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**AGENDA ITEM 32**

**World Disarmament Conference: report of the Special Committee on the World Disarmament Conference**

**REPORT OF THE FIRST COMMITTEE (A/9360)**

**AGENDA ITEM 33**

**General and complete disarmament: report of the Conference of the Committee on Disarmament**

**REPORT OF THE FIRST COMMITTEE (A/9361)**

**AGENDA ITEM 39**

**Implementation of the Declaration on the Strengthening of International Security: report of the Secretary-General**

**REPORT OF THE FIRST COMMITTEE (A/9448)**

1. Mr. de SOTO (Peru), Rapporteur of the First Committee (*interpretation from Spanish*): I have the honour today to introduce four reports of the First Committee.

2. The Committee considered agenda items 30 and 31 jointly. The recommendation of the Committee appears in document A/9446 and consists of the draft resolution in paragraph 13.

3. Agenda items 32 and 33 were discussed simultaneously, together with other items relating to disarmament which the Assembly considered a few days ago. The recommendation of the Committee on item 32 appears in paragraph 10 of document A/9360.

4. In connexion with agenda item 33, the Committee recommends three draft resolutions, the texts of which appear in paragraph 15 of document A/9361.

5. Regarding agenda item 39 the Committee recommends the adoption of the draft resolution which appears in paragraph 10 of its report [A/9448]. Another draft resolution, the text of which appears in paragraph 7 of document A/9448, was submitted to the Committee. It decided to postpone consideration of that draft until the next session of the General Assembly.

6. On behalf of the First Committee I recommend the adoption of the above-mentioned draft resolutions.

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

**President:** Mr. Leopoldo BENITES (Ecuador).

*In the absence of the President, Mr. Amerasinghe (Sri Lanka), Vice-President, took the Chair.*

**AGENDA ITEMS 30 AND 31**

**International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space**

**Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting: report of the Committee on the Peaceful Uses of Outer Space**

**REPORT OF THE FIRST COMMITTEE (A/9446)**

7. The PRESIDENT: We shall first consider the report of the First Committee on agenda items 30 and 31 [A/9446]. The draft resolution recommended by the First Committee appears in paragraph 13 of the report and is entitled "International co-operation in the peaceful uses of outer space". The report of the Fifth Committee on the administrative and financial implications of that draft resolution is contained in document A/9460. I now put the draft resolution to the vote.

*The draft resolution was adopted by 77 votes to none, with 10 abstentions (resolution 3182 (XXVIII)).*

8. The PRESIDENT: Under paragraph 28 of the resolution just adopted, the General Assembly has decided to enlarge the membership of the Committee on the Peaceful Uses of Outer Space and requested the President of the General Assembly, in consultation with the regional groups and with the Chairman of the Committee on the Peaceful Uses of Outer Space, to designate, at an early date and not later than 15 May 1974, not more than nine additional members, taking into account the principle of equitable geographical distribution. The President has initiated the necessary consultations and hopes to make an announcement at an early date.

9. With the exception of the designation by the President of the additional members of the Committee on the Peaceful Uses of Outer Space, the Assembly has concluded its consideration of agenda items 30 and 31.

10. The Assembly will now consider the report of the First Committee on agenda item 32 [A/9360].

11. We shall now take a decision on the draft resolution entitled "World Disarmament Conference", recommended by the First Committee in paragraph 10 of its report. The report of the Fifth Committee on the administrative and financial implications of the draft resolution is contained in document A/9461. As the First Committee adopted the draft resolution unanimously, may I take it that the General Assembly also wishes to do so?

*The draft resolution was adopted (resolution 3183 (XXVIII)).*

12. The PRESIDENT: I shall now call on those representatives who wish to explain their votes.

13. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): The unanimous adoption at today's plenary meeting of the twenty-eighth session of the General Assembly of the resolution on the World Disarmament Conference is a reflection and indication of the deep interest felt by the overwhelming majority of the world's States in finding a solution to the wide range of disarmament problems. The preparation and convening of the World Disarmament Conference will constitute an outstanding event in the long struggle of peace-loving peoples for disarmament. All States without exception—large, small and medium-sized, with and without great military and economic potential—will have an opportunity to take part on an equal footing in that Conference. They will take part in that world forum in order to consider one of the most

important problems of today, the problem of general and complete disarmament.

14. During consideration of this issue in the General Assembly, only a numerically very small group of delegations opposed, or sympathized with those who opposed, the World Disarmament Conference. The overwhelming majority of delegations came out in favour of the proposal to convene such a Conference, which was submitted by the Soviet Union as far back as the twenty-sixth session of the General Assembly. In the face of that majority, even those who opposed convening the Conference did not dare, either in the First Committee or in the plenary Assembly, to vote against such a positive resolution on this important issue. That is very revealing and significant.

15. What conclusion can we draw today from the adoption at the twenty-eighth session of the General Assembly of a positive resolution on the question of beginning preparations for convening the World Disarmament Conference? Only one conclusion can be drawn, namely that the twenty-eighth session of the General Assembly, like the two previous sessions of the United Nations General Assembly, the twenty-sixth and twenty-seventh, has not taken the road along which those who opposed the idea and proposal for the convening of the Conference were strenuously trying to push it. An absolute majority of States Members of the United Nations, and the General Assembly as a whole, overcame the opposition of the insignificant minority opposing the Conference. The idea of convening the Conference was adopted and approved by the General Assembly at all three sessions.

16. As we know, at the twenty-seventh session of the General Assembly the President, Mr. Trepczynski, pursuant to a decision taken by the General Assembly, appointed an efficient and highly competent Special Committee on the Conference in accordance with the political principle and the principle of equitable geographical representation.

17. The fact that the members of that Committee established by the President of the twenty-seventh session of the General Assembly were very well chosen has now been confirmed by the decision taken by the General Assembly at the current session, for all the members of the former Special Committee have been included in the membership of the *Ad Hoc* Committee established by the decision taken by the General Assembly at its twenty-eighth session. Ten new members have also been added.

18. This is a further and most important confirmation of the correctness of the decision taken by President Trepczynski. It also indicates how incorrect and mistaken was the position of those who criticized or raised doubts about both the correctness of that decision and the membership of the Committee established at that time. It is quite clear that that criticism has been defeated. The twenty-eighth session of the General Assembly has not supported it. On the contrary, by its decision, it has supported the earlier decision and has reaffirmed the action taken by the President of the previous session of the General Assembly.

19. In this connexion we must draw attention to another important fact. As you know, those who opposed the con-

vening of the Conference tried hard to exploit a so-called under-representation in the Committee of several regional groups and made every effort to prevent the question from being settled during the work of the Special Committee, so that it would have to be postponed until the twenty-eighth session of the General Assembly. The purpose of those tactics was quite obvious. The question of under-representation was used by the opponents of the convening of the Disarmament Conference to undermine the normal work of the Special Committee and thus intentionally delay preparations for the Conference.

20. Yet the question of under-representation could have been resolved without delay as soon as it arose, soon after the end of the twenty-seventh session of the General Assembly. The Soviet Union and a number of other States proposed at that time that the regional groups which felt they were under-represented should send additional representatives to the Special Committee to participate in its work on an equal footing, thus ensuring the normal functioning of the Committee. However, such a solution to the problem was prevented at that time by those who opposed the convening of the Conference. A solution had to be postponed until this session of the General Assembly. Now that problem too has been settled.

21. In an attempt to hinder the work of the Special Committee, those who opposed the Conference also invoked the issue of the participation of nuclear Powers in the work of the Committee, or more accurately, the non-participation in the Committee of the four nuclear Powers. The resolution adopted by the current session of the General Assembly has now solved this problem too. The resolution contains a special provision for co-operation between nuclear Powers and the *Ad Hoc* Committee which has been established in pursuance of this resolution and for their participation in the work of the Committee on an equal footing with its other members.

22. Thus, the two obstacles artificially created by those who opposed the Conference, the two stumbling-blocks, have been removed, and the *Ad Hoc* Committee can without delay start its normal work on preparations for convening the World Disarmament Conference.

23. Opponents of the Conference may complain that the Committee's mandate is limited. But no one will deny that, regardless of the nature and scope of its mandate, the purpose of the establishment of the Committee is quite clear and is understood by all. Its main purpose is to begin preparations for convening the World Disarmament Conference. This is the will of the overwhelming majority of States Members of the United Nations. It is the decision of three sessions of the United Nations General Assembly. It is also the wish and aspiration of peace-loving peoples throughout the world. Whatever efforts are made by opponents of the Conference, it can be stated with full confidence that the World Disarmament Conference will be prepared and convened.

24. With the adoption today of a positive decision on the World Disarmament Conference, following the adoption on 7 December of the decision to reduce the military budgets of States permanent members of the Security Council by 10 per cent and to use part of the funds thus saved to provide

assistance to developing countries, and with the adoption of the resolution on another important international political question, the strengthening of international security, the twenty-eighth session of the United Nations General Assembly has made a very important and substantial contribution to the current relaxation of international tension.

25. The Soviet delegation would like to take this opportunity to express its satisfaction with the decision taken today by the General Assembly on the question of the World Disarmament Conference. In this connexion, the delegation of the USSR takes note of the positive contribution to the solution of this question made by the sponsors of the draft resolution which has been adopted, the delegations of Algeria, Argentina, India, Mexico and Yugoslavia, who succeeded in drawing up and agreeing on a draft resolution acceptable to all. We are also very grateful to the representative of Iran, Ambassador Hoveyda, for his active efforts in his capacity as Chairman of the Special Committee on the World Disarmament Conference and for the important contribution he has made to the drafting of this resolution.

26. In conclusion, I should like to express my confidence that the newly established *Ad Hoc* Committee on the World Disarmament Conference will now be able to proceed without delay to carry out the mandate entrusted to it by the General Assembly. We hope that the work of this body will proceed in an atmosphere of harmony, goodwill and sincere determination to move forward step by step in its preparations for the World Disarmament Conference. The Soviet Union, for its part, will do everything in its power to further the successful work of this Committee.

27. Mr. GARCÍA ROBLES (Mexico) (*interpretation from Spanish*): My delegation regrets the introduction of polemics into our discussion. If this were not clarified, it might inject a note of discord into the agreement that was reached, fortunately, in the First Committee and confirmed here a few minutes ago. Therefore I think it might be appropriate to clarify two main points.

28. The first relates to an error of fact. It is incorrect to say that all of the members of the Special Committee are now members of the *Ad Hoc* Committee. Of the 31 members of the Special Committee only 30 have been appointed to membership of the *Ad Hoc* Committee. That is my first point.

29. My second point, and an even more important one, is that it is not correct to say that those who took the position—as did my delegation—that unfortunately, owing to circumstances beyond our control, the Special Committee had been unable to work for the purposes for which it had been created, were opposed to the idea of convening a World Disarmament Conference. Quite the contrary is true. My delegation considers that facts, not words, speak for themselves and we have just demonstrated this once again through the role that it fell to us to play in the negotiation and elaboration of the draft resolution which was unanimously adopted in the First Committee and which the General Assembly has similarly just approved.

30. I should be engaging in polemics—which, as I said at the outset, would be completely out of place—if I were to analyse here the true reasons that made it impossible for the

Special Committee to discharge its functions. I shall confine myself, therefore, to reminding the Assembly that at the last meeting of the Assembly's twenty-seventh session<sup>1</sup> I had an opportunity to emphasize from this very rostrum that the co-operation of the nuclear Powers, the merits of which are obvious to all, could be offered either within the Committee by their being members of the Committee or, if that were impossible, outside the Committee, provided—and this is what I laid particular emphasis on—that the nuclear Powers were in a position to give this co-operation on a footing of absolute equality. There you have the key to why the Special Committee was unable to work and why the *Ad Hoc* Committee will, we trust, be able to work, and work effectively.

31. To conclude, I should merely like to reiterate what I said in the First Committee when, on behalf of the delegations of Algeria, Argentina, India, Yugoslavia and Mexico, I introduced draft resolution A/C.1/L.673, which has just become a resolution of the Assembly. At that time I stated the following:

“... I should like to stress the fact that draft resolution... co-sponsored by five delegations from the third world, will incidentally help to return to its origins the initiative that we are now considering, the deepest roots of which are to be found in the Conferences of Heads of State and Government of Non-Aligned Countries, held in Belgrade in 1961 and in Cairo in 1964, and in resolution 2030 (XX), which the General Assembly adopted in 1965 on the basis of a draft resolution originally co-sponsored by 42 of these same non-aligned countries.

“If, as we hope, the Assembly now unanimously endorses our proposal, we shall be laying the foundations so that this noble undertaking will one day be brought to a successful culmination and so that, at the appropriate moment, and after the necessary preparation, a world disarmament conference may be convened that will be open to all States and in which an active part will be played by all nuclear Powers, since, as the preamble to the draft resolution states, such a world conference could serve as an important instrument for achieving the aims stated in the fifth preambular paragraph, namely, that it would lead to ‘the adoption of effective measures of disarmament and, more particularly, nuclear disarmament’.”<sup>2</sup>

32. The PRESIDENT: The next report of the First Committee is on agenda item 33 [A/9361]. The General Assembly will now vote on the three draft resolutions recommended by the First Committee in paragraph 15 of its report. A recorded vote has been requested on all three draft resolutions which are collectively entitled “General and complete disarmament”.

33. I first put to the vote draft resolution A.

*A recorded vote was taken.*

*In favour:* Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Bhutan, Brazil, Burma,

Burundi, Cameroon, Canada, Central African Republic, Chile, Congo, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Germany, Federal Republic of, Ghana, Guatemala, Guinea, Iceland, India, Indonesia, Iran, Ireland, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

*Against:* Albania.

*Abstaining:* Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, France, German Democratic Republic, Greece, Hungary, Italy, Mongolia, Poland, Romania, South Africa, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Draft resolution A was adopted by 94 votes to 1, with 19 abstentions (resolution 3184 A (XXVIII)).<sup>3</sup>*

34. The PRESIDENT: Next I put to the vote draft resolution B. The report of the Fifth Committee on the administrative and financial implications of that draft resolution is contained in document A/9382.

*A recorded vote was taken.*

*In favour:* Afghanistan, Australia, Austria, Bahrain, Barbados, Belgium, Bhutan, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, Congo, Cyprus, Czechoslovakia, Dahomey, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, Indonesia, Iran, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Zaire.

*Against:* Albania, China.

<sup>1</sup> See *Official Records of the General Assembly, Twenty-seventh session, Plenary Meetings*, 2116th meeting.

<sup>2</sup> *Ibid.*, *Twenty-eighth Session, First Committee*, 1985th meeting, paras. 17 and 18.

<sup>3</sup> The delegations of Democratic Yemen and Sudan subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of the draft resolution.

*Abstaining:* Algeria, Argentina, Brazil, Cuba, Democratic Yemen, France, India, Saudi Arabia, Spain, United Republic of Tanzania, Zambia.

*Draft resolution B was adopted by 100 votes to 2, with 11 abstentions (resolution 3184 B (XXVIII)).<sup>4</sup>*

35. The PRESIDENT: Finally, I shall put to the vote draft resolution C.

*A recorded vote was taken.*

*In favour:* Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Bhutan, Brazil, Burma, Burundi, Cameroon, Central African Republic, Chile, Congo, Cyprus, Dahomey, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Ghana, Guatemala, Guinea, Honduras, Iceland, India, Indonesia, Iran, Ireland, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Romania, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

*Against:* None.

*Abstaining:* Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Cuba, Czechoslovakia, France, German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, Italy, Mongolia, Poland, Portugal, South Africa, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Draft resolution C was adopted by 93 votes to none, with 20 abstentions (resolution 3184 C (XXVIII)).<sup>5</sup>*

36. The PRESIDENT: I now call on the representative of Brazil, who wishes to speak in explanation of his vote.

37. Mr. GUERREIRO (Brazil): The delegation of Brazil voted in favour of draft resolution C in document A/9361, since that draft stresses the responsibility of the United Nations with regard to all matters pertaining to disarmament, in particular the ultimate goal of general and complete disarmament under effective international control.

38. The language of paragraph 2 of that resolution is, however, rather ambiguous. It should not be interpreted superficially, in a sense detrimental to the interests of countries which have always insisted that disarmament efforts should be directed in the first instance towards the halting and reversal of the arms race among the strongest armed

countries, in particular the nuclear arms race, without creating unjustifiable restrictions elsewhere.

39. It was on that understanding, which I am sure is shared by the original sponsors of the draft, that my delegation cast its affirmative vote.

40. The PRESIDENT: I should like to draw the Assembly's attention to paragraph 9 of document A/9382, the report of the Fifth Committee on the administrative and financial implications of draft resolution B, which has just been adopted. The recommendation of the Fifth Committee, as it appears in paragraph 9, is that:

“... should the General Assembly adopt the draft resolution, the costs of the services and assistance the Secretary-General is requested to provide for the review conference on the Treaty on the Non-Proliferation of Nuclear Weapons and its preparation, in the amounts indicated in paragraphs 7 and 8 of the Advisory Committee's report (A/9008/Add.26), should be borne by the States participating in the review conference and should be refunded to the Organization under appropriate arrangements.”

41. If there is no objection, I shall take it that the General Assembly agrees to adopt that recommendation.

*The recommendation was adopted.*

42. The PRESIDENT: We turn now to the report of the First Committee on agenda item 39 [A/9448].

43. The Assembly will now vote on the draft resolution entitled “Implementation of the Declaration on the Strengthening of International Security”, recommended by the First Committee in paragraph 10 of its report.

*The draft resolution was adopted by 97 votes to 2, with 18 abstentions (resolution 3185 (XXVIII)).*

44. The PRESIDENT: I now draw the attention of members to paragraph 9 of the report. May I take it that the General Assembly takes note of that paragraph?

*It was so decided.*

45. The PRESIDENT: I shall now call on those representatives who wish to explain their votes.

46. Mr. DORON (Israel): My delegation abstained in the vote on the draft resolution in paragraph 10 of document A/9448, because it contains certain elements which we could not support.

47. Furthermore, my delegation finds it incongruous and indeed shocking that this draft resolution, professing adherence to lofty principles and ideas, comes up for adoption by the General Assembly today in the shadow of the horrendous and barbaric crime perpetrated yesterday at Rome and Athens at random against innocent people. This latest and most dreadful example of the cruelest and wildest terrorism throws a harsh light on the refusal of the General Assembly this year to consider the agenda item concerning measures against terrorism. The delegation of Israel disassociated itself from that refusal.

<sup>4</sup> The delegation of Sudan subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the draft resolution.

<sup>5</sup> *Idem.*

48. It is to be regretted that, instead of dealing seriously and sternly with the scourge of international terrorism, the Assembly prefers to limit itself to a Declaration of the kind adopted this morning. It is characteristic of these times in which we live that seven Arab States have sponsored that Declaration; among them are found some of the most ardent supporters of the terror organizations which produced the murderers who committed the savage butcheries at Rome and Athens.

49. Mr. FLORIN (German Democratic Republic) (*translation from Russian*): The delegation of the German Democratic Republic voted in favour of the draft resolution contained in document A/9448 for reasons of principle. We are in agreement with the basic idea of the draft resolution.

50. During the debate in the First Committee my delegation once again expressed the opinion that the rejection of the cold war in favour of détente, and of confrontation in favour of peaceful coexistence among States with different social systems, is a fundamental trend in international development. This trend continues despite the attempts of the most reactionary and aggressive forces of imperialism to slow down the process of détente or even to halt it.

51. In this connexion I should like once again to recall the important treaties concluded between the socialist and capitalist States of Europe, which have established a suitable basis for peaceful coexistence among the peoples of Europe. I particularly want to recall that as a result of the international legal confirmation or recognition of the existence of the two independent sovereign German States—the socialist German Democratic Republic and the capitalist Federal Republic of Germany—the so-called open German problem no longer exists, a problem which was formerly one of the causes of tension in Europe.

52. The signing on 11 December 1973 of a treaty concerning mutual relations between the Czechoslovak Socialist Republic and the Federal Republic of Germany represents a further important step in laying the foundations for peace in Europe. The question of the recognition of the Munich Pact as invalid from the outset was long one of the most complicated questions; it had to be resolved because of the direct influence of that *diktat* imposed by Hitler's Germany on the then Czechoslovak Republic at a time when preparations were being made for the Second World War.

53. As early as 1950 the German Democratic Republic, in a joint declaration of the Governments of the two States, categorically and unreservedly condemned the Munich Pact with all its consequences. The German Democratic Republic has waived all territorial claims and is not seeking any adjustment in its frontiers with the Czechoslovak Socialist Republic. Friendly and neighbourly relations have developed and are developing in conformity with socialist internationalism. Accordingly, it is quite understandable that the German Democratic Republic should welcome the news of the conclusion of the treaty between a fraternal socialist country—the Czechoslovak Socialist Republic—on the one hand and the Federal Republic of Germany on the other, under which both parties regard the Munich Pact as invalid from the outset and affirm the inviolability of existing frontiers. There is no doubt that this event will have a favourable

influence on the development of peaceful coexistence among the States of Europe.

54. I should like to stress that the German Democratic Republic firmly supports the appeal of the General Assembly at its twenty-eighth session that all States should implement and adhere to all the provisions of the Declaration on the Strengthening of International Security unswervingly and without delay and broaden the scope of détente to cover the entire world.

55. Referring to the Programme of Peace adopted by the Twenty-fourth Congress of the Communist Party of the Soviet Union, the First Secretary of the Central Committee of the Socialist Unity Party of Germany, Mr. Honecker, stated on behalf of the German Democratic Republic in an interview on 10 December 1973:

“In accordance with this Programme we shall continue to make the necessary joint efforts to ensure that the degree of détente already achieved becomes irreversible. Furthermore, we are in favour of broadening this détente and we believe that political détente should be supplemented by military détente.”

56. The easing of tension is a complicated process and is taking place in a situation characterized by contradictions. It is obvious that certain circles which call for a pragmatic policy are finding it somewhat difficult to be consistent. Attempts are being made to interpret and apply treaties and agreements unilaterally, contrary to their spirit and letter. There are still statesmen who apparently do not yet wish to accept the new situation in Europe. Furthermore, some irresponsible politicians are putting about clearly reckless assertions that co-operation with the socialist countries represents some kind of threat to the West or that it will accelerate the arms race. We must be very vigilant in the face of such assertions.

57. The preamble of the resolution we have just adopted rightly draws attention to the continued existence of dangerous focal points of war and tension stemming from acts of aggression and the continued existence of colonialism, racial discrimination and *apartheid*. Regrettably, such phenomena continue to exist in today's world. The elimination of their causes is an important task for all peace-loving forces, not least our own Organization.

58. The delegation of the German Democratic Republic notes with satisfaction that the document just adopted by the General Assembly by an overwhelming majority of votes reaffirms the legitimacy of the struggle of peoples still under alien domination to achieve self-determination and independence.

59. Our delegation welcomes the appeal to States, just as it has welcomed other United Nations resolutions concerning the elimination of colonialism, racism and *apartheid*. But words alone will not suppress evil. Concrete actions are needed. The German Democratic Republic has shown by its actions that it is guided by this spirit.

60. The delegation of the German Democratic Republic also welcomes the decision of the twenty-eighth session of the General Assembly to include in the provisional agenda

of the twenty-ninth session an item concerning the implementation of the Declaration on the Strengthening of International Security. We are confident that the forthcoming report of the Secretary-General of the United Nations concerning the implementation of the Declaration on the Strengthening of International Security will record new successes in this area.

61. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): The twenty-eighth session of the General Assembly has today concluded its consideration of one of the important political items on its agenda—the question of the implementation of the Declaration on the Strengthening of International Security. The discussion of this problem at the current session, as at previous sessions of the General Assembly, has shown and confirmed yet again that the initiative of the Soviet Union in proposing, when it did, that the General Assembly should consider this question is receiving more and more support from the overwhelming majority of States Members of the United Nations. By drawing the attention of the United Nations to the problem of the strengthening of international security, the Soviet Union is acting in keeping with the fundamental interests of all peace-loving States and is promoting the fuller utilization of the possibilities of the United Nations and of the provisions of its Charter for the strengthening of international détente, the consolidation of peace and the protection of the political independence and territorial integrity of all States.

62. At the twenty-eighth session of the General Assembly, which will complete its work today, the consideration of the problem of the strengthening of international security took place in special conditions, under the favourable influence of positive advances in the international situation and of world détente. These favourable trends in international relations have obtained support and a positive reaction from the world community of States represented in the United Nations.

63. In addition, as the delegation of the Soviet Union pointed out at the beginning of the discussion, the consideration of the question of the strengthening of international security has shown that the easing of international tension and the restructuring and normalization of international relations can become stable and lasting only if this process of improving international relations and easing tension is extended to all parts of the world and encompasses the most important problems of our time, and only if the existing dangerous hotbeds of military conflict are eliminated. One such conflict is the continuing inflamed situation in the Middle East.

64. The Soviet Union attaches prime importance to the elimination of the hotbed of war in the Middle East on the basis of the withdrawal of Israeli troops from all the occupied Arab territories and a peaceful settlement that will guarantee the rights and interests of all the people and States of that region, including the rights of the Palestine Arab people.

65. The establishment of a sound foundation for security and co-operation in Europe continues to be a very important task. The Soviet Union and other countries of the socialist community are making sincere efforts to that end.

We believe that those who would continue the “cold war” will not succeed in diverting the States and peoples of Europe from the right path that leads to détente, peace and security.

66. The Soviet Union wants to see the positive process of détente broadened to cover the entire world, including the continent of Asia. The idea of setting up a system of collective security on that continent as well, with the participation of all the Asian countries without exception, is a realistic and correct approach to the matter.

67. The Soviet Union considers it essential that effective steps should be taken to implement United Nations decisions on decolonization and the elimination of *apartheid* and racism.

68. As in the past, our country also firmly advocates the implementation of one of the most important decisions of the previous session of the General Assembly, a decision which is fully in keeping with the purposes and principles of the United Nations Charter—the decision on the renunciation of the use of force in international relations and the prohibition for all time of the use of nuclear weapons. From the first days of the United Nations, the USSR has been fighting resolutely and consistently for a halt to the arms race, for practical disarmament measures leading finally to general and complete disarmament, for the convening for that purpose of a world disarmament conference, and for a definite reduction in the military budgets of the States permanent members of the Security Council and of other States with considerable military and economic potential, using part of the funds thus saved to provide assistance to developing countries.

69. The Soviet Government has unswervingly pursued a policy of pressing for the extension of détente to the entire world. In this respect, the policy of the Soviet Union fully coincides with the policy of the overwhelming majority of the non-aligned and developing countries of the third world.

70. It is a well-known fact that at a number of recent sessions of the General Assembly, as at this session, the Soviet Union and other socialist countries, acting jointly with the majority of the non-aligned and developing countries of Asia, Africa and Latin America, have pressed for the adoption of important and useful decisions aimed at strengthening international peace and security.

71. New evidence of this was shown by the discussion at the current session of the item on the strengthening of international security, which helped to accelerate the move towards a further relaxation of international tension, an improvement in the international situation, and the firmer establishment of the principles of peaceful co-existence. By taking a decision on this matter today and, as has already been pointed out, decisions on two other important issues—the reduction of military budgets and the convening of a world disarmament conference—the twenty-eighth session of the General Assembly has made a very significant and considerable contribution to the reduction of international tension that is taking place at this time. All this will assist the efforts being made by the Soviet Union and other socialist countries, together with the non-aligned and developing States and all peace-loving forces throughout the world, to

put into effect the Declaration on the strengthening of peace, the strengthening of international security for the benefit of all States, large, medium and small, on all continents and for the good of all peoples of the world.

72. Mr. JACOVELLA (Argentina) (*interpretation from Spanish*): Our delegation voted in favour of the draft resolution on the implementation of the Declaration on the Strengthening of International Security. On this subject, we should like only to enter a brief reservation with regard to the implications of paragraph 5 of the resolution. We realize that the underlying spirit of this paragraph is found in resolutions 2880 (XXVI) and 2993 (XXVII), both of which were co-sponsored by Argentina and were designed to preserve the self-determination of the developing countries and their right to use their own natural resources. The idea was to defend the mineral, fishing and oil resources of the developing countries and to prevent any kind of coercion or foreign interference in any decisions which a country might wish to adopt concerning its own natural resources which belong solely to it.

73. The text, then, we believe, refers to a country's own natural resources. In accordance with the consensus stated, when this paragraph was included in the draft resolution by those sponsors which are non-aligned countries, this reaffirmation does not imply that the equally important principles of co-operation established by the Assembly at this session in the special case of use of natural resources shared by two or more States are in any way modified or affected. On that understanding, my delegation voted in favour of the resolution.

74. The PRESIDENT: That concludes our consideration of agenda item 3<sup>a</sup> and of all the items allocated to the First Committee with the exception of the designation by the President of the additional members of the Committee on the Peaceful Uses of Outer Space, under agenda items 30 and 31.

#### AGENDA ITEM 110

##### Restitution of works of art to countries victims of expropriation

75. The PRESIDENT: I call on the representative of Zaire, who wishes to introduce the draft resolution on this item [*A/L.717/Rev.1 and Add.1*].

76. Mr. IPOTO EYEBU BAKAND'ASI (Zaire) (*interpretation from French*): The General Assembly has before it item 110. Ten countries have submitted the draft resolution in document A/L.717/Rev.1. The tenth country, which should now be included in the list of sponsors, is the United Republic of Tanzania.

77. From the names of the sponsors, one would be tempted to conclude that the matter concerns solely the African continent. Nothing could be further from the truth. I am sure the Assembly realizes that, of all the continents, Africa is not the only one which has been the victim of cultural impoverishment as a result of colonialism and foreign occupation. Other continents have not escaped this fate, but we would hasten to point out that this is more a matter of opinion and proportion. And here I should like to quote

from the address by President Mobutu to the General Assembly on 4 October 1973:

“Among the claims of the under-equipped countries, particularly the former colonial countries, there is a matter of vital importance. This relates to the cultural heritage of our countries. During the colonial period we suffered not only from colonialism, slavery, economic exploitation, but also and above all from the barbarous systematic pillaging of all our works of art. In this way the rich countries appropriated our best, our unique works of art, and we are therefore poor not only economically but also culturally.

“Those works of art, which are to be found in the museums of the rich countries, are not our primary commodities but the finished products of our ancestors. Those works, which were acquired for nothing, have increased in value so much that none of our countries in fact has the material means to recover them.

“What I am telling you is fundamental, because every rich country, even if it does not possess all the masterpieces of its best artists, has at least the bulk of them. Thus, Italy has those of Michelangelo; France, Renoir; Belgium, of Rubens; and Holland, of Rembrandt and Vermeer. Another circumstance which demonstrates that what I am saying is right is that Hitler pillaged the Louvre during the Second World War and took away the magnificent works of art which were there. When liberation came, even before thinking of signing the armistice France did everything in its power to recover its art objects, and that is quite right. That is why I would also ask this General Assembly to adopt a resolution requesting the rich Powers which possess works of art of the poor countries to restore some of them so that we can teach our children and our grandchildren the history of their countries.”<sup>6</sup>

78. I should like to point out that the most eminent of men have also criticized the expropriation of cultural works. Cicero, in 73 and 71 B.C., spoke out vehemently against Verres, who took over Sicilian monuments, museums and works of art.

79. The new States are reconstituting their national identity. They are creating a personality on the basis of their cultural heritage which has been diminished by colonialism or foreign occupation. There was an outflow to the former metropolitan countries of an impressive range of cultural works representing flourishing civilizations, kingdoms and empires of bygone days. In Africa, as elsewhere in the world, artistic works were plundered systematically or in a variety of hidden ways. We share the opinion of those who believe that works of art reveal civilizations and are inestimable treasures for mankind and, therefore, are inalienable and must be returned.

80. I wish now to comment briefly on the revised draft resolution submitted to the General Assembly by 10 sponsors. The first preambular paragraph merely mentions a general principle which may be found in the Charter of our Organization.

<sup>6</sup> See *Official Records of the General Assembly, Twenty-eighth Session, Plenary Meetings*, 2140th meeting, paras. 176-178.

81. In the second preambular paragraph, as in the explanatory memorandum accompanying the request for the inclusion of this item, reference is made to the fact that the Fourth Conference of Heads of State or Government of Non-Aligned Countries stressed that every State must recover its cultural heritage.
82. In the third preambular paragraph a reference is made to the third Congress of the International Association of Art Critics held in September 1973 in Kinshasa. At the end of its work the Congress adopted a resolution comprising eight points, the first of which deplores the fact that African countries, in particular Zaire, were relieved of a good portion of their cultural heritage and lost a good part of their traditional cultural works.
83. The fourth, fifth and sixth preambular paragraphs require no comment. The seventh paragraph is a reference to history, which speaks of the flow of objets d'art to former metropolitan countries.
84. The eighth paragraph mentions something which all the countries affected believe—that these works of art should be returned.
85. In the operative part of the draft resolution, the Secretary-General is asked to present at the thirtieth session of the General Assembly a report which should be a kind of inventory of the cultural works of Member States, with some indication as to their origin.
86. I would appeal to peace-loving delegations, those that cherish justice, to vote in favour of this revised draft resolution which is now before them.
87. The PRESIDENT: I now call on the representative of the Byelorussian SSR, who wishes to introduce the amendment in document A/L.721.
88. Mr. KALOSHIN (Byelorussian Soviet Socialist Republic) (*translation from Russian*): The delegation of the Byelorussian SSR has studied with interest the explanatory note and draft resolution submitted by Zaire in document A/9199 on the item entitled "Restitution of works of art to countries victims of expropriation".
89. In this particular case we are talking about the return of works of art to countries that have been victims of colonialist exploitation and plunder. For many decades, not only were many of the peoples of Africa and Asia who had been enslaved by the imperialist States subjected to cruel economic exploitation, but their cultural heritage, which had been created over the centuries, was plundered, taken away and appropriated by the colonialists. Many works of art were illegally exported to the metropolitan countries of the colonialist empires. Now the colonialist empires have collapsed, but the works of art stolen by the colonialists in their time remain in the places to which they were taken.
90. The Great October Socialist Revolution of 1917 in Russia dealt a crushing blow to the world system of imperialism and colonialism, and gave a powerful impulse to the national liberation movement. As a result of the new upsurge of the national liberation movement after the Second World War, more than 1.5 billion people were freed from colonial and semi-colonial slavery. On the ruins of the colonialist empires more than 70 new independent national States have been founded.
91. Those States are faced by the complicated problems of economic, social and cultural construction. It is, of course, not easy to eliminate overnight the difficult consequences of a long period under the colonialist yoke or to consolidated and secure political and economic independence, eliminate mass illiteracy and raise the living and cultural standards of the working people.
92. Nevertheless, increasingly great significance is being attached to the solution to these problems, including the problems of cultural construction. It must be pointed out in this connexion that the national cultural heritage of peoples that were previously subjected to colonial oppression is particularly rich in art, folklore and literature. That cultural heritage is one of the most important sources of valuable traditions and inspiration for present and future writers and artists.
93. In the opinion of the delegation of the Byelorussian SSR, the demand that the former colonialists should return works of art to the countries from which they were taken illegally is a legitimate one. We therefore have no difficulty in supporting the substance of the draft resolution submitted. Nevertheless, we must make a number of reservations relating to the preamble of the draft resolution. In particular, there is no reference in this document to the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the United Nations on 14 December 1960. Such a reference is essential, because there are still some 30 million inhabitants of our planet under the yoke of colonialism. Since the question of the restitution of works of art to the victims of colonialism and expropriation has been raised, it is essential to put an end as quickly as possible to the last vestiges of colonialism on earth. The operative part of the resolution should have included a provision forbidding the colonialists to remove items of cultural value from territories still under colonial domination.
94. Nor is there any indication in the preamble to the resolution as to who bears the responsibility for imperialist colonialist plunder, including the plundering of works of art.
95. Nothing is said in the draft resolution about the significance of international cultural co-operation, which must be developed in the interests of peace, mutual understanding and friendship among peoples. In this connexion I should like to draw your attention to the communiqué from the World Congress for Peace, held at Moscow from 25 to 31 October 1973, in whose work representatives of 1,100 national organizations and movements from 143 countries took part. On the question of co-operation in the field of education and culture, the communiqué attaches primary importance to the fight against fascist and militarist ideology, chauvinism, racism and everything that undermines the moral health of the individual. This can be successful only if co-operation in this field is based on the democratic principles of sovereignty, non-interference in domestic affairs, and respect for the historical traditions and legislation of each

country. There are many different forms of international cultural co-operation. They include, in particular, co-operation in the education and upbringing of the younger generation in a spirit of lofty moral ideals and respect for all peoples, the exchange of exhibitions of works of art, a more active exchange of books and so forth.

96. In the opinion of the Byelorussian SSR, the recommendations of the World Congress for Peace on international cultural co-operation should be taken into account in drafting decisions on cultural matters. There is surely no doubting the fact that the spiritual development of the individual, the raising of the cultural standards of the people, and the guaranteeing of the right to broad access to culture depend on the mutual enrichment of the knowledge of all the wealth produced by mankind.

97. The Byelorussian delegation has submitted an amendment in document A/L.721 to draft resolution A/L.717. In view of the fact that our amendment was submitted before the revised draft resolution A/L.717/Rev.1 was issued, we have made a number of changes in our amendment and the revised text now appears in document A/L.721/Rev.1.

98. We have a small suggestion, which has been accepted by the sponsors of the draft resolution. In order to bring operative paragraph 2 of draft resolution A/L.717/Rev.1 into line with the preamble, the words "or foreign occupation" should be added at the end of the paragraph, after the word "colonial". The complete paragraph would thus read as follows:

"Recognizes the special obligations in this connexion of those countries which had access to such objects only as a result of colonial or foreign occupation".

These are our comments on draft resolution A/L.717/Rev.1.

99. Consequently, the position of our delegation on draft resolution A/L.717/Rev.1 and Add.1 will be determined in the light of the comments just made.

100. Mr. CISSÉ (Mali) (*interpretation from French*): The draft resolution now before the Assembly is worthy of interest, because it seeks to safeguard the national artistic and cultural heritage of our countries. The illicit transfer of cultural objects from poor to rich countries began, and intensified, during the colonial period. The system of domination is always accompanied by exploitation and spoliation. During the period of colonial occupation, as everyone knows, the colonial Powers took advantage of their privileged position to engage in the systematic plunder of the natural, artistic and cultural wealth of the peoples under their sway.

101. The motivation for the draft resolution now before the Assembly, which was brilliantly introduced by the representative of Zaire, is too well known for it to be necessary for me to repeat it. In the circumstances, it is sufficient to refer to the recent resounding statement made by the head of State of Zaire, General Mobutu Sese Soko, on 4 October before the General Assembly [*2140th meeting*]. This phenomenon is a widespread one and the international community must find a fair solution to the problem, in conformity with the fundamental rights of peoples and the principles of interna-

tional co-operation. International action in this sphere would further strengthen the initiatives taken in this regard, both in international forums and in the specialized agencies such as the United Nations Educational, Scientific and Cultural Organization [*UNESCO*]. It is therefore essential that further progress be made in this field, and it is the hope of such progress which inspires the sponsors of the draft resolution. If the draft resolution is adopted by the Assembly, it will be a dynamic instrument for international co-operation in ensuring the progress of universal culture in the service of man and of peoples.

102. Mr. MEGALOKONOMOS (Greece) (*interpretation from French*): I should like first of all to pay a sincere tribute to the delegation of Zaire, which took the apt step of submitting this matter of world importance to the General Assembly for its consideration. This item, entitled "Restitution of works of art to countries victims of expropriation", not only gives expression to a need that had long been felt, namely, the need to find a fair solution and to make good the losses suffered by those countries, but also lays stress on an element which might provide the foundation for close international co-operation between technologically developed countries and countries which, although rich in cultural and artistic traditions, are still in the process of making a great effort to achieve development.

103. Cases of the spoliation and expropriation of works of art have occurred in the past in almost every corner of the earth and will continue to occur in the future if we do not succeed, in international and national forums, in ensuring that considerations more noble than the protection of trade in art objects and more weighty than the interests and the so-called prestige of a particular museum or private collection will prevail.

104. My delegation considers that it would be impossible, and indeed in bad taste, to list here all the cases in which Greece has been the victim of the expropriation of its objects of art. The list would be too long, and the valuable time of the Assembly would be wasted. In any event, it is widely known that there is almost no important museum in the world which does not possess several objects, or groups of objects, of Greek art. In this connexion, I should like to remind the Assembly that those objects arrived in foreign countries as a result of various vicissitudes of history and in the most diverse possible ways. Whether the origin of the transfer was foreign conquest or temporary occupation of the country, acts of piracy or clandestine excavations, theft or the diversion of objects discovered in official excavations, the important feature of those expropriations and spoliations was always the fact that foreigners had taken advantage of the inability of the victim country at the time of the expropriation to react.

105. There is no doubt that this method of expropriation of objects of art from certain countries by more developed countries constitutes a separate category of international exploitation, which is no longer limited to the economic and financial potential of the victim country but which even extends to its traditions and its very artistic and cultural soul.

106. In this context, it is appropriate to consider the meaning and content of what is called the cultural and artistic

heritage of a nation. According to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted by the General Conference of UNESCO at its sixteenth session on 14 November 1970, those articles which fall into certain categories of importance in archaeology, prehistory, history, literature, art or science are considered part of the cultural heritage of a State. The UNESCO Convention, despite its imperfections and drawbacks, nevertheless marks a step forward towards the protection of the less well-equipped countries against the spoliation of their cultural heritage. The Convention constitutes progress in comparison with previous efforts along the same lines, primarily because of the following provisions.

107. First, it provides, in article 5, for an inventory of public and private cultural property the exportation of which would constitute a considerable impoverishment of the national cultural heritage.

108. Secondly, it provides for the establishment of an appropriate certificate by which the exporting State would authorize the exportation of a certain cultural object. It is important to note that the question of such a certificate was one of the most disputed issues some four or five years ago, on the occasion of the drafting of a similar regional convention designed to protect the archeological heritage. After bitter negotiations, the opinion of the so-called importing countries finally prevailed and the proposal of the "exporting" countries was rejected. The proposal was that a certificate of origin should be introduced, testifying both to the scientific quality of an object found during an excavation and to the fact that export of the object was authorized. The idea was not accepted because, it was alleged, such a document would be ineffective and there would be practical difficulties in drawing it up. Actually, such a certificate is not only practical but also indispensable, both for the exporting country and for the acquiring country, since this method would protect the latter from the risk of purchasing fakes, many of which have been reported recently, stolen or expropriated objects or objects from clandestine excavations—in short, articles which might be the subject of a demand for restitution.

109. Thirdly, the UNESCO Convention contains, in its article 7 (II) (b), an interesting point relating to the restitution of objects of a country's cultural heritage stolen after the entry into force of the Convention for the States concerned. Consequently, although that provision might be considered fairly progressive, it provides only for the restitution of stolen articles—not those expropriated or discovered clandestinely—with compensation being paid by the State calling for such restitution, and only if such action had occurred after the entry into force of the Convention.

110. However, this is not only a problem for the future but also, and perhaps most of all, a problem which concerns the past, and it is there that the greatest complications and most widespread difficulties have arisen because it involves property rights acquired, whether in good faith or in bad, many years ago, sometimes even decades ago.

111. This is where the proposal of the delegation of Zaire comes in; it calls upon Member States to show for once that they can rise above all considerations involving the injection

of monetary values into cultural affairs, and to show evidence that they can transcend the feelings of false pride that some museum directors and collectors encourage among the public at the acquisition of an object of cultural heritage that does not belong to the patrimony of their own country or even, sometimes, to their own civilization, their only relationship to the art object in question being the financial ability of the museum or the private collector to pay the price.

112. But since, in considering this question, both sides must rise to a more idealistic level than we customarily achieved and must display a degree of humanism and objectivity beyond the ordinary, we would also mention the most cogent of the arguments advanced in such cases by the acquiring countries, namely, that an object of cultural heritage, once it has been illegally exported from a country, runs the risk of being destroyed or hidden away if the seller is unable to place it in an official museum. We often hear it stated that certain museums feel an obligation to world civilization to buy objects of the cultural heritage of another country for the purpose of preventing their destruction. Although this is an argument worthy of serious consideration, we believe that, since such a possibility is quite rare, it would become virtually non-existent as a result of education and information, together with close and sincere collaboration among the countries concerned. If such action were to result in appropriate measures, the potential seller of a stolen or diverted object would have to take the same risks as are at present incurred by anyone trying to find a buyer for any stolen article.

113. The Greek delegation will be happy to vote in favour of draft resolution A/L.717/Rev.1 and, if necessary, to assist in the preparation of the Secretary-General's report to the thirtieth session of the General Assembly. We take this position not only because of the fact that the draft resolution raises a question of justice and international conscience, but also because it has been drafted in terms worthy of this Assembly. The fifth paragraph of the preamble is a reflection of this spirit of international co-operation and understanding among peoples. As for the sixth paragraph of the preamble and operative paragraph 2, the Greek delegation recognizes the special nature of the rights of countries that have been despoiled of their cultural treasures as a result of colonial occupation; but we consider that the very purpose of the draft resolution—that is, the encouragement of international co-operation—would not be usefully served if we were to limit ourselves exclusively to cases involving colonialism and foreign occupation. Indeed, a State, even after liberation, sometimes does not possess the necessary personnel, equipment or technology to supervise everything that is going on within its territory or its territorial sea in respect of illegal exportation or clandestine excavation. It would therefore be unfair to exclude this possibility from the context of the problem with which we are dealing.

114. In conclusion, we consider that the international conventions concluded up to the present time, both for the protection of the archaeological heritage and for supervising importation, exportation and illegal purchase, had cultural, scientific and educational purposes. Sometimes, it must be said, they were aimed to some extent at protecting so-called lawful trade in objects of the cultural heritage of a country.

115. This is perhaps the first time, thanks to the happy initiative of Zaire, that this question is placed before the United Nations as a world problem affecting human dignity, the conscience of nations, and the national, cultural and artistic heritage of every country. If all countries and all peoples respect these principles, we are sure that justice will be restored and international understanding and co-operation will be strengthened. For it must not be forgotten that the very subject matter of this debate—art—is but the expression, in each nation, of intelligence, a sense of moderation and the concept of harmony.

116. Mr. SCHRAM (Iceland): My delegation has decided to cast an affirmative vote on draft resolution A/L.717/Rev.1. The reason for our positive vote is that we fully agree with the general submission that the cultural heritage of a people conditions the present and future flowering of its artistic values and its over-all development. We also believe that the promotion of a national culture can enhance a people's ability to understand the cultural civilizations of other peoples, and thus can have a favourable impact on international co-operation.

117. It is a fact of history that during the long dark ages of colonialism and oppression, works of art, often of immense historical value, were removed from their national habitats in colonies all around the world and brought to museums and private collections of the then colonial Powers. It seems, therefore, only equitable and just that such Powers should consider the restitution of objects of art and museum pieces expropriated or wrongly removed from countries formerly under colonial domination. We do, however, realize that in some instances such works of art have been removed on the basis of perfectly legal transactions, with full remuneration paid for them.

118. We Icelanders, indeed, have in our recent history an example of restitution of national treasures for centuries located in the museums of a foreign country. These are the original manuscripts of a mediaeval literature which truly is the very basis of our national cultural heritage; they are the Icelandic Sagas and Edda poems, composed and written in Iceland, that later were removed to Denmark. By a recent act of Parliament, Denmark freely decided to return many of these unique literary treasures to the Icelandic nation, and the restitution is already taking place. This highly laudable and generous act by the Danish people can serve as a working example for other nations in this respect.

119. Finally, we agree that a survey by the Secretary-General, in co-operation with UNESCO and member States, of this whole question will undoubtedly serve to cast light on this very important cultural question and show us possible remedies to the present situation.

120. Mr. WANG Jun-sheng (China) (*translation from Chinese*): Over a long period of time, imperialism and colonialism have subjected the Asian, African and Latin American peoples not only to brutal political and economic oppression and exploitation but also to barbarous cultural aggression, plunder and destruction. The plunder of objects of art and historical relics is one aspect of blatant imperialist and colonialist cultural aggression against the oppressed nations.

121. In the course of its diligent labours and heroic struggles over a long period, each country or nation has created its own characteristic national culture. All the valuable historical relics and objects of art of various countries are a crystallization of the wisdom and labour of their working people and form their important cultural heritage.

122. The peoples of Asia, Africa and Latin America are wise and diligent peoples. As everyone knows, the peoples of Asia, Africa and Latin America have created brilliant ancient cultures in history, making a great and valuable contribution to the civilization and progress of mankind. China is one of the countries of the world with the most ancient civilization. The Chinese people have created a splendid culture through diligent labour and hard struggle over a long period.

123. However, the Chinese people share the experience of other Asian, African and Latin American peoples in that the valuable cultural heritage of the Chinese people has also been plundered and destroyed by imperialism and colonialism on a large scale. In the century and more since 1840 the aggressor troops of imperialist Powers repeatedly invaded China. Each imperialist invasion brought about catastrophic destruction of the cultural heritage of the Chinese people. The imperialists took away everything that was movable, broke whole pieces into fragments for transportation if they could be taken away as such, and wilfully damaged or burned those they could not take away.

124. Apart from the large-scale plunder and destruction carried out by aggressor troops, adventurers of various descriptions also robbed China of a great many historical relics and objects of art by every possible means. Imperialist and colonialist plunder of other countries of their historical relics and objects of art is a most inglorious act of cultural aggression, for which the victim countries have every reason to demand redress.

125. The Chinese delegation supports the draft resolution on restitution of works of art to countries victims of expropriation, put forward by the delegations of Zaire and by other countries. This draft resolution reflects the common desire of the peoples of Asia, Africa and Latin America and of all other justice-upholding peoples of the world. In our opinion it is high time that the question of the restitution of expropriated historical relics and works of art should be reasonably solved without any further delay.

126. Mr. BUCKLEY (United States of America): The United States has demonstrated its concern over the illicit movement of national art treasures. In 1972 President Nixon gave voice to that concern, deploring the "illicit movement of national art treasures". By calling attention to those countries that have lost important cultural property through illegal exportation, not only did Mr. Nixon, out of our concern for the integrity of all nations, deplore their cultural impoverishment but he frankly acknowledged that cultural looting gives rise to problems in our relations with other countries.

127. It is accordingly a matter of regret that, as things now stand, we will be forced to abstain in the vote on a draft resolution ostensibly devoted to pursuing aims we share

with other nations of the world. Our complaint is that the draft resolution is inadequate. It was not handled by normal procedures; it was not referred to a main Committee to give it proper consideration and shape. The complexity of the question required the kind of attention which the Legal Committee is equipped to give it. There we might have refined the text so as to make it an effective instrument. As it stands it is at once vague, presumptuous and inscrutable.

128. We are talking, after all, about something that has been studied since 1960 in UNESCO, pursuant to resolution 4412 of the eleventh General Conference. In November 1970 UNESCO, by a vote of 77 to 1, as the Assembly has been reminded by the representative of Greece, adopted the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. This Convention proposed a mechanism for multilateral co-operation in preserving national cultural resources. If the Assembly is interested in furthering these objectives, then the way to proceed is to urge the nations of the world to ratify the UNESCO Convention. That Convention provides not only for co-operation but for the return under specified circumstances of stolen cultural property and envisages the possibility of certain import controls.

129. President Nixon sent this Convention to the United States Senate in 1971. In due course the Senate gave its "advice and consent" to ratification. The executive branch has since submitted implementing legislation to Congress, and as recently as 9 November last that legislation was introduced by Senator Fulbright. Meanwhile, the United States has applied existing laws more forcefully, and the Justice Department recently effected the return of a stolen art object to its country of origin. We have enacted legislation concerning the illegal importation of pre-Columbian monuments and we have promoted the code of ethics elaborated by the International Council of Museums governing the acquisition of artifacts. The Assembly may perhaps remember the return to Cameroon of the traditional ancestral statue discovered here. In short, the United States is rather clean on the matter in question and it is anxious to do more. Accordingly, we regret being confronted with an unsatisfactory draft resolution.

130. Having said that, I would add that we would have fewer difficulties with the draft resolution if the original form of operative paragraph 3 contained in document A/L.717 were retained. The draft resolution in document A/L.717/Rev.1 advances the date of submission of the report by the Secretary-General for consideration by the Assembly. My delegation has no difficulty with early consideration of this important topic, but the Assembly recently adopted resolution 3148 (XXVIII) on a similar topic, namely, the preservation and further development of cultural values. This resolution requests a report from the Director-General of UNESCO to be presented to the thirty-first session of the General Assembly, for consideration at that session of the whole general topic. My delegation believes that the UNESCO report will be of obvious relevance to the future work on this item on the restitution of works of art. Accordingly, the two reports should be considered at the same time and therefore my delegation now proposes that operative paragraph 3 of the draft resolution in document A/L.717/Rev.1 should be amended by replac-

ing the words "at its thirtieth session" by the words "at its thirty-first session".

131. The PRESIDENT: As the amendments proposed by the representative of the Byelorussian SSR are not ready in their revised form in all languages, it will not be possible to proceed to the vote at this stage. If, therefore, there is no objection, I shall take it that the Assembly agrees to take up this item at a later stage and to proceed now to consider the next item on our agenda for today.

*It was so decided.*

## AGENDA ITEM 11

### Report of the Security Council

132. The PRESIDENT: The Assembly has before it the report of the Security Council [A/9002] for the period 16 June 1972 to 15 June 1973. It also has before it document A/9143, the report of the Secretary-General under Assembly resolution 2991 (XXVII). I now call on the representative of Austria, who wishes to introduce draft resolution A/L.718/Rev.1.

133. Mr. JANKOWITSCH (Austria): The General Assembly has before it in document A/L.718/Rev.1 a draft resolution on agenda item 11, sponsored by the delegations of Austria, Indonesia, Peru, Sudan and Tunisia, which I now have the honour to introduce.

134. In the operative part of this draft resolution it is proposed that the General Assembly should take note of the report of the Security Council [A/9002], as well as of the report [A/9143] submitted by the Secretary-General under General Assembly resolution 2991 (XXVII), adopted by the Assembly at its last session. The General Assembly would also draw the attention of the Security Council, when considering steps to enhance its effectiveness in accordance with the principles and provisions of the Charter, to the views and suggestions submitted by Member States in response to General Assembly resolutions 2864 (XXVI) and 2991 (XXVII), as contained in the annexes to the Secretary-General's reports under those resolutions, namely, documents A/8847 and Add.1 and A/9143. Finally, the General Assembly would request the Secretary-General to transmit to the Security Council any further views and suggestions which might be submitted by Member States.

135. For more than 20 years the adoption of the report of the Security Council by each General Assembly session had been a mere formality, taking up no more than five minutes, perhaps, of the proceedings of the plenary Assembly. Customarily, some non-permanent members of the Security Council proposed a draft, consisting of only one operative paragraph, which was adopted without objection. However, in recent years a growing number of Member States have begun to express concern about various aspects of the work of the Council. During the twenty-fourth session, a discussion marked the adoption of the report. At the initiative of the delegation of Tunisia, the Assembly at its twenty-sixth session then adopted resolution 2864 (XXVI), by which the Secretary-General was requested:

"... to present in his report to the General Assembly at its twenty-seventh session, due consideration having been

given to the views of interested Governments, suggestions concerning ways and means of enhancing the effectiveness of the Security Council in accordance with the principles and provisions of the Charter of the United Nations”.

A similar proposal was adopted by the Assembly at last year's session [*resolution 2991 (XXVII)*].

136. In response to these resolutions, no less than 38 Member States have submitted a wide range of thoughtful and valuable comments, thus demonstrating that there is indeed widespread interest in the way the Council proceeds in accomplishing its task.

137. The Austrian Government welcomed the discussion thus initiated and, consequently, itself submitted extensive comments on this question, which are contained in document A/8847/Add.1. Those comments were based on the firm belief that the effectiveness of the Security Council could indeed be increased through practical measures which would be fully covered by the provisions of the Charter. But it was also pointed out that in the final analysis it was up to the members of the Security Council to decide whether there was a need to take any measures in that direction.

138. May I recall at this juncture that in 1969 the then President of the Security Council, the representative of Zambia, had occasion to address the General Assembly on behalf of all the members of the Security Council. May I be permitted to quote the following passage from that statement:

“I am aware that there are many members of our Organization that feel strongly about certain aspects of the work of the Security Council. Some of those feelings are justified, and some equally are not. It is certainly true that there are few if any human institutions whose functioning cannot be improved through the benefit of objective and balanced outside advice. We are not insensitive to the views of our colleagues on any aspects of our work, and it is with that in mind that we will always study sympathetically and seriously any suggestions made which are motivated by a genuine desire to make the Security Council more effective and efficient, including its relations with other principal organs of our Organization.

“At the same time, an institution's procedures and working methods are naturally designed, first and foremost, to enable it to carry out its own unique responsibilities; that is especially true of the Security Council.”<sup>7</sup>

139. Draft resolution A/L.718/Rev.1, which I have just introduced, does, in the opinion of the sponsors, adequately reflect the interest shown by many Members in the question of enhancing the effectiveness of the Security Council. At the same time, it is careful to draw a line between the respective competences and prerogatives of the Security Council and the General Assembly. Thus it remains up to the Council itself to examine the many valuable suggestions contained in documents A/8847 and Add.1 and A/9143 and to draw therefrom whatever conclusions it deems fit. But I should also like to express the hope of my own

delegation, which I am confident is shared by many others, that the Council will take up this question in the not-too-distant future.

140. With those remarks, I should like on behalf of the sponsors to recommend the adoption of draft resolution A/L.718/Rev.1.

141. The PRESIDENT: I call on the representative of Tunisia, who wishes to make a statement on the report.

142. Mr. DRISS (Tunisia) (*interpretation from French*): When, two years ago, at the twenty-sixth session of the General Assembly, the Tunisian delegation broke with the tradition that the report of the Security Council should come before the General Assembly like a letter in the mail, we acted in accordance with the Charter, which, while recognizing the role of the Council as the principal organ for the maintenance of international peace and security, requires it, in accordance with Article 24, paragraph 3, to submit annual and, when necessary, special reports to the General Assembly, for its consideration, the obvious purpose being to enable the international community as a whole to participate in its efforts.

143. There is no accounting for the fact that the Council's reports have not been examined, as the reports of the Economic and Social Council have been on a regular basis. And we hope that in the future the report of the Security Council will be the subject of comments and resolutions. Resolutions 2864 (XXVI) and 2991 (XXVII) have made it possible for us to obtain the views of about 40 Governments on how best to increase the effectiveness of the Security Council. We are convinced that other Powers will also submit their views on this subject, either in writing or in the general debate on the report of the Council.

144. While that may not suddenly strengthen that important organ of the United Nations, it should at least lead to a growing awareness of the problems of peace and security confronting the world and of what the Council is doing to resolve those problems.

145. Like most delegations we believe that the political will of Governments and especially that of the major Powers is necessary if the Council is to be effective. We believe that institutional reforms without political will are inadequate. But we also believe that, with political will, a harmonious functioning of the Council, in accordance with the Charter, is calculated to help that political will to emerge and gain strength.

146. The report before us under agenda item 11 is in document A/9002 and covers the period from 16 June 1972 to 15 June 1973.

147. I should like to express the hope that in future it will be possible to consider the report of the Council earlier in the session, when delegations are functioning at full efficiency. I should like to see the report distributed before the opening of the session.

148. To return now to the report, I should like first to make two general comments.

<sup>7</sup> *Ibid.*, *Twenty-fourth Session, Plenary Meetings*, 1837th meeting, paras. 76 and 77.

149. First, on a question of form the report should have a more substantial introduction, summing up the work of the Council and the opinions which the Council had before it, and also the decisions adopted. The decisions should be stressed so that it is easier to locate them. A chapter containing the resolutions would, to our way of thinking, be very useful.

150. Secondly, on a matter of substance, the Council, to our way of thinking, in the past year has done work which deserves our praise. The Council as a whole cannot be blamed for the negative votes which nullify its efforts, nor for the refusal of certain parties to a conflict to implement decisions which the Council adopts by a majority vote or even unanimously.

151. The Council has the duty periodically to review the international situation and to consider what action must be taken to remedy the failure to implement Council decisions. In the case of Rhodesia, the Council has been constantly active, and that will surely yield results. The adoption of resolution 333 (1973) of 22 May 1973 should reinforce the sanctions against the illegal régime of Ian Smith. That is a decision in accordance with the provisions of the Charter. Other provisions could also be applied to this purpose. I am thinking in particular of Article 53 of the Charter, the purpose of which is to associate regional agencies with the enforcement action taken by the Security Council to resolve certain disputes. The agreement on co-operation between the United Nations and the Organization of African Unity [OAU] facilitates and justifies closer association of OAU in the Council's efforts to resolve the problem of Rhodesia.

152. The same is true of the questions relating to the Portuguese colonies in Africa. The Council unanimously adopted on 22 November 1972 resolution 322 (1972), which reaffirms the inalienable right of the peoples of Angola, Guinea-Bissau and Cape Verde and Mozambique to self-determination and independence, calls on Portugal to put an end to military operations and acts of repression against the peoples of those Territories, and calls upon the Government of Portugal to enter into negotiations with the parties concerned with a view to a solution to the armed conflict in the Territories in question so that their right to self-determination and independence may be exercised. In the same resolution, the Council requests the Secretary-General to follow developments in the situation and to report periodically to the Security Council, which continues to have the question under consideration.

153. The provisions of that resolution should be recalled, for they remain valid. The new State of Guinea-Bissau, recognized by the majority of the Members of the United Nations as well as the Territories still fighting against colonial domination by Portugal, will pose a challenge to the Council which it must be ready to meet. The Council, as the organ responsible for the maintenance of peace, must be able to find the right solution to the problem of the Portuguese colonies. The Charter gives it the means to act, and détente must operate in that field for the benefit of countries still fighting for their independence, and not to their detriment. The OAU can assist in the solution of the problem by whatever means the Council deems effective.

154. It was in the spirit of regional co-operation that the Security Council went to Panama in March 1973 to consider action to maintain and strengthen international peace and security in Latin America in accordance with the provisions of the Charter. In the same spirit, the Council had gone to Addis Ababa a year earlier.

155. The advantages of such travelling are beyond question, and the Council should hold meetings away from Headquarters. There should be proper preparation for such meetings, and they cannot but lead to historic decisions which strengthen the prestige and the role of the United Nations. Unfortunately, the dialogue which was decided upon at Addis Ababa led to an impasse and the deliberations in Panama encountered pre-established positions on the part of one of the two parties to the conflict. One wonders in this connexion whether Article 27 of the Charter, which stipulates that the parties to a conflict shall abstain from voting on resolutions which concern them, was observed.

156. It should be recognized that, with or without a veto, only time and goodwill will resolve problems, unless the provisions of the Charter are implemented by consensus.

157. It is reassuring that in a number of cases there has been no veto, as in the problem of peace-keeping in Cyprus, where a permanent solution should be sought. The question of Zambia is another example. Thanks to resolution 329 (1973), United Nations machinery has been used; the Security Council has called on the Economic and Social Council periodically to review the question of technical assistance to Zambia.

158. I shall not endeavour to review all the questions considered by the Council. They are many and varied. The report mentions them. But I should like to dwell for a moment on the most important of them, the question of the Middle East, which is of great concern to members of the Council and has been for many years. The report covers only the period between June 1972 and June 1973. Since that time, the problem was reconsidered in July and, more recently, after the new war of 6 October. It is unfortunate that the Council was unable to prevent a resumption of hostilities.

159. Today, the cease-fire is precarious and the prospects for peace, though encouraging, are not definite. The Council has a primary responsibility for ensuring and promoting genuine peace in the Middle East.

160. Such peace can be ensured only if two essential conditions are fulfilled: the occupied territories must be liberated and the legitimate rights of the Palestinian people must be recognized, in accordance with the Charter of the United Nations and in accordance with many United Nations resolutions.

161. In the course of the debate on the Middle East, between 12 and 20 April 1973, I made a statement on the Middle East problem. That statement is summarized in paragraph 191 of the report of the Security Council [A/9002]. I suggested that the Council should invite the representatives of the Palestinian people. We believe that any peace conference or any other meeting of the Council on

the subject of the Middle East has a duty to invite the representatives of the Palestinian people, meaning the representatives of the Palestine Liberation Organization to its debates. That would certainly be the beginning of peace.

162. It would have been useful to have an additional section in the report of the Council stating the present position in respect of the various problems considered by the Council, especially the Middle East problem, so as to give us a more comprehensive and realistic picture of the Council's work.

163. On the basis of recent information, we welcome the action taken by the Council, which, following the measures it took after the war of 6 October, including the sending of emergency forces whose activities revitalize the United Nations, continues to ensure that the United Nations plays its role in solving the problem soon to be considered at the Geneva Conference, from which will emerge, we hope, peace in the Middle East based on justice and enhancing the prestige of our Organization.

164. Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (*translation from Russian*): In connexion with the consideration of the Security Council report [A/9002], the report of the Secretary-General of the United Nations [A/9143] submitted in accordance with resolution 2991 (XXVII) and the draft resolution submitted to the General Assembly on these matters [A/L.718/Rev.1], the Soviet delegation would like to make the following comments.

165. At the time of the adoption of resolution 2991 (XXVII) at the previous session of the General Assembly, the Soviet delegation stressed that attempts to involve the General Assembly and the Secretary-General in a discussion of questions concerning the enhancement of the effectiveness of the Security Council were at variance with the Charter. As is known, under the Charter of the United Nations and the rules of procedure of the Security Council, primary responsibility for the maintenance of international peace and security rests with the Security Council. Only the Security Council, and no other organ of the United Nations, has the right to determine possible ways and means of enhancing the effectiveness of the work of the Security Council or procedures by which such ways and means can be put into effect.

166. The events of the past year, which were characterized by a clear turn towards détente in the international situation, showed convincingly that the Security Council, in discharging its responsibility for the maintenance of international peace and security, took a whole series of measures contributing to the enhancement of its effectiveness and demonstrating that the Security Council can be, and in fact is, an effective organ for carrying out the highly important tasks assigned to it by the Charter.

167. Thus, during the recent outbreak of hostilities in the Middle East, provoked by the aggressive policy of Israel against the Arab States, the Security Council took swift and effective measures to end the war in the Middle East and adopted a decision to set up an Emergency Force in the Middle East, a decision to appoint a Commander of the Emergency Force, and a decision on the composition of that Force.

168. An important prerequisite and condition for the further enhancement of the effectiveness of the Security Council is the fact that the Security Council, in taking its decision to set up the Emergency Force in the Middle East, clearly confirmed the recognized principle of equitable geographical representation. In so doing it put an end to discrimination with respect to participation in United Nations peace-keeping operations, against certain geographical groups of States, especially the group of Eastern European States and the group of African States.

169. That decision by the Security Council was a positive step towards enhancing the effectiveness of the Council, laying the groundwork for the conclusion of an agreement on guiding principles for the conduct of United Nations peace-keeping operations in accordance with the Charter.

170. Recently the Security Council, continuing a practice which has proved useful, held a session away from Headquarters, in Panama, to consider questions relating to Latin America.

171. We have already spoken about measures taken to enhance the prestige and effectiveness of the Security Council, such as the holding of periodic meetings by the Security Council, extensive use of the method of dispatching Security Council observers, and so on. All these activities by the Council are unquestionably conducive to the enhancement of its effectiveness, and the Soviet Union has always approved of this type of action by the Security Council.

172. For its part, the Soviet Union has consistently presented, and will continue to present for the consideration of the Council and the United Nations as a whole, questions which are by their very nature conducive to the further enhancement of the effectiveness of the Security Council and the strengthening of international peace and security.

173. The Soviet Union bases itself on the premise that in the Charter there are enormous resources and possibilities for enhancing the effectiveness of the Security Council which are far from having been exhausted. Of course, this requires the goodwill of all States, particularly the permanent members of the Council, and their readiness to cooperate in the resolution of international problems and strict observance by them, in their policies, of the principles and purposes of the Charter.

174. Furthermore, it must not be forgotten that on the pretext of enhancing the effectiveness of the Security Council, unjustified efforts, fraught with harmful consequences, have been made in the past, and are still being made, to revise the Charter, including the provisions dealing with the work of the Security Council.

175. That is a dangerous course, harmful to the very existence of the United Nations, and the Soviet Union, which is concerned about the interests of peace and security, has spoken out and will continue resolutely to speak out against attempts to revise the Charter.

176. We wish to emphasize once again that the question of enhancing the effectiveness of the Security Council is one which falls within the exclusive competence of the Council itself, and attempts to impose on the Council any other

procedure or any other ways and means of enhancing its effectiveness would be at variance with the Charter.

177. In view of the foregoing comments, the Soviet delegation will be unable to support the draft resolution which has been introduced and will abstain in the vote on it.

178. Mr. JOB (Yugoslavia): In supporting the revised draft resolution co-sponsored by Austria, Indonesia, Peru, Sudan and Tunisia [*A/L.718/Rev.I*], we proceeded from our definite and unchanged understanding that there is constant and great need and room for enhancing the effectiveness of the Security Council within and in accordance with the principles and provisions of the Charter, and that all suggestions are welcome.

179. The corresponding views and suggestions of the Government of Yugoslavia have been clearly and substantively set forth in our reply under resolution 2991 (XXVII) as contained in the Secretary-General's report before the Assembly [*A/9143*]. In highlighting only some of the basic considerations I shall mention a few points from it as follows.

180. First, for us, enhancing the effectiveness of the Security Council has to be viewed within the framework of strengthening the role and effectiveness of the United Nations as a whole. Yugoslavia, together with the vast majority of countries, considers the United Nations as an ever more significant and legal factor for overcoming existing divisions in the world, and for achieving universal—not only partial or selective—peaceful coexistence, acceleration of development, final decolonization, democratization in international relations, the cessation of the armaments race, the achievement of general and complete disarmament, and all round co-operation in an equal international community based on the participation of all States.

181. Secondly, the implementation of all Council resolutions must be ensured and respected both by the members of the Council and by all States Members of our Organization, and the principle of unanimity of the permanent members should not be used to prevent the adoption of resolutions widely accepted in the Council and by the Member States.

182. Thirdly, the Council should not hesitate to resort to the application of sanctions, as provided for in the Charter, against Member States that constantly turn a deaf ear to its decisions.

183. Fourthly, a tendency to take away the solving of international problems from the competence of the United Nations or to reduce the United Nations and the role of the Council to mere window-dressing is in contradiction to the efforts to strengthen the effectiveness of the Council, as all conflicts involving international security fall within its direct competence. That is why we think that the Security Council, as well as the General Assembly, should be fully informed of agreements of Member States concerning peace and security, at both bilateral and regional conferences, especially as they affect directly the interests of third countries and the whole international community.

184. Fifthly, evolving generally accepted principles for the conduct of peace-keeping operations remains high on the

agenda regarding the necessary measures, now in a more favourable context than heretofore.

185. Sixthly, holding Security Council meetings away from Headquarters, devoted to important regions and areas, as in Addis Ababa and Panama, or special meetings, such as a meeting devoted to the Middle East crisis in June and July, has proved to be extremely useful and should be continued and developed.

186. For the last two years, while a member of the Security Council, Yugoslavia has tried to contribute to its effectiveness along those lines, together with like-minded members, co-operating with all. Some examples are our activity in the historic meetings in Addis Ababa and Panama; two major contributions to progress and development and emancipation and, consequently, peace and security on those two continents and in the world; our participation in the Council's consideration of and major decisions on the Middle East, particularly, among others, in the eight non-aligned members' draft resolution in July of this year, the adoption in the Council of the non-aligned resolution 340 (1973), establishing a new United Nations Emergency Force and providing it with important new principles; in the adoption of a resolution presented by the non-permanent members on the role of the United Nations, the Security Council and the mandate for the Secretary-General in the forthcoming Middle East peace conference; our work in connexion with all African questions, on decolonization and liberation, in the Committee on sanctions against Southern Rhodesia and in the group of three members of the Security Council designated by it to consult with the Secretary-General on Namibia; our positive approach to the admission of new Members to the United Nations, and so on.

187. The activities and the specific role of the non-aligned and non-permanent members in the Security Council in the last two years have demonstrated clearly that the growing forces expressive of the widest interests of the international community are ever more present and capable of acting and that the Council, as the whole United Nations, can rely on them with growing confidence. That reflects new realities in the world, and constitutes in itself a major contribution to the effectiveness of the Council whenever it is sufficiently recognized.

188. Finally, there will be no strengthening of the role of United Nations and no enhancing of the effectiveness of the Security Council unless it is sufficiently accepted that the capability of the Security Council of the United Nations is as important as, if not more important than, the credibility of anyone else. The United Nations, the non-aligned countries, the Group of 77 developing countries, small- and medium-sized countries, are not meddling busy-bodies, but indispensable factors without which nothing stable can be achieved. World problems can be dealt with and settled only with the world's participation. The corresponding role of the United Nations, of the Security Council, is not only right, just and desirable, but indispensable as well.

189. Finally, it should also be noted that the various Secretariat departments and services that have assisted and do assist the Council in its work have unfailingly extended their help and made it possible for the Council to function as effectively as it has.

190. The PRESIDENT: I now put to the vote draft resolution A/L.718/Rev.1.

*The draft resolution was adopted by 107 votes to none, with 12 abstentions (resolution 3186 (XXVIII)).*

**AGENDA ITEM 70**

**Question of Namibia (concluded):\***

**(e) Appointment of the United Nations Commissioner for Namibia**

\* Resumed from the 2198th meeting.

191. The PRESIDENT: In his note [A/9465] the Secretary-General proposes "to the General Assembly, for its approval, the appointment of Mr. Sean McBride, former Minister for Foreign Affairs of Ireland, as United Nations Commissioner for Namibia for an initial period of one year". May I take it that the General Assembly approves the proposal of the Secretary-General?

*It was so decided.*

*The meeting rose at 1.30 p.m.*