Trade Law on the work of its twenty-first session" (A/43/820). In paragraph 9 the Sixth Committee recommends two draft resolutions for adoption by the General Assembly. In the operative part of draft resolution I, entitled "Draft Convention on the International Bills of Exchange and International Promissory Notes", the General Assembly would express its appreciation to the United Nations Commission on International Trade Law for preparing the text of this draft Convention, which is contained in the annex of the draft resolution. The General Assembly would adopt

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and open : signature and accession the United Nations Convention on International Bills of Exchange and International Promissory Notes and would call upon all Governments to consider becoming party to the Convention. The Sixth Committee adopted draft resolution I without a vote.

Draft resolution II is entitled "Report of the United Nations Commission on International Trade Law on the work of its twenty-first session". In the paragraphs of the preamble the need to harmonize and unify international trade law is recognized, and the conviction is expressed that wide adherence to the Conventions resulting from the work of the Committee would redound to the benefit of all peoples and States. In the operative part the General Assembly would, inter alia, reaffirm the mandate of the Commission and the importance of its work, in particular for developing countries, concerned with training and technical assistance, in the field of international trade law. In this context the General Assembly would invite Governments, the relevant United Nations organs and other organizations and individuals to make voluntary contributions to the financing of special projects, seminars and symposia. The General Assembly would repeat its invitation to those States which had not yet done so to consider ratifying or acceding to the various conventions in this area. The Sixth Committee adopted draft resolution II without a vote.

The next report of the Sixth Committee is contained in document A/43/821 submitted under agenda item 132, entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives". The draft resolution recommended to the General Assembly for adoption is in paragraph 7 of this report. I wish to inform the Assembly that Romania has joined the sponsors of this draft resolution, which are listed in paragraph 5 of the report.

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Sixth Committee)

In the preamble the General Assembly would express concern over the repeated violations of the principles and norms of international law governing diplomatic and consular relations. In paragraph 2 of the operative part of the draft resolution the Assembly would strongly condemn acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives to international intergovernmental organizations and officials of such organizations. In paragraphs 3 and 4 of the operative part it would urge States to observe the aforementioned principles and rules in order to prevent any acts of violence and to bring offenders to justice. This draft resolution was adopted by the Committee without a vote.

I shall turn now to the report of the Sixth Committee on agenda item 133, "Report of the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries" (A/43/884). The report of the Fifth Committee on the budgetary and programme implications of the draft resolution recommended here by the Sixth Committee to the Assembly is contained in document A/C.5/43/53. The draft resolution is contained in paragraph 10 of the report of the Sixth Committee. In the preamble to the draft the General Assembly would recognize that the recruitment, use, financing and training of mercenaries by States were contrary to fundamental principles of international law. Accordingly, it would reaffirm the need for the conclusion, at the earliest possible date, of an international convention against the recruitment, use, financing and training of mercenaries. In the operative part of the draft resolution the General Assembly would renew the mandate of the Ad Hoc Committee and invite it to make every effort to submit to the General Assembly, if possible at its forty-fourth session, its final report containing a draft international

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convention against the recruitment, use, financing and training of mercenaries.

The draft resolution was adopted by the Sixth Committee by 122 votes to none, with 3 abstentions.

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Sixth Committee)

I turn now to the report (A/43/885) of the Sixth Committee on agenda item 134, "Report of the International Law Commission on the work of its fortieth session".

The report before the Assembly contains in paragraph 8 the draft resolution recommended by the Sixth Committee to the General Assembly for adoption.

I should like to draw the Assembly's attention to the following errors in paragraph 3 of the report (A/43/885): first, the phrase "at its 25th to 40th meetings" should be replaced by the phrase "at its 25th to 40th and 45th meetings"; secondly, the phrase "held between 31 October and 11 November 1988" should be replaced by the phrase "held between 31 October and 11 November 1988 and on 21 November 1988"; thirdly, the document for the summary records should have the following symbol instead of the one appearing in the paragraph: A/C.6/43/SR.25-40 and 45.

If the draft resolution is adopted, the General Assembly would, under its operative part, express its appreciation to the International Law Commission on the work of its fortieth session and would recommend that the Commission continue its work on the topics in its current programme. The Assembly would also recommend that efforts should continue in order to improve the ways in which the report of the International Law Commission is considered in the Sixth Committee. Moreover, the Assembly would express its satisfaction at the useful informal discussions held in the framework of the Ad Hoc Working Group provided for under paragraph 6 of General Assembly resolution 42/156.

The Sixth Committee adopted this draft resolution without a vote.

Document A/43/886 now before the Assembly contains the Sixth Committee's report on agenda item 135, "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".



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Sixth Committee)

As I indicated at the beginning of my statement, at its 68th meeting, on 5 December 1988, the General Assembly adopted draft resolution I, contained in paragraph 14 of the Committee's report, and postponed consideration of draft resolution II until the issuance of the Fifth Committee's report on the programme budget implications of that draft resolution. That report by the Fifth Committee is now available in document A/43/944. Hence, the Assembly can take a decision on this draft resolution.

Draft resolution II is also contained in paragraph 14 of the Sixth Committee's report (A/43/886).

Under the draft resolution, the General Assembly would decide in particular that the Special Committee should hold its next session for a period of three weeks early in 1989, to carry out the tasks set forth in operative paragraphs 3 and 4. I should like to call members' attention to a new mandate given the Special Committee - that is, to examine proposals concerning fact-finding activities by the United Nations as well as other proposals relating to the maintenance of international peace and security that might be submitted to the Special Committee during its session in 1989.

Under draft resolution II the General Assembly would also request the Special Committee to complete its consideration of the proposal on the resort to a commission of good offices, mediation or conciliation within the United Nations and to submit conclusions thereon, in an appropriate form, to the General Assembly at its forty-fourth session.

The Sixth Committee adopted draft resolution II without a vote.

I turn now to the report (A/43/887) of the Sixth Committee on agenda item 136, "Development and strengthening of good-neighbourliness between States".

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Sixth Committee)

The Sixth Committee recommends that the General Assembly adopt the draft resolutions contained in paragraph 18 of the report.

Under the operative part of draft resolution A, the General Assembly would take note of the report of the Sub-Committee on Good-Neighbourliness, set up by the Sixth Committee during the forty-third session of the General Assembly and would decide to include in the provisional agenda of its forty-fifth session the item entitled "Development and strengthening of good-neighbourliness between States".

Draft resolution A was adopted by the Sixth Committee by 28 votes to 20, with 64 abstentions.

I turn now to draft resolution B. Under its preamble the General Assembly would, among other things, recall its opinion that it is necessary to continue to examine the question of good-neighbourliness in order to strengthen and develop its content, as well as ways and modalities to enhance its effectiveness, and that the results of this examination could be included, at an appropriate time, in a suitable international document.

Under the operative part of the draft resolution, the General Assembly would, among other things, reaffirm that good-neighbourliness fully conforms with the purposes of the United Nations and should be founded upon the strict observance of the principles of the United Nations as embodied in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, and so presupposes the rejection of any acts seeking to establish zones of influence or domination. It would also decide to continue and to complete at its forty-fifth session, on the basis of the present resolution and the report of the Sub-Committee, the task of identifying and clarifying the elements of good-neighbourliness and to begin the elaboration of a suitable international

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document on the development and strengthening of good-neighbourliness between States within the framework of a sub-committee on good-neighbourliness.

Draft resolution B was adopted by the Sixth Committee by 100 votes to 9, with 18 abstentions.

I turn next to document A/43/900/Add.1, which contains part II of the report of the Sixth Committee on agenda item 137, "Report of the Committee on Relations with the Host Country".

The draft resolution that the Sixth Committee recommends to the General Assembly for adoption is in paragraph 9 of the report.

Under that draft resolution the General Assembly would reaffirm its condemnation of any criminal acts violating the security of missions accredited to the United Nations and the safety of their personnel. It would urge the host country to take all necessary measures to prevent such acts; and, in the light of the consideration by the Committee on Relations with the Host Country of travel regulations issued by the host country, to continue to honour its obligations to facilitate the functioning of the United Nations and the missions accredited to it. The Assembly would also request the Committee on Relations with the Host Country to continue its work, in conformity with Assembly resolution 2819 (XXVI) of 15 December 1971.

The draft resolution was adopted by the Sixth Committee without a vote.

Finally, I turn to the report (A/43/889) of the Sixth Committee on agenda item 138, "Draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment".

The draft resolution that is recommended to the General Assembly for adoption is contained in paragraph 12 of the report.

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Rapporteur, Sixth Committee)

In its preambular part the draft resolution refers to the elaboration by the Working Group established by the Sixth Committee of the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and expresses the conviction that adoption of that draft Body of Principles, which is annexed to the draft resolution, would make an important contribution to the protection of human rights.

In conformity with the operative part of the draft resolution the General Assembly would approve the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, request the Secretary-General to inform the Member States of the United Nations or members of specialized agencies of the adoption of the Body of Principles and urge that all efforts be made so that the Body of Principles becomes generally known and respected.

The draft resolution was adopted by the Sixth Committee without a vote.

That concludes my report on the work of the Sixth Committee. I ask the Assembly to forgive me for having taken advantage of its patience, but I thought the results achieved by the Sixth Committee were so important that they required individual item-by-item presentation, even in a summary fashion.

I should like to express my thanks to everyone who made it possible for the work of the Committee to be so fruitful. First, my appreciation goes to all my colleagues in the Sixth Committee, whose dedication and sense of responsibility provided the foundation for the results we achieved. Secondly, I extend very special thanks to the Chairman of the Sixth Committee, Ambassador Achol Deng, whose diplomatic skill made it possible to conduct the deliberations of the Ad Hoc Committee effectively and productively, and to our two very efficient Vice-Chairmen, Mr. Mohamed Ali and Mr. Ioan Voicu. Finally, I express my

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appreciation to the Legal Counsel, Mr. Carl-August Fleischhauer, and to Mr. Georgiy Kalinkin, Secretary of the Committee, as well as to all the personnel in the Codification Division who assisted him in providing such efficient services.

The PRESIDENT (interpretation from Spanish): If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Sixth Committee.

It was so decided.

The PRESIDENT (interpretation from Spanish): Accordingly, statements will be limited to explanations of vote.

The positions of delegations regarding the various recommendations of the Sixth Committee have been made clear in the Committee and are reflected in the relevant records. May I remind members of the General Assembly that under paragraph 7 of decision 34/401, the General Assembly agreed that:

"When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e. either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I also remind delegations that, in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

We shall now begin our consideration of the reports of the Sixth Committee.

First we shall take up its report on agenda item 125, "Consideration of the draft articles on most-favoured-nation clauses", contained in document A/43/879.

(The President)

The Assembly will now take a decision on the draft decision recommended by the Sixth Committee in paragraph 7 of its report. The Sixth Committee adopted the draft decision without a vote. May I take it that the General Assembly wishes to do the same?

The draft decision was adopted.

The PRESIDENT (interpretation from Spanish): We have concluded our consideration of agenda item 125.

We now turn to agenda item 126, "Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States" (A/43/880).

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

Mr. PHIRI (Malawi): When the Sixth Committee considered draft resolution A/C.6/43/L.10/Rev.1 under agenda item 126, which we are now considering as draft resolution A, my delegation abstained in the vote. Our abstention in no way meant a change of Malawi's policy towards the Palestinian and Namibian peoples, particularly in respect of our support for their right to self-determination.

In my delegation's view, the issue to which the draft resolution pertains brings into question the whole practice that has hitherto obtained in the United Nations by which only its Member States may have their communications issued and circulated as official documents of the United Nations. It is not the intention of my delegation to take issue with the principles behind that practice. We wish only to observe that the General Assembly has in the past departed from certain established practices in order to accommodate certain concerns. For instance, it

(Mr. Phiri, Malawi)

has extended, though piecemeal, observer status to liberation movements recognized by the Organization of African Unity (OAU) and/or the League of Arab States, a privilege that earlier was extended earlier to non-member States and regional inter-governmental organizations.

In our view, the subject-matter of the present draft resolution has been requested by virtue of the recognition of the two organizations by the OAU and the League of Arab States and therefore their enjoyment of observer status in the United Nations. In principle, therefore, in order for the General Assembly not to be seen as giving preference to particular Observers or national liberation movements, my delegation would have been more in favour of the draft resolution if it had covered either all that have observer status in the United Nations or national liberation movements, all of them recognized by the OAU or the League of Arab States. Our vote in support of the draft resolution should therefore be seen in that light.

Mr. BORG OLIVIER (Malta): I wish to explain my delegation's position with regard to draft resolution A contained in the report of the Sixth Committee (A/43/880). My Government has no objection to the Palestine Liberation Organization (PLO) and the South West Africa People's Organization (SWAPO) being granted the facility of distributing official documents directly to the Assembly and to other United Nations organs and conferences without the need for a request from a Member State, as has hitherto been the practice. However, Malta is not able to support a decision which Member States have not had enough time to consider carefully and which results in selective and discriminatory treatment that will work against States enjoying observer status but not benefiting from the same treatment.

For that reason, we shall abstain in the vote on resolution A.

The PRESIDENT (interpretation from Spanish): The Assembly will now take decisions on the draft resolutions recommended by the Sixth Committee in paragraph 12 of its report (A/43/880).

The Assembly will first take a decision on draft resolution A, entitled "Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States".

A recorded vote has been requested.



A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahrain, 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, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, 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, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Israel, United States of America

Abstaining: Australia, Austria, Bahamas, Belgium, Canada, Costa Rica, Côte d'Ivoire, Denmark, Dominica, El Salvador, Finland, France, Germany, Federal Republic of, Greece, Honduras, Iceland, Ireland, Italy, Japan, Kenya, Luxembourg, Malta, Netherlands, New Zealand, Norway, Paraguay, Portugal, Samoa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland

Draft resolution A was adopted by 117 votes to 2, with 31 abstentions (resolution 43/160 A).\*

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\* Subsequently the delegations of Bangladesh and Zimbabwe advised the Secretariat that they had intended to vote in favour.

The PRESIDENT (interpretation from Spanish): The Assembly will now take a decision on draft resolution B. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, 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, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, 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, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against:

Belgium, France, Germany, Federal Republic of, Israel, Italy, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Australia, Austria, Canada, Côte d'Ivoire, Denmark, Dominica, El Salvador, Finland, Honduras, Iceland, Ireland, Japan, New Zealand, Norway, Paraguay, Portugal, Spain, Sweden

Draft resolution B was adopted by 123 votes to 9, with 18 abstentions (resolution 43/160 B).\*

\* Subsequently the delegations of Bangladesh, the Libyan Arab Jamahiriya and Zimbabwe informed the Secretariat that they had intended to vote in favour.

The PRESIDENT (interpretation from Spanish): We have thus concluded our consideration of agenda item 126.

The Assembly will now turn its attention to agenda item 127, entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report (A/43/819).

The draft resolution was adopted by the Sixth Committee without a vote. May I consider that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 43/161).

The PRESIDENT (interpretation from Spanish): We have thus concluded our consideration of agenda item 127.

The Assembly will now consider the report of the Sixth Committee on agenda item 128, entitled "Progressive development of the principles and norms of international law relating to the new international economic order".

The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 9 of its report (A/43/881).

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, 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, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: None

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

The draft resolution was adopted by 129 votes to none, with 24 abstentions (resolution 43/162).\*

The PRESIDENT (interpretation from Spanish): We have thus concluded our consideration of agenda item 128.

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\* Subsequently the delegations of Bangladesh and Zimbabwe informed the Secretariat that they had intended to vote in favour.

(The President)

The Assembly will now consider the report of the Sixth Committee (A/43/882) on agenda item 129, entitled "Peaceful settlement of disputes between States".

The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 9 of its report.

A separate vote has been requested on operative paragraphs 4 and 5 of the draft resolution. If there is no objection, I shall put these paragraphs to the vote first.

Since there is no objection, I put to the vote first operative paragraph 4 of the draft resolution.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Belgium, Canada, France, Germany, Federal Republic of, Japan, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Brazil, Denmark, Finland, Iceland, Ireland, Israel, Italy, Jordan, Kenya, Malta, Mexico, New Zealand, Norway, Peru, Portugal, Senegal, Spain, Sweden, Turkey, Venezuela

Operative paragraph 4 was retained by 118 votes to 9, with 22 abstentions.\*

The PRESIDENT (interpretation from Spanish): I now put to the vote operative paragraph 5 of the draft resolution.

A recorded vote has been requested.

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\* Subsequently the delegations of Bangladesh and Zimbabwe advised the Secretariat that they had intended to vote in favour; and the delegation of Dominica that it had intended to abstain.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Australia, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Israel, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Austria, Brazil, Dominica, Ireland, Jordan, New Zealand, Peru, Turkey, United Republic of Tanzania

Operative paragraph 5 was retained by 121 votes to 19, with 10 abstentions.\*

The PRESIDENT (interpretation from Spanish): I now put to the vote the draft resolution, as a whole.

A recorded vote has been requested.

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\* Subsequently the delegation of Bangladesh advised the Secretariat that it had intended to vote in favour; and the delegation of Malta that it had intended to abstain.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Bahamas, Bahrain, 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, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: None

Abstaining: Australia, Belgium, Canada, Denmark, Dominica, Finland, France, Germany, Federal Republic of, Iceland, Israel, Italy, Japan, Jordan, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

The draft resolution, as a whole, was adopted by 132 votes to none, with 22 abstentions (resolution 43/163).

The PRESIDENT (interpretation from Spanish): We have thus concluded our consideration of agenda item 129.

I now invite members to turn their attention to the report of the Sixth Committee (A/43/883) on agenda item 130, entitled "Draft Code of Crimes against the Peace and Security of Mankind".

The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report. A recorded vote has been requested.



A recorded vote was taken.

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

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

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

The draft resolution was adopted by 137 votes to 5, with 13 abstentions (resolution 43/164).\*

The PRESIDENT (interpretation from Spanish): We have now concluded our consideration of agenda item 130.

We turn next to the report of the Sixth Committee (A/43/820) on agenda item 131, entitled "Report of the United Nations Commission on International Trade Law on the work of its twenty-first session".

The Assembly will now take decisions on the draft resolutions recommended by the Sixth Committee in paragraph 9 of its report.

\* Subsequently the delegation of Bangladesh advised the Secretariat that it had intended to vote in favour; and the delegation of Canada that it had intended to abstain.

(The President)

Draft resolution I is entitled "Draft Convention on International Bills of Exchange and International Promissory Notes". The Sixth Committee adopted this draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 43/165).

The PRESIDENT (interpretation from Spanish): The Assembly will now turn to the consideration of draft resolution II, "Report of the United Nations Commission on International Trade Law on the work of its twenty-first session".

The Sixth Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 43/166).

The PRESIDENT (interpretation from Spanish): We have concluded our consideration of agenda item 131.

The Assembly will now turn to the report of the Sixth Committee on agenda item 132, "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives" (A/43/821).

The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 7 of its report. The Sixth Committee adopted it without a vote. May I take it that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution 43/167).

The PRESIDENT (interpretation from Spanish): We have thus concluded our consideration of agenda item 132.

I now invite the Assembly to turn its attention to the report of the Sixth Committee on agenda item 133, "Report of the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries" (A/43/884).

The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 10 of its report.

(The President)

The report of the Fifth Committee on the programme budget implications of the draft resolution are contained in document A/43/943.

A separate vote has been requested on the fifth preambular paragraph of the draft resolution. Is there any objection? It appears not.

Accordingly, the Assembly will now vote on the fifth preambular paragraph of the draft resolution.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, 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, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, France, Germany, Federal Republic of, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Canada, Denmark, Finland, Greece, Iceland, Ireland, Israel, Malta, New Zealand, Norway, Saint Vincent and the Grenadines, Sweden, Turkey

The fifth preambular paragraph was adopted by 127 votes to 11, with 15 abstentions.\*

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\* Subsequently the delegation of Pakistan advised the Secretariat that it had intended to vote in favour.

The PRESIDENT (interpretation from Spanish): The Assembly will now take a decision on the draft resolution as a whole.

May I take it that the Assembly wishes to adopt the draft resolution?

The draft resolution was adopted (resolution 43/168).

The PRESIDENT (interpretation from Spanish): I now call on the representative of the United States of America for an explanation of vote.

Mr. ROSENSTOCK (United States of America): For reasons we set forth in detail at the fifty-first meeting of the Sixth Committee, had there been a vote on the draft resolution the United States would have abstained.

The PRESIDENT (interpretation from Spanish): In connection with this item, I should like to draw the attention of members to a letter from the Chairman of the African Group (A/43/935), relating to the membership of the Ad Hoc Committee. In accordance with that communication, Senegal will replace Nigeria as a member of the Ad Hoc Committee in 1989.

On the basis of this communication, I have appointed Senegal as a member of the Ad Hoc Committee with effect from 1 January 1989.

May I take it that the Assembly takes note of this appointment?

It was so decided.

The PRESIDENT (interpretation from Spanish): With regard to paragraph 5 of the draft resolution recommended by the Sixth Committee in document A/43/884, I would inform members that the 1989 session of the Ad Hoc Committee will be held in New York from 30 January to 17 February 1989.

We have thus concluded our consideration of agenda item 133.

We shall now consider the report of the Sixth Committee on agenda item 134, entitled "Report of the International Law Commission on the work of its fortieth session" (A/43/885).

(The President)

The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution 43/169).

The PRESIDENT (interpretation from Spanish): We have concluded the consideration of agenda item 134.

The Assembly will now resume its consideration of the report of the Sixth Committee on agenda item 135, entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" (A/43/886).

(The President)

May I remind representatives that draft resolution I, recommended by the Sixth Committee in paragraph 14 of its report, was adopted by the Assembly at its 68th plenary meeting.

I now invite the Assembly to turn its attention to draft resolution II, recommended by the Sixth Committee in paragraph 14 of its report (A/43/886). The Assembly will now take a decision on this draft resolution, which relates to the "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

The report of the Fifth Committee on the programme budget implications of draft resolution II is contained in document A/43/944.

The Sixth Committee adopted draft resolution II without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 43/170).

The PRESIDENT (interpretation from Spanish): With regard to paragraph 2 of draft resolution II, may I inform the Assembly that the 1989 session of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization will be held in New York from 27 March to 14 April.

We have thus concluded our consideration of agenda item 135.

I now invite members to turn to the report of the Sixth Committee (A/43/887) on agenda item 136, entitled "Development and strengthening of good-neighbourliness between States".

The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 18 of its report.

(The President)

Draft resolution A is entitled "Development and strengthening of good-neighbourliness between States".

A recorded vote has been requested.

A recorded vote was taken.

In favour: Antigua and Barbuda, Argentina, Australia, Austria, Bangladesh, Belgium, Belize, Benin, Canada, Cape Verde, Costa Rica, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Greece, Grenada, Guinea, Guinea-Bissau, Haiti, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kenya, Lebanon, Luxembourg, Malawi, Malta, Mozambique, Netherlands, New Zealand, Nigeria, Norway, Oman, Papua New Guinea, Portugal, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, Spain, Suriname, Sweden, Syrian Arab Republic, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela

Against: Bulgaria, Cameroon, Lao People's Democratic Republic, Madagascar, Mongolia, Philippines, Romania, Sudan, Viet Nam

Abstaining: Afghanistan, Algeria, Angola, Bahamas, Bahrain, Barbados, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Egypt, Ethiopia, German Democratic Republic, Ghana, Guatemala, Guyana, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Mali, Mexico, Nepal, Nicaragua, Niger, Pakistan, Panama, Paraguay, Peru, Poland, Saudi Arabia, Singapore, Sri Lanka, Swaziland, Thailand, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Uruguay, Vanuatu, Yugoslavia, Zaire, Zambia, Zimbabwe

Draft resolution A was adopted by 67 votes to 9, with 65 abstentions (resolution 43/171 A).\*

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\* Subsequently the delegations of Bangladesh, Bulgaria, Ecuador, Gabon, Nigeria, Oman, Qatar, Rwanda, Senegal, Somalia and Suriname advised the Secretariat that they had intended to abstain; and the delegations of Guinea-Bissau and Sao Tome and Principe that they had intended not to participate in the vote.



Mr. JESUS (Cape Verde): My delegation erroneously cast a positive vote on draft resolution A. I should like to state, for the record, that my delegation is not participating in the vote, in accordance with the similar position taken on the draft resolution when it was considered in the Sixth Committee.

Mr. ZIMBA (Mozambique): My delegation cast its vote in favour of draft resolution A by mistake. I should like the record to show that our position is not participating in the vote.

The PRESIDENT (interpretation from Spanish): The Assembly will now turn to draft resolution B in document A/43/887.

A separate vote has been requested on the last preambular paragraph and on operative paragraph 5 of draft resolution B. If there is no objection I shall put these paragraphs to the vote first. I put to the vote the last preambular paragraph of draft resolution B. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Uruguay, Vanuatu, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Italy, Japan, Jordan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Antigua and Barbuda, Argentina, Brazil, Costa Rica, Dominica, Fiji, Grenada, Ireland, Israel, Malta, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Solomon Islands, Turkey, Venezuela

The last preambular paragraph of draft resolution B was retained by 114 votes to 21, with 17 abstentions.

The PRESIDENT (interpretation from Spanish): I now put to the vote operative paragraph 5 of draft resolution B. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Uruguay, Vanuatu, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Italy, Japan, Jordan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Antigua and Barbuda, Argentina, Brazil, Costa Rica, Dominica, Fiji, Grenada, Guatemala, Hungary, Ireland, Israel, Malta, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Solomon Islands, Turkey, Venezuela

Operative paragraph 5 of draft resolution B was retained by 111 votes to 21, with 19 abstentions.

The PRESIDENT (interpretation from Spanish): I now put to the vote draft resolution B as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Uruguay, Vanuatu, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, France, Germany, Federal Republic of, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Brazil, Canada, Denmark, Dominica, Finland, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, New Zealand, Norway, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Spain, Sweden, Venezuela

Draft resolution B, as a whole, was adopted by 124 votes to 8, with 22 abstentions (resolution 43/171 B).\*

\* Subsequently the delegation of Sao Tome and Principe advised the Secretariat that it had intended to vote in favour.

The PRESIDENT (interpretation from Spanish): That concludes our consideration of agenda item 136.

The Assembly will now turn to agenda item 137 entitled "Report of the Committee on relations with the host country", contained in part II of the report of the Sixth Committee (A/43/900/Add.1).

The Assembly will now take a decision on the draft resolution entitled "Report of the Committee on relations with the host country", contained in paragraph 9 of the report.

The Sixth Committee adopted the draft resolution without a vote. May I consider that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 43/172)

The PRESIDENT (interpretation from Spanish): We have now concluded consideration of agenda item 137.

We now turn to the report of the Sixth Committee (A/43/889) on agenda item 138, entitled "Draft body of principles for the protection of all persons under any form of detention or imprisonment".

The Assembly will now take a decision on the recommendation of the Sixth Committee. In paragraph 12 of its report, the Sixth Committee recommends the adoption of a draft resolution which it had adopted without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 43/173).

The PRESIDENT (interpretation from Spanish): We have thus concluded our consideration of agenda item 138, and with it all of the items assigned to the Sixth Committee.

AGENDA ITEM 49 (continued)

## REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

- (a) NOTE BY THE SECRETARY-GENERAL (A/43/785)
- (b) DRAFT RESOLUTIONS (A/43/L.29, A/43/L.40, A/43/L.48)

The PRESIDENT (interpretation from Spanish): The Assembly will recall that on 11 November 1988 it considered agenda item 49, "Review of the efficiency of the administrative and financial functioning of the United Nations", and decided to resume consideration of the item when the ongoing negotiations had been completed.

Mr. BABINGTON (Australia): The issue before us under item 49 of our agenda, dealing with the report of the Special Commission, has been a particularly complex one. Various proposals have been submitted but they have had one common theme: to continue the task of strengthening the effectiveness of the United Nations in dealing with economic and social issues.

We have before us today the draft resolution (A/43/L.48). This text has been produced as a result of constructive informal discussions over the past week under the very able chairmanship of the Vice-President of the General Assembly, the Permanent Representative of Malta. My delegation believes that the text produced as a result of those discussions provides a very good basis on which to continue the important work of reform in the economic and social sectors. We therefore give it our full support.

Accordingly, on behalf of the co-sponsors of the draft resolution in document A/43/L.29 - Finland, Italy, Japan, the Netherlands, New Zealand, Norway, Sweden, the United Kingdom, the United States of America and Australia - we wish to withdraw draft resolution A/43/L.29 in favour of the draft resolution in document A/43/L.48.

Mr. EL GHOUAYEL (Tunisia): On behalf of the Group of 77, my delegation wishes to express sincere thanks and appreciation to the Vice-President of the General Assembly the Permanent Representative of Malta for his dedicated and tireless efforts in conducting the informal negotiations which have led to an agreement on the text the Assembly is about to adopt.

We wish also to express our satisfaction at the adoption by the General Assembly of a resolution on the review of the efficiency of the administrative and financial functioning of the United Nations in the economic and social fields.

The Group of 77 wishes to reiterate its belief that the United Nations can and should deal more effectively with international economic co-operation to fulfil its responsibilities and objectives in those fields as set out in its Charter and in relevant resolutions. We equally believe that reform of the economic and social sectors of the United Nations is a continuing process, aimed at strengthening the effectiveness of the United Nations in dealing with those issues.

Reform will, however, be devoid of any substance or content if it is not coupled with the requisite political will on the part of all Member States and the necessary determination to match words with deeds, to honour commitments and to work in good faith to give effect to the decisions adopted in a democratic way by this universal forum.

Attempts at eroding or questioning the role of the United Nations in dealing with the economic and social issues and problems besetting the world are tantamount to questioning multilateralism and the very existence of the United Nations itself, and the raison d'être of international economic co-operation for development.

(Mr. El-Ghouayel, Tunisia)

We have embarked on the process of reform in good faith. The Group of 77 has been forthcoming in coming up with initiatives to this end. We therefore expect all Member States to be as forthcoming and to demonstrate their commitment to the principles of the Charter and to work constructively towards utilizing the full potential of the United Nations in resolving the economic and social problems of our contemporary world, particularly those related to the development of developing countries. Therefore the Group of 77 wishes to withdraw the draft resolution contained in document A/43/L.40.

The PRESIDENT (interpretation from Spanish): Before calling on the next speaker, I wish to express my deep appreciation to Ambassador Alexander Borg Olivier for his very important contribution to the successful treatment of the item now before the Assembly. Convinced that a common approach shared by all member States was necessary, I requested Ambassador Borg Olivier to attempt to reconcile the prevailing views. It was a difficult task demanding long and intense negotiations. Draft resolution A/43/L.48 is the successful outcome of Ambassador Borg Olivier's efforts, and I am sure the General Assembly is grateful to him.

At the same time I wish to express thanks for the spirit of co-operation shown by the delegations of Australia and Tunisia, whose positive attitude facilitated the work of Ambassador Borg Olivier, on whom I now call to introduce draft resolution A/43/L.48.

Mr. BORG OLIVIER (Malta): Mr President, I wish first of all to thank you most warmly for the kind words you have addressed to me.

I have the honour to introduce draft resolution A/43/L.48, entitled "Review of the efficiency of the administrative and financial functioning of the United Nations in the economic and social fields".



(Mr. Borg Olivier, Malta)

The draft resolution, submitted to the General Assembly under agenda item 49, is a carefully balanced compromise text arrived at after extensive informal consultations I conducted in the capacity of Vice-President of the General Assembly at the President's request.

After meeting with representatives of the sponsors of the two proposals then under consideration, and with their co-operation, I prepared a compromise text as a basis for further discussion with all interested delegations. Informal, open-ended consultations were convened under my chairmanship, and many delegations participated actively in the meetings. There was a full and comprehensive exchange of views on the various issues involved.

I wish to express my sincere appreciation to all the participants in this exercise, and in particular to Mr. El Ghouayel, the spokesman for the Group of 77 in the Second Committee, and to Mr. Brian Babington, the representative of Australia in the Second Committee. Without their co-operation and understanding, and indeed without the co-operation and very constructive efforts of all the delegations that participated, it would not have been possible to arrive at an outcome that all would be able to support.

Malta is presenting the compromise text in order to facilitate the work of the General Assembly and to enable member States to adopt a common approach on an item of fundamental importance to the United Nations. As I have stated, draft resolution A/43/L.48 represents a carefully balanced compromise. It reflects the different interests and concerns of delegations. I am confident it commands general acceptance, and I commend it for adoption by the General Assembly.

Mr. LICHTINGER (Mexico) (interpretation from Spanish): I should merely like to point out a detail in the draft resolution before us. It is my understanding that there is an error in operative paragraph 2, in light of what had been considered. In referring to the report it says:

(Mr. Lichtinger, Mexico)

"... as well as the outcome of the discussions in 1989 on the revitalization of the Economic and Social Council, and to submit to the General Assembly at its forty-fourth session a detailed report through the Economic and Social Council".

I believe the phrase "through the Economic and Social Council" should not have been included. That was my delegation's understanding. We believe it should be deleted.

The PRESIDENT (interpretation from Spanish): The representative of Mexico has suggested deletion from paragraph 2 of the phrase - which I shall read out in English, having only the English text before me -

(spoke in English)

"... through the Economic and Social Council".

(continued in Spanish)

If there is no objection, I shall take it that the Assembly agrees to the deletion of these words in paragraph 2 of draft resolution A/43/L.48.

It was so decided.

The PRESIDENT (interpretation from Spanish): Before taking a decision on the draft resolution I should like to draw the Assembly's attention to rule 78 of the rules of procedure, concerning proposals submitted to the Assembly:

"As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting."

(The President)

May I suggest that the Assembly take a decision on draft resolution A/43/L.48, though it was circulated only this morning? If I hear no objection, we shall proceed accordingly.

It was so decided.

The PRESIDENT (interpretation from Spanish): I have been informed that adoption of the draft resolution before us will not give rise to a need for additional credits in the regular budget.

May I take it that the Assembly adopts draft resolution A/43/L.48?

Draft resolution A/43/L.48 was adopted (resolution 43/174).

The PRESIDENT (interpretation from Spanish): I call on the representative of Denmark, who wishes to explain his position on the resolution just adopted.

Mr. JONCK (Denmark): While my delegation has joined in the consensus on draft resolution A/43/L.48, entitled "Review of the efficiency of the administrative and financial functioning of the United Nations in the economic and social fields", it has done so without enthusiasm as it considers this resolution to be a disappointing and meagre outcome of the extensive deliberations and negotiations on the functioning of the United Nations in the economic and social fields that have taken place over the past two years. Regrettably, these considerations have not, up to now, led to any results. In the view of my Government, improved efficiency and functioning of the United Nations is a sine qua non for an enhancement of the role of the United Nations in these fields.

The adoption of draft resolution A/43/L.48 postpones further consideration of this question to the forty-fourth session of the General Assembly. It is the sincere hope of my Government that appropriate decisions to streamline and enhance the effectiveness of the intergovernmental structure in the economic and social fields will be taken at the forty-fourth session. We strongly encourage the Secretary-General to include in his report to the General Assembly at its forty-fourth session - the report requested in paragraph 2 of the resolution - specific proposals on ways and means of achieving this objective in order to enable Governments to take the necessary decisions.

The PRESIDENT (interpretation from Spanish): We have concluded our consideration of agenda item 49.

AGENDA ITEM 70 (continued)

QUESTION OF ANTARCTICA

The PRESIDENT (interpretation from Spanish): I wish to call the attention of Members to the results of two recorded votes that took place last Wednesday on agenda item 70. The results of the voting as announced in the General Assembly Hall were taken from the figures provided by the electronic voting machine. Subsequently, on a comparison of those figures with the figures on the recorded-vote sheets, discrepancies were discovered in both votes. These were then confirmed by listening to the sound recording of the voting.

I now, therefore, wish to announce the correct figures in the votes as contained in the voting sheets. The vote on draft resolution A, contained in document A/43/911, yielded the following result: 100 votes in favour, none against, and 6 abstentions. On draft resolution B, contained in document A/43/911, the result was as follows: 111 votes in favour, none against, and 10 abstentions.

AGENDA ITEM 17 (continued)

APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS

- (a) APPOINTMENT OF MEMBERS OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS: REPORT OF THE FIFTH COMMITTEE (A/43/920)
- (b) APPOINTMENT OF MEMBERS OF THE COMMITTEE ON CONTRIBUTIONS: REPORT OF THE FIFTH COMMITTEE (A/43/901)
- (c) APPOINTMENT OF A MEMBER OF THE BOARD OF AUDITORS: REPORT OF THE FIFTH COMMITTEE (A/43/922)
- (d) CONFIRMATION OF THE APPOINTMENT OF MEMBERS OF THE INVESTMENTS COMMITTEE: REPORT OF THE FIFTH COMMITTEE (A/43/923)
- (e) APPOINTMENT OF MEMBERS OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL: REPORT OF THE FIFTH COMMITTEE (A/43/924)
- (f) APPOINTMENT OF MEMBERS OF THE INTERNATIONAL CIVIL SERVICE COMMISSION: REPORT OF THE FIFTH COMMITTEE (A/43/925)

- (g) APPOINTMENT OF MEMBERS AND ALTERNATE MEMBERS OF THE UNITED NATIONS STAFF PENSION COMMITTEE: REPORT OF THE FIFTH COMMITTEE (A/43/926)
- (i) APPOINTMENT OF MEMBERS OF THE CONSULTATIVE COMMITTEE OF THE UNITED NATIONS DEVELOPMENT FUND FOR WOMEN

The PRESIDENT (interpretation from Spanish): I invite members to turn their attention to the report of the Fifth Committee on sub-item (a) of agenda item 17, entitled "Appointment of members of the Advisory Committee on Administrative and Budgetary Questions" (A/43/920).

In paragraph 4 of its report the Fifth Committee recommends that the General Assembly should appoint the following persons as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning on 1 January 1989: Mr. Ahmad Fathi Al-Masri, Mr. Ferguson O. Iheme, Mr. C. S. M. Mselle, Mr. József Tardos and Mr. Christopher R. Thomas.

May I take it that the Assembly appoints those persons?

It was so decided.

The PRESIDENT (interpretation from Spanish): We come now to the report of the Fifth Committee on sub-item (b) of agenda item 17, entitled "Appointment of members of the Committee on Contributions" (A/43/921).

In paragraph 6 of that report the Fifth Committee recommends the appointment of the following persons for a three-year term of office beginning on 1 January 1989: Mr. Kenshiroh Akimoto, Mr. John Fox, Mr. Ion Gorita, Mr. Elias M.C. Kazembe, Mr. V. G. Menon and Mr. Assen Iliev Zlatanov.

May I take it that it is the wish of the Assembly to appoint those persons?

It was so decided.

The PRESIDENT (interpretation from Spanish): I now invite members to turn their attention to the report of the Fifth Committee on sub-item (c) of agenda item 17, entitled "Appointment of a member of the Board of Auditors" (A/43/922).

(The President)

In paragraph 4 of that report the Fifth Committee recommends that the General Assembly appoint the President of the Federal Court of Audit of the Federal Republic of Germany as a member of the United Nations Board of Auditors for a three-year term of office beginning on 1 July 1989.

May I take it that the Assembly wishes to approve that appointment?

It was so decided.

The PRESIDENT (interpretation from Spanish): I now invite members to turn to the report (A/43/923) of the Fifth Committee on sub-item (d) of agenda item 17, entitled "Confirmation of the appointment of members of the Investments Committee".

The Fifth Committee recommends in paragraph 4 (a) of its report that the General Assembly should confirm the appointment by the Secretary-General of the following persons as members of the Investments Committee for a three-year term of office beginning on 1 January 1989: Mr. Aloysio de Andrade Faria, Mr. Braj Kumar Nehru and Mr. Stanislaw Raczkowski.

In paragraph 4 (b), the Fifth Committee recommends also that the General Assembly should confirm the appointment by the Secretary-General of Mr. Juergen Reimnitz as a member of the Investments Committee for a one-year term of office beginning on 1 January 1989.

May I take it that it is the Assembly's wish to appoint the persons recommended in paragraph 4 of document A/43/923?

It was so decided.

The PRESIDENT (interpretation from Spanish): We come now to the report (A/43/924) of the Fifth Committee dealing with the appointment of members of the United Nations Administrative Tribunal, under sub-item (e) of agenda item 17.

In the last paragraph of the report, the Fifth Committee recommends that the General Assembly should appoint Mr. Ahmed Osman, Mr. Roger Pinto and Mr. Samarendranath Sen as members of the United Nations Administrative Tribunal for a three-year term of office beginning on 1 January 1989.

May I take it that the Assembly appoints those persons?

It was so decided.



The PRESIDENT (interpretation from Spanish): We turn next to the report (A/43/925) of the Fifth Committee on sub-item (f) of agenda item 17, concerning the appointment of members of the International Civil Service Commission.

In paragraph 4 of its report, the Fifth Committee recommends that the General Assembly should appoint the following persons as members of the International Civil Service Commission for a four-year term of office beginning on 1 January 1989:

Mr. Anjad Ali, Mrs. Francesca Yetunde Emanuel, Mr. Omar Sirry,

Mr. Vladislav Petrovich Terekhov and Mr. M. A. Vellodi.

May I take it that the General Assembly wishes to appoint those persons?

It was so decided.

The PRESIDENT (interpretation from Spanish): We come now to the report (A/43/926) of the Fifth Committee on sub-item (g) of agenda item 17, entitled "Appointment of members and alternate members of the United Nations Staff Pension Committee".

In paragraph 5 (a) of that report, the Fifth Committee recommends the appointment of the following persons for a three-year term of office beginning on 1 January 1989: Mr. Yogesh Kumar Gupta, Mr. Sol Kuttner, Mr. Michael G. Okeyo and Mr. Victor A. Vislykh.

In paragraph (b), the Fifth Committee recommends that the General Assembly should appoint the following persons as alternate members of the United Nations Staff Pension Committee for a three-year term of office beginning on 1 January 1989: Mr. Tadanori Inomata, Mr. Ulrich Kalbitzer, Mr. M'hand Ladjouzi and Mr. Teodoro Maus.

May I take it that the General Assembly wishes to appoint the persons recommended by the Fifth Committee?

It was so decided.

The PRESIDENT (interpretation from Spanish): The Assembly will now turn to sub-item (i) of agenda item 17, concerning the appointment of the members of the Consultative Committee on the United Nations Development Fund for Women. The terms of office of the present five members of the Consultative Committee appointed under General Assembly decision 40/324 of 18 December 1985 and 28 April 1986 expire on 31 December 1988.

Following consultations, I have appointed the German Democratic Republic, India, Mexico, the Netherlands and Senegal as members of the Consultative Committee for a three-year term beginning on 1 January 1988.

May I consider that the General Assembly takes note of those appointments?

It was so decided.

The PRESIDENT (interpretation from Spanish): That concludes our consideration of sub-items (a), (c), (d), (e), (f), (g) and (i) of agenda item 17.

The meeting rose at 12.40 p.m.