



General Assembly

PROVISIONAL

A/40/PV.87
22 November 1985

ENGLISH

Fortieth session

GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE EIGHTY-SEVENTH MEETING

Held at Headquarters, New York,
on Thursday, 21 November 1985, at 3 p.m.

President: Mr. DE PINIÉS (Spain)
later: Mr. MOUSHOUTAS (Vice-President) (Cyprus)

- Question of Namibia: [34] (continued)

- (a) Report of the United Nations Council for Namibia
- (b) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
- (c) Report of the Secretary-General
- (d) Report of the Fourth Committee
- (e) Draft resolutions

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- Confirmation of the appointment of the Secretary-General of the United Nations Conference on Trade and Development: note by the Secretary-General [17 (k)]
- Return or restitution of cultural property to the countries of origin: [20]
 - (a) Report of the Secretary-General
 - (b) Draft resolution
- Co-operation between the United Nations and the Organization of African Unity: [25]
 - (a) Report of the Secretary-General
 - (b) Draft resolution

The meeting was called to order at 3.15 p.m.

AGENDA ITEM 34 (continued)

QUESTION OF NAMIBIA

- (a) REPORT OF THE UNITED NATIONS COUNCIL FOR NAMIBIA (A/40/24)
- (b) REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (A/40/23 (Part VI), A/AC.109/824, 825 and 826)
- (c) REPORT OF THE SECRETARY-GENERAL (A/40/667 and Add.1)
- (d) REPORT OF THE FOURTH COMMITTEE (A/40/882)
- (e) DRAFT RESOLUTIONS (A/40/24 (Part II), chap. I)

Mr. GUDA (Suriname): May I first of all extend our heartfelt condolences to the Government and people of Colombia, by whose misfortune we are deeply moved. On behalf of the Government and people of Suriname I wish to express our solidarity with the Government and people of that brother country at this time of tragedy.

The Namibian drama is well documented. By resolution 2145 (XXI) of 27 October 1966 the General Assembly terminated South Africa's Mandate over Namibia and placed the Territory under the direct responsibility of the United Nations. By its resolution 2248 (S-V) of 19 May 1967 the General Assembly established the United Nations Council for Namibia as the legal Administering Authority for Namibia until its independence. Since that time many other countries have achieved their independence. Unfortunately Namibia is not among them, which has deeply disappointed its people and all who sympathize with them. On the contrary, the Government of South Africa, which was ordered out of that country by the United Nations, has remained there, stepping up its policy of terror and intimidation and murdering unarmed, innocent women and children.

(Mr. Guda, Suriname)

For the last 13 years more than two-thirds of the Namibians have been under curfew and lived under martial law, while police forces brutalize them and their natural resources are being plundered.

During the 40 years of its existence, the United Nations has recorded many laudable achievements for which we express appreciation. But many problems on its agenda remained unsolved, which compels us to admit that our system has partially failed.

Perhaps nothing is more illustrative of this failure of the United Nations and its Member States to deal effectively with inhumane and unlawful situations than the situation in southern Africa. We have witnessed in disgust the endless suffering of its people throughout history, and we now see them suffer through the machinations and exercise of raw power of the inhumane and despicable racist régime of South Africa.

The end of the Second World War, 40 years ago, to whose successful conclusion Africa made such an invaluable contribution, did not bring peace and justice to that continent. Neither has the United Nations done so during its 40 years of existence. With millions of others, we wonder aloud: why not? Was it perhaps because insufficient resources were made available to that end, or simply because the rest of the world turned a blind eye to this region as long as its interests continued to be served, as long as the supply of the strategic materials it needs from this part of the world is uninterrupted?

The latest developments in Namibia require concerted action from all people who reject duplicity in international affairs.

The root cause of all violence and instability in Namibia is the abhorrent system of apartheid practised by the South African régime, which illegally occupies that country and which allows and promotes the plundering of its natural resources.

(Mr. Guda, Suriname)

What options now remain open to the oppressed people of Namibia and the co-operative international community?

Seven years ago the Security Council adopted the United Nations settlement plan, endorsed by Security Council resolution 435 (1978), which provided for a peaceful transition to majority rule in Namibia through free and fair elections, under supervision and control by the United Nations.

This procedure never materialized because the Government of South Africa continued to defy the opinion of the international community and installed a puppet régime instead. That illegal régime can never be effective as it does not represent the Namibian people. The sole and authentic representative of the Namibian people is the South West Africa People's Organization (SWAPO), whose Secretary-General addressed us a few days ago and brought us up to date with recent developments in his country. We were appalled.

The Government of South Africa cannot continue to defy the rightful opinion of the international community successfully, unless it is supported, which is exactly what is happening right now. For a proper perspective, one should bear in mind that Namibia possesses a wide range of minerals, including large quantities of copper, diamonds, lead, uranium and zinc, as well as gold, silver, platinum, coal and iron ore. Recently, massive oil and gas fields have been discovered off the Namibian coast, which substantially increase the already extensive mineral resources of that country. With this in mind, the actions of third parties to control and colonize Namibia will be better understood.

Recent developments in Namibia have aggravated the situation in that country. Since 1981, the African population of Namibia has been subjected to compulsory service in South Africa's armed forces. In 1984, the South Africa Defence Act was

(Mr. Guda, Suriname)

amended to make military service applicable to Namibia. The amendment provides for the military conscription of all Namibian males between 17 and 55 years of age into the occupying colonial army, an act which was condemned by the General Assembly in its resolution 39/50. In addition South Africa deploys mercenaries to combat the liberation forces of Namibia.

It should also be publicized that reports indicate that certain transnational corporations have emerged as major supporters of South Africa's military establishment.

In view of the foregoing, it should be no surprise to us that in his report of 6 September 1985 to the Security Council, the Secretary-General, Mr. Javier Perez de Cuellar, stated that there had been no progress in his consultations with the South African Government with regard to the implementation of Security Council resolution 435 (1978).

The situation even worsened considerably, as South Africa continued to step up its acts of aggression against its neighbouring States. Angola, Botswana, Lesotho and Mozambique have all been the victim of these acts, which are intended to penalize these States for their support to the Namibian freedom fighters.

These incursions against the front-line States should be condemned, as should any linkage of Namibia's independence with withdrawal of Cuban forces from neighbouring Angola.

The Government of Suriname reiterates its solidarity with the brutally oppressed people of Namibia, and once again expresses its support for their just and valiant struggle against the abhorrent system of apartheid and foreign domination. This inhumane system of apartheid must be destroyed. We therefore call on all Member States of the United Nations to impose mandatory sanctions

(Mr. Guda, Suriname)

against South Africa to this end, and to bring at least as much pressure to bear against this evil system as they did 45 years ago against another evil during the Second World War.

We thank the Secretary-General, Mr. Javier Perez de Cuellar, for his contribution to the solution of the Namibian problem and express our appreciation to the United Nations Council for Namibia for its work in carrying out its mandate as legal Administering Authority of Namibia until its independence.

But most of all, we wish to express our admiration and support for the innumerable and nameless heroes of Namibia, the South West Africa People's Organization and its inspiring leaders, the front-line States and all others who support the Namibian people in their fight for freedom.

Apartheid will be eradicated and Namibia will be free.

The PRESIDENT (interpretation from Spanish): I call on the representative of the League of Arab States, in accordance with General Assembly resolution 477 (V) of 1 November 1950.

Mr. MAKSOUD (League of Arab States) (interpretation from Arabic): The General Assembly is once again dealing with the Namibian problem which has been before it since 1946. The General Assembly ended South Africa's mandate over Namibia, in 1966 and made Namibia a direct responsibility of the United Nations. Seven years have elapsed since the Security Council adopted resolution 435 (1978) which, together with resolution 385 (1976) established a plan for the independence of Namibia, as a result of consultations and negotiations, conducted by those trusted by the régime of South Africa; this plan was accepted by all, including South Africa. The South West Africa People's Organization (SWAPO) and the front-line States did not object to it. Indeed, they showed a spirit of flexibility, conciliation and political insight in facing up to the intolerant and arrogant attitude of South Africa. However, the apartheid régime, for its part, did nothing but arrogantly flout the resolutions of the Security Council and General Assembly; it turned its back on world public opinion and in fact pursued the consolidation of its illegal presence in Namibia, invoking one pretext after the other in order to impede and frustrate the implementation of the United Nations plan for Namibia.

These pretexts vary from the question of the neutrality of the United Nations to the setting up of the United Nations team to assist Namibia during the transition period and to the electoral system. Now there is the linkage between the presence of Cuban forces in Angola and the independence of Namibia. What complicated the situation even more was the establishment by the South African Government of an internal illegal administration in Namibia, thus challenging the United Nations, the will of the international community and the International Court of Justice, which declared on 21 June 1971, in response to the request of the Security Council, that the continued presence of South Africa in Namibia was illegal and that South Africa was obligated to withdraw its administration from that Territory.

(Mr. Maksoud, League of Arab States)

How can we then explain the impasse reached on the Namibian question and the paralysis of the United Nations in facing up to this problem? How can we explain the fact that the apartheid régime is continuing, without being sanctioned or deterred, to ignore and even to challenge the international consensus on the question of the independence of Namibia?

The apartheid régime in South Africa is constantly trying to make out that this question of Namibia, which is a problem of decolonization is one of a conflict between the East and West. It is amazing that the South African Government's intransigent position is being supported by the invention of fallacious pretexts to prevent the realization of the independence of Namibia, so that it can continue to exploit the natural and strategic resources of the Territory.

The Western countries who are members of the Contact Group are constantly calling for a negotiated settlement and proclaim their opposition to the armed struggle in Namibia, justifying their attitude, inter alia by what they call the moral aspects that should be taken into consideration. However, in view of the evidence and indisputable historic facts, which confirm the bankruptcy of these arguments and the failure of the policy of constructive engagement, the Arab League believes that the only peaceful means available to the international community is to increase pressure on South Africa under the provisions of the Charter, with a view to imposing mandatory deterring sanctions against South Africa.

It is high time that the United States and other States realized that a contribution on their part to the liberation struggle of the peoples of South Africa and Namibia would safeguard, in its turn, the values that the West pretends to uphold and is proud of.

Perhaps the international community has already gone beyond the stage of condemnation. But the racists, once condemned, tend to show contempt for world public opinion, they become more intransigent and feel that those who take the

(Mr. Maksoud, League of Arab States)

initiative in condemning them deny racism its right to superiority and to behave accordingly. In most cases the racists consider those who support the condemnation of racism as opportunists or cowardly racists who are afraid of proclaiming their racism. The racists who practise apartheid and Zionism also regard coercive policies and practices and similar forms of behaviour as features, requirements and characteristics of superiority. Therefore, resort to sophisticated pressure tactics in addition to the use of force, is imperative in order to maintain the abnormal, immoral and exceptional structures of racist régimes, to compel those who fight against all forms of racism, racial discrimination and various practices that deprive people of their political rights, to yield. Violence in turn becomes part of the plans for perpetuating inequality and denial of the most elementary human rights.

The racists do not acknowledge the humanity of their victims. In the course of this process the régime and its practices become inhuman. The racists introduce new issues and fallacious pretexts by which they attempt to gain time and challenge the resolutions of the United Nations. They insult those who criticize them in a premeditated attempt to evade the problem. We all know the methods used by the two remaining racist régimes, the only two colonialist régimes in the world: South Africa and Israel.

They both express their anger against the United Nations and they are both very sensitive to the least criticism from those whom they consider as supporters of West Europe and the United States.

Those two régimes live in cultural isolation, and complete ignorance of human and spiritual values and the principles of equality of peoples, prevailing in the framework of ancient and modern civilizations, specially Western civilization, which they pretend to represent in the African continent and in the Middle East.

(Mr. Maksoud, League of Arab States)

Those two régimes represent the last counter-attack of the colonialist settlers at this historical turning point at which decolonization, equality among nations and peoples and the inalienable human right to self-determination are now codified.

Equality and the right to self-determination are the two principles that intrude upon and interfere with the comprehensive racist plan and constitute an infringement of what the racists consider as their absolute right of domination of others and the extension of their influence over them, constantly maintaining them in a state of national segregation.

What arouses our concern and anger are these repressive measures applied by racist South Africa and especially the arbitrary measures which are still applied against the indigenous inhabitants. At a time when the international community is striving to curb the policy of discrimination, racism, and apartheid, which is a crime against humanity, the racist authorities have embarked upon a widespread campaign aimed at increasing persecution in order to suppress the resistance of the South African people, and by means of what is called constitutional changes and fake reforms they are trying to stifle the will of the indigenous inhabitants and deny them their right to freedom and self-determination.

The Arab Kings and Presidents, at the Casablanca Emergency Summit Conference reviewed with extreme concern the latest developments in South Africa and all the repressive and arbitrary acts of terrorism and racial discrimination faced by the people of South Africa. The Conference also reviewed the struggle of the Namibian people in their efforts to achieve their independence and sovereignty in accordance with the resolutions of the United Nations. The Conference reaffirmed its previous resolutions on this subject and its support for the struggle of the peoples of South Africa and Namibia and confirmed the support of the Arab States based on their unswerving belief in the principles of Arab-African co-operation, for the

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liberation movement in South Africa and for the heroic struggle of the African people in southern Africa. The international community has expressed its condemnation of the shameful alliance between the two racist régimes in South Africa and occupied Palestine, their repeated violations of the relevant resolutions of the United Nations, and their challenge to the will of the international community, with a view to ending the suffering of the two struggling and heroic peoples.

The Arab League Council still condemns their co-operation and we join the international community in its efforts to intensify co-ordination among Arab and African countries so that they will together be able to face the real danger that threatens peace and security in both areas, as well as international peace and security, for this threat is a natural by-product of the co-operation and alliance between South Africa and Israel.

The Arab League fully supports the struggle of the Namibian people, under the leadership of SWAPO, its legitimate representative, because we fully realize the danger of the persistence of the occupation of Namibia by South Africa and its deliberate dilatory manoeuvres designed to delay implementation of the resolutions of the Security Council, and specially resolution 435 (1978).

Mr. ENGO (Cameroon): Hardly a speaker at this session has not recalled that this is the fortieth anniversary of the founding of the United Nations. It has been repeated so often that it is as if we wished to convince ourselves of that fact. Whatever each of us has said, we have not failed to observe that each passing day, each passing year, has tended to make clear the nature of the evil of our generation.

The topic of Namibia and of southern Africa as a whole has acquired added, critical importance, partly because the prevailing circumstances tend to insult our collective intelligence or sense of decency, and partly because, if we are to avert the horrors of a major - perhaps global - war, we must urgently provide a response to that which offends our collective sense of justice and our most cherished values, a response, indeed, to the continuing flow of blood from the veins of the suffering and oppressed, crying out in desperation for the right to live and sustain the rudiments of decent living.

The demand for freedom and independence is just, and both law and the norms of morality are on the side of the Namibians. Any foreign policy decision and action taken pursuant to it that are not designed to hasten that freedom must be regarded as being against the legitimate interests of the Namibian peoples.

The foreign policies of Member States must now seriously address the plight of the human condition in southern Africa; the consequences of our attitudes and policies towards the Pretoria régime; the implications of expanding conflict in southern Africa, conflict that is no longer purely localized and that continues to encourage ambitious foreign policies in some of the major capitals around the world; and the steady build-up of conditions of war and racial conflict, which threaten international peace and security. The major Powers must not join in South Africa's attempt to suspend time, in delaying the inevitable freedom of Namibia.

(Mr. Engo, Cameroon)

Our stocktaking in this commemorative year must include an examination of the most effective means of speeding up the process of achieving self-determination for the Namibian people. It would be undesirable for us to content ourselves with a mere review of the current atrocities in southern Africa, crowning our efforts, as it were, with the attainment of some package of ideas reflected in a compromise resolution.

Blood - yes, the blood of fellow human beings, the blood of innocent men, women and children in Namibia and in neighbouring countries - is flowing. We must bear this in mind constantly because of the nature of the issues. What we must address in this commemorative year is how to stop, with dispatch, that flow of blood that humiliates our generation as a whole.

The issue is not a definition of the notorious curse of apartheid; nor is it the identification of those that may be categorized as friends of the racists or how best to frame our condemnation of the system. The issue is the flow of human blood and the death and destruction that now represent a widening of the scope of threats to international peace and security. The broader issue is the scope of our collective spiritual commitment to the aims and purposes of the Charter, including equal rights and the self-determination of peoples.

Cameroon is a young country whose freedom was carefully designed by this universal body. My nation shared a common historical background of German colonization. The transfer by the colonists of military as well as civilian personnel between the German Territories of South West Africa, Kamerun and Tanganyika, among others, was to foster migrations, further strengthening the blood and cultural links and cementing for all time the common destinies of our peoples.

(Mr. Engo, Cameroon)

Today virtually all those former German Territories are free, thanks to the mandate and trusteeship systems established by the League of Nations and the United Nations respectively. In Africa, only Namibia is still stuck in the mud of obstruction created by occupation forces imposed by one of the most barbaric racist régimes known to history.

As pain and loss torment the spirits of a proud and noble people, the Namibians turn to the rest of the world in a quest for the true meaning of their plight. They see other Territories free, their freedom endorsed and in some cases designed by this universal body, the United Nations. They turn in their frustration to the historic United Nations Charter, to the one international Organization set up to foster human rights and fundamental freedom as part of the inspired motivation of maintaining international peace and security.

We can see the blood-covered hands of a father wounded by cruelty and armed repression reaching out for a copy of the United Nations Charter. He wipes blood from his almost blinded eyes as he turns to the first page of the political bible which is supposed to bind mankind today - the Charter that set up this Assembly and other competent organs to serve as a "centre for harmonizing the actions of nations" in the attainment of declared goals. The trembling hands bring that first page into focus:

"We the peoples of the United Nations", it commences in capital letters,

"Determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind".

(Mr. Enge, Cameroon)

The dying man pauses a little. Not only have there been 100 wars since those words were written; he is bequeathing to his children and to future generations a situation no better than that which Chief Sommel Maberero and the heroic people faced in 1904, when the German Governor, von Trothe, issued his extermination order to the people:

"Within the German boundaries, every Herero, whether found armed or unarmed, with or without cattle, will be shot, I shall not accept any more women and children. I shall drive them back to their people; otherwise, I shall order shots to be fired at them. These are my words to the Herero people ..."

(Mr. Engo, Cameroon)

The defeat of the Germans and their subsequent surrender in 1915 to a general with the same name as racist South Africa's current paper colossus, Botha, raised what was to prove to be forlorn hopes of freedom amongst the Namibian people. They had expected the return of misappropriated lands as German settlers fled or died, abandoning their farms. Our Namibian father thinks of the bloody battles that ensued as the ancestors of the contemporary racists systematically took over and expanded the land encroachment.

The arrival of the United Nations raised once again the hopes of the new generation of fighters for freedom. Yes, the peoples of the United Nations, including those who have now designated Pretoria the headquarters of apartheid, had also declared their determination

"to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small".

Indeed other Territories formerly held under colonial rule are now, in the words of Africa's Kwame Nkrumah, free to govern or misgovern themselves and to fashion their own destinies according to the pleasure of their cultural ideals. "Why not Namibia?", the father asks. "What have we done? Where have we gone wrong? No rational answer is provided by the compulsions of the apartheid system.

The Charter came down on the side of fundamental human rights, and various United Nations resolutions and declarations have provided abundant jurisprudence to establish the norm unequivocally. Why, then, should the Namibian be compelled to fight and die for his freedom, if everyone has solemnly undertaken to reaffirm such an inspired faith in fundamental human rights, in the dignity and worth of the human person?

(Mr. Engo, Cameroon)

Our bleeding man turns to the purposes and principles of the Charter. It is all there in print: the maintenance of international peace and security is a central role of the Organization. In spite of resolutions of the General Assembly and the hours spent each year discussing Namibia in the Security Council, in spite of the unanimity that launched resolution 435 (1978), he can see no "effective collective measures" taken "for the prevention and removal of threats to the peace and ... the suppression of acts of aggression ..." against him, his family and his beloved country.

For the solution of international problems and the promotion and encouragement of respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion, the United Nations Charter prescribes effective international co-operation. What our Namibian father sees, in fact, is not such international co-operation. No, we are showing him - all of us, collectively - the ingenuity of the human intellect in making conspiracy masquerade as co-operation, in employing the procedures of our endeavours here to present a facade of concern and so-called action - a facade that hides prejudice.

And so we must watch the Namibian bleed to death, staring in stark disbelief at what is clearly our implied refusal as a generation to react. The sweet illusions of hope that once spared the Namibian people knowledge of the reality of their predicament can no longer provide the convenient tranquilizers.

If we persist in our current course, future historians and generations to come will be right in condemning both our successes and our failures; for we are demonstrating a grotesque incapacity to meet the test of our own aspirations and to use the institutions we establish in ensuring or at least promoting human survival.

(Mr. Engo, Cameroon)

The speeches we continue to make here either in condemnation or in paying lip service to the Namibian cause only serve to excite antipathy and provide irritation to the men, women and children bullied in their daily lives by frustration, deprivation, senseless death and destruction in an articulate form of slavery.

This commemorative year provides an appropriate moment for reassessing our motivations and the strategies we must assemble to meet the challenges to peace across the globe. Southern Africa is an explosive region. In Geneva the two greatest of today's military giants met this week to address the threats of weaponry, including the nuclear and strategic defence weapons; threats to their respective countries, alliances and the world in general. It is the hope that the two big Powers will recognize the singular responsibility thrust upon them by history, based on the objective criteria of their military and economic capabilities.

The United States and the Soviet Union were born of important revolutions in history. Each revolution was designed to respond to the challenges of despotism and deprivations of human rights. Each had freedom fighters - yes, freedom fighters - and freely chose a mode of organization of the social and economic structures for the benefit of their people. Each has made tremendous strides in the various walks of national life, demonstrating that self-determination involves the sacred right of a people to design from within and to determine what is best for them, having regard only to their own circumstance.

It is for that reason that the frustrated, the dying, the maimed, the bereaved and the struggling masses of the Namibian people, and the enslaved in southern Africa as a whole, look up not only to this Organization as a body, but also and

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especially to the most powerful among our numbers not only to show understanding but to speed up the process of change to end the reign of oppressive terror in Namibia.

We add our voice to those of Namibians crying out for help; we join in the call of the deprived of southern Africa for the curse of apartheid - that vigorous degenerate system of infusing the virus of political, economic and social "aids" into an African communalist system - to be uprooted from the subregion, in order to make possible a new beginning in which black, white and other inhabitants could mould patterns of unity, of progress and of racial harmony. No one need be the victim of the articulations of the racist régime in Pretoria. So-called interim or internal arrangements cannot succeed until the peoples, headed by an inspired South West Africa People's Organization (SWAPO), have had their say on who should govern them after independence.

We appeal once again to the United States and the Soviet Union to abandon confrontation in their mutual perspectives on southern Africa. Apartheid is the central problem and must be eradicated. Angola and the Cuban troops are not the problem; nor is the presence of the Soviet Union, of Israel, of the United States, of the United Kingdom and of their allies. These links have effectively blurred the real issue of Namibian freedom.

If the system of apartheid is dismantled and the peoples of all races in the region attain their self-determination and human dignity, Namibia and the new South Africa will enter into neither the Eastern socialist camp nor the Western capitalist camp. The Organization of African Unity would welcome them and provide opportunities for both to meet the aims of economic development. Africa would

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truly be declared a model zone of peace. Together, we shall build new forms of relationships with other nations in other regions, guaranteeing the role of our tested African civilization in bringing peace to a troubled world.

Namibia is exceptionally rich in natural resources. The dawn of freedom would provide an opportunity for a rich and powerful nation to make its contribution to international peace and concord in the African region and in the world as a whole.

(Mr. Engo, Cameroon)

We welcome the decision of the Council for Namibia to declare, in accordance with the universally recognized United Nations Convention on the Law of the Sea, an exclusive economic zone whose outer limits will be 200 miles. It is common knowledge that in the African region Namibia and South Africa are perhaps the most naturally privileged in terms of the spread of the continental shelf and the wealth of the living resources of the adjacent water column. The United Nations Council for Namibia is a signatory to the Convention and, as sole Administering Authority, must take the necessary steps to ensure an early declaration of Namibia's legal 200-mile exclusive economic zone. That is imperative for the definition of the scope of the rights of the Namibian people. It will expose the extent of the rape of resources, especially of the minerals, on the continental shelf and make illegal any unauthorized activities in the area falling within the national jurisdiction of Namibia. The rights of Namibia with regard to the ocean space are now very clearly defined and the Council would be failing in its duty if were to delay the process of declaration.

Consultations with SWAPO, the sole, authentic representatives of the Namibian people in their struggle against fascism and foreign occupation, is indeed very important. Yet we must insist that both the Council and the SWAPO leadership bear in mind the nature of the leadership role imposed on them by history to protect and defend the sacred right of the Namibian people of sovereignty over the natural resources of their fatherland. If the process of declaring the limit of Namibia's national jurisdiction in the ocean space were delayed, the enemies of Namibia would legally claim the right to exploit the volume of resources within the 200-mile zone. Rights granted by universal conventions are not necessarily automatic; they

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must be claimed by the legislative decisions of States committed to them. The Council must thus declare the zone forthwith in the form of a decree, aided in the process by an advisory body within the United Nations Secretariat, which exists, and with, I hope, the full encouragement of the SWAPO leadership.

We cannot afford to hand to the Namibian people a country that is free politically but is economically depleted of natural resources as a result of illegal exploitation and ravaging by South Africa and other enemies of the people.

We invite all those interested in legality openly to apply to the Council for the right to exploit the living resources now. Fisheries demand obedience to universally recognized rules of conservation. This category of resources demands proper management and all fishing ought to be carried out openly in order to enhance possibilities for the rational management of the marine resources.

In concluding, we wish to address the issue of sanctions, which seems to divide us artificially. We deeply regret that at a recent meeting the Security Council was unable to take a decision to reinforce its own credibility on African questions, especially at a time when it has nothing substantial to offer in resolving the problems of the subregion. The veto was applied by two Western nations, the United States and the United Kingdom, both citadels of democracy, whose constitutional adherence to justice and swift action against instances of its breach have made them symbols of decency.

What, one may ask, is the consequence of the use of the veto against action in Namibia? Agents of apartheid in South Africa will receive the wrong and unfortunate signal, and consequently put on the sardonic smiles that are characteristic of them. Our Namibian brothers and sisters will be told of the defeat of yet another noble attempt. For the Security Council the door is once again slammed on effective action against the South African racist régime. The Council must not "snore" its way through another political "siesta" while blood

(Mr. Engo, Cameroon)

continues to flow. South Africa, not the Security Council, in effect now dictates the terms, while the Council is deadlocked on the wording of resolutions, each contesting side claiming that the other has not moved far enough. Thus draft resolutions fail to be adopted. Others, adopted, pile up. Even those adopted unanimously are not implemented. Instead, time must be consumed by fresh debate on whether or not they were intended to be implemented and how and when. Blood, human blood, continues to flow, presenting a different reality to history.

The imposition of sanctions on white racist minorities seems to present problems to some among us. It is to be hoped that the reasons for selectiveness are not racially motivated. The concern expressed by some industrialized countries about the adverse effects of sanctions on the majority black populations in areas still occupied by South Africa is indeed being rendered increasingly unjustifiable having regard to the facts.

The industrialized countries concerned should not pretend to know better than the peoples of Namibia and Azania what options can best meet their need. The truth is that the appeasement of the chief priests of apartheid has caused the plight of the Africans in the subregion to worsen. The racists see weakness in the absence of resolve on the part of the permanent members of the Security Council to end the system. They must themselves be amused that the big nations of this age are borrowing worn-out arguments to support that weak position.

The real equation that we postulate to our Western friends opposed to sanctions is this: no sanctions equals more death and destruction for Namibians; apply sanctions and the dominant white rich will take steps to remove the impediment to further wealth, that is, apartheid. There would then be rational economic growth and benefit for all in lasting peace. There can be no middle way in these matters. The Namibians and the South African blacks cannot be bribed by

(Mr. Engo, Cameroon)

crumbs of bread and slave wages. They hunger and thirst for freedom and human dignity, the right to mould their own destiny. Let no one have illusions about that. More than that, let no one slumber through the current revolution of change thrust upon imperialism and those who must pay heavily for their passion for domination and occupation.

We pledge our full solidarity with all who seek freedom and justice. We remain totally committed to that cause in Namibia and southern Africa as a whole.

Mr. MOSELEY (Barbados): It must have been quite predictable that any debate on the perennial subject of Namibia in this Assembly would be the occasion for a flood of statements from States of every shade of political opinion represented in the United Nations. Since these statements reflect world public opinion it is obligatory for my delegation to add its quota, notwithstanding the fact that the subject has already been so thoroughly aired by such an extraordinary number of speakers.

(Mr. Moseley, Barbados)

My delegation will put on record our abiding interest in and concern for the future of Namibia itself and because of the wider implications of this vexed question as reflected in its history .

The question of Namibia is an example of facts which speak for themselves. By a legally recognized United Nations process, namely, resolution 2145 (XXI) of 27 October 1966, Namibia came and remains under the direct responsibility of the United Nations. By a further and complementary legal process, in particular resolution 2248 (S-V) of 19 May 1967, a legal Administering Authority of Namibia until independence was created. To these irrefutable facts is added a third and equally irrefutable fact according to the remorseless dictates of logic, namely, that the occupation and administration of Namibia by South Africa is illegal.

But it is well known that, when logic and justice under the law are compromised, expediency holds sway. In order that the requirements of that expediency may be met, we find that historically ugly word "appeasement" arising, to cause angry embarrassment to those who have not yet learnt that swords will be turned into ploughshares only when justice is not only blind but even-handed as well.

In the view of my delegation, the bare essentials of the question of Namibia have to do with people and with resources. As regards people, there can be no denying that the icy and malignant hand of apartheid, with all its connotations, parallelism and identification with the very theory of the "master race", which led directly to the establishment of the United Nations itself, taints and corrupts any just solution of the problems of the Namibians. Thus, while we must deplore the human tragedies which flow from armed confrontation, we must recognize that even a worm will turn. Therefore there is a built-in futility in asking for the peaceful

(Mr. Hoseley, Barbados)

settlement of a struggle whose undeniable aim is the permanent enslavement of a people in their own country.

The second of the bare essentials is the matter of resources. In this connection, I must make the point that my delegation views with grave distaste the practice of selective name-calling in resolutions. This view is taken for three reasons: first, allegations made are not always easily verified. Secondly, the inclusion of some names may well imply the exclusion of others who are no less guilty and, thirdly, my delegation believes that a resolution which calls for the exercise of even-handed justice must, if its credibility is to be preserved, require justice for all, whether we like them ideologically or not.

Having said that, it must also be stated that where countries find it in their mouths to protest, perhaps too much, their hatred of apartheid and yet, for the preservation of their economic interests, assist in plundering - and benefit from the plunder of - the natural resources which belong to a defenceless people, they cannot expect to be taken too seriously when they protest at having their names called.

The history of mankind being what it is, we cannot afford the simplistic attitude of being shocked by human greed. On the other hand, unless we in this Organization - the public opinion of the world - keep up relentless pressure to redress the wrongs we see, this same human greed, this same use of genocide as a political solution or, may I say, a "final solution" which 40-odd years ago brought the world to the brink, may well push the world over the brink the next time around.

My delegation believes that the people of Namibia, the people whose country it is - to the same extent that any country in Europe is the country of its native people - will fight and shed blood for their freedom. No human being since history began has ever remained permanently enslaved. Contrary to the view implicit in the

(Mr. Moseley, Barbados)

policy of apartheid, the black African is no less human than the European or the people of any other continent.

Twenty years of illegal occupation is by any standards too long. The United Nations needs only the political will not only to do justice to the oppressed but to avert the tragedy arising from that oppression which may well be the occasion for the Armageddon which we all must fear.

Thus my delegation appears on the record as one adding a voice to those who plead for justice and what, in effect, is the salvation of the credibility of this Organization, the United Nations.

The PRESIDENT (interpretation from Spanish): In accordance with resolution 3237 (XXIX) of 22 November 1974, I call on the Observer of the Palestine Liberation Organization.

Mr. TERZI (Palestine Liberation Organization (PLO)): The question of Namibia has been on the agenda of the General Assembly at every regular session since its first session in 1946. Naturally, a number of special sessions have been held on this question as well.

Thousands of pages have been accumulated, in hundreds of volumes, with numerous resolutions adopted by the General Assembly, the Security Council and other organs of the United Nations. I dare say that the question of Palestine is the only other item with a similar fate.

But the root cause and the genesis can be identified in one phrase: "Betrayal of trust", the betrayal of a sacred trust by the Powers - colonial, neo-colonial, and more recently imperialist - a betrayal of a sacred trust, of the Mandate entrusted to the Mandatory Powers by the Conventions of the defunct League of Nations or other organizations. The "Mandate" granted to some Powers was and is a misnomer. In the questions of Namibia and Palestine alike, the Mandatory Powers

(Mr. Terzi, PLO)

betrayed the Mandate granted to them. In both cases the Mandate was to prepare the peoples of those two Territories, Namibia and Palestine, for national independence and self-rule. What we the peoples in both areas needed was the knowledge how to administer our independent States. Yet the Mandatory Powers established a situation and conditions to serve their own interests at the cost of preventing us from harvesting the fruits and resources of our respective regions. In Palestine the British Mandate succeeded in creating a monster - a racist monster - the Zionist State of Israel, at the cost of expelling and uprooting the Palestinian people from their homes and property, and succeeded in making of the Palestinian people a refugee community dispersed all over the world.

(Mr. Terzi, PLO)

What the betraying Mandate could not do was to bend or break the determination of the Palestinian people to cling to the good earth of Palestine and their resolute will to hold on to their inalienable rights and pursue a struggle, by all means, to achieve and exercise those rights, namely, self-determination without external interference, and national independence in Palestine.

In Namibia, the betraying Mandate developed into a military occupation by Pretoria's white racist cohorts, precisely since 1966 and in defiance of General Assembly resolution 2145 (XXI). Of course, a Council was established to administer South West Africa, but only until independence. The Namibian people scored their first victory perhaps when they decided that they were a Namibian people, not a mere location on the geographical map. It is no longer "South West Africa", but Namibia and the Namibian people.

In discharging its responsibility in part, the General Assembly established the Institute for Namibia. As a result of the continued and escalating struggle of the Namibian people, under the leadership of the South West Africa People's Organization (SWAPO), their sole, authentic representative, the General Assembly also adopted a Programme of Action in support of self-determination and national independence for Namibia.

The Namibian people's struggle continued. This Assembly, while reaffirming the inalienable right of all peoples under colonial rule, foreign domination and alien subjugation to self-determination, freedom and independence, reaffirmed the legitimacy of the peoples' struggle for freedom by all available means, including armed struggle. This Assembly did not hesitate to declare that that was the right of "notably the peoples of Africa still under colonial domination and the Palestinian people".

(Mr. Terzi, PLO)

And the process in the United Nations continued. The question was brought before the Security Council. In blatant defiance, the racist Pretoria régime contravened the decision of the Security Council and held sham elections in December 1978. This Assembly declared those elections null and void. A group of States formed a contact group to act, they claimed, as a goodwill, go-between messenger. But the components of that contact group, by the very nature of their socio-economic system, their past colonial record, and motive to protect their transnational corporations, could not be impartial. Their interests were diametrically opposed to those of the Namibian people. Those efforts and attempts were doomed to fail. To the best of my understanding, that group did not consult or co-ordinate with the principal party, SWAPO, the representative of the Namibian people.

The question was again brought to the Security Council. Security Council resolution 435 (1978) is a landmark in the history of the struggle of the heroic Namibian people. But resolution 435 (1978) proved to be another drug to pacify the Namibian people and create false hopes with the malicious attempts to undermine the growing understanding, support and solidarity of the peoples and forces which love peace and freedom. Resolution 435 (1978) was hailed, particularly because it was adopted unanimously, just like Security Council resolution 465 (1980) relating to the Zionist Israeli occupation of Palestine and other Arab territories. When the moment of truth came the United States Administration unveiled its malicious plans: no to the implementation of Security Council resolution 435 (1978) and no to the implementation of Security Council resolution 465 (1980).

For how long do we, the peoples of Namibia and Palestine, as well as the people of South Africa, have to permit the diktat of a permanent member of the

(Mr. Terzi, PLO)

Security Council, namely, the United States of America, to dominate the proceedings of United Nations organs and the relations of the international community? Its support of resolutions 435 (1978) and 465 (1980) did not fool us for all of the time. Washington, D.C. showed its true face, its aims and interests in the financial, banking and major industries and transnational corporations that dominate and direct the policies of Washington, D.C. The "constructive engagement" label is the name of their game, but the truth is that Washington, D.C. aims at the perpetuation of enslavement and exploitation of peoples.

We in the Palestine Liberation Organization venture to pose the following question to this Assembly: faced with the adamant and negative attitude of Washington, D.C., whether towards the implementation of Security Council resolutions 435 (1978), 465 (1980) and others, or even to the overwhelmingly supported General Assembly resolutions calling for the convening of the International Peace Conference on the Middle East, does this Assembly have other ways and means to ensure the implementation of its resolutions?

We are aware that the Charter is explicit. According to its Article 25:

"The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter."

But what should be done to Members which do not agree to accept, but refuse, to carry out the decisions of the Security Council? Moreover, what should be done to Member States - specifically members of the Security Council - which refuse to carry out decisions that they have participated in making and possibly drafting but then renege?

In their statements before this Assembly, the majority of the Member States have called for the application of Charter provisions, namely, comprehensive

(Mr. Terzi, PLO)

mandatory sanctions. But in light of the diktat of the veto - so frequently misused, abused or threatened by the United States, a permanent member of the Security Council, the General Assembly is in duty bound to search for and create some action that will not keep the will of the international community hostage and subjected to the whims of whoever sits in the White House, Washington, D.C.

We still believe that this Assembly should respond to the just cause and demands of the Namibian people and, above all, their rights. The General Assembly has powers vested in it by the Charter and resolutions. Merely to reject the credentials of the racist Pretoria régime is of great moral importance. But what should be paramount is the realization and attainment of the inalienable right of the Namibian people to independence and sovereignty - and that can be achieved only after the total and unconditional withdrawal of South African occupation troops from all Namibian territory, when the Namibian territory of the Kalahari desert, one tenth of Namibia, will no longer be the testing ground for Israeli-Pretoria joint nuclear experiments.

After 40 years of debating, 25 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 20 years of illegal occupation of Namibia we still debate, while 100,000 foreign racist occupation troops stationed in Namibia pursue repression and brutality.

(Mr. Terzi, PLO)

Emergency regulations and so-called security zones are in force, just like the Defence Emergency Regulations of 1945, while Jewish colonial settlements and military posts have been established all over the occupied Palestinian territory. The racist régimes, both in Pretoria and in Tel Aviv, have indicated by acts and not merely by words that they will not carry out Security Council decisions. In both occupied Namibia and occupied Palestine the occupying Power - the racist régimes of Pretoria and Tel Aviv - even refuse entry into the occupied territory to members of commissions established by the Security Council. Yet they get away with their arrogance and obduracy.

Both régimes have tried to create puppets, but the Turnhalle Alliance in Namibia and the Village Leaguers in occupied Palestine could not survive the resistance of the heroic and patriotic Namibian and Palestinian peoples.

Despite the grave situation in the Middle East as a result of the intransigence and the aggressive policies of Israel, and despite the grave situation in southern Africa - in South Africa, Namibia and the front-line States - as a result of the adventurist policies of the Pretoria régime, President Reagan has shied away from referring to those two areas as hotbeds. Maybe he was certain that the issue had been blown up out of proportion and considers that the peoples of southern Africa and the Middle East, the Namibians and the Palestinians, are not worthy of consideration. We had always thought that the cause of peace was the cause of the American people. We still think that it is the cause of the American people, but the cause of Reaganism is different. It is the cause of aggression, the cause of the so-called Democratic International, the cause of the Jerry Falwells. It is the cause of war and racism, the cause of the dark ages of fundamentalism, as well as the cause of apartheid and zionism. It is not the cause of peace; it is not the cause of peoples, and we cannot and should not permit the perpetuation of foreign illegal occupation, for that is a crime against humanity

(Mr. Terzi, PLO)

and no matter how bright some aspects may appear to some, there is no such thing as benign occupation.

Foreign occupation of necessity means exploitation and violation of both human and national rights, and it is our collective duty to endeavour to bring this situation to an end.

Let us all go to the international conference on Namibia, to be organized by the United Nations in 1986, and endorse action-oriented programmes with a view to ensuring the freedom of the Namibian people and the independence of the sovereign State of Namibia. Meanwhile we should maintain our support for the struggle of the Namibian people to liberate their homeland from the evils and the bayonets of the racist Pretoria régime. We in the Palestine Liberation Organization reiterate our solidarity with our comrades-in-arms in SWAPO, the authentic representative of the Namibian people and the leader of their struggle.

We Palestinians are proud of their resolute and firm stand against the enemies of peace and of humanity. Together we shall win our joint struggle. The struggle continues and victory is certain.

In conclusion I should like to inform the Assembly that while we are debating here a military delegation from racist South Africa is currently visiting the Judao-nazis in occupied Palestine, a visit in the context of co-operation between the two racist régimes - the neo-nazis and the Judaeo-nazis. Tel Aviv will provide Pretoria with an electronic sensor and the South African racists will receive instruction on the maintenance of that electronic sensor from their colleagues, the Zionist racists of Tel Aviv.

Mr. OULD BOYE (Mauritania) (interpretation from Arabic): In this year of celebration and anniversary we would be celebrating with greater zest and vigour and we would feel our joy more keenly had the independence of Namibia, so much yearned for, yet again and again removed beyond our grasp, become a tangible fact. That would have been the best gift that could have been offered to the United Nations on its fortieth anniversary. Our celebration of the twenty-fifth anniversary of the adoption of resolution 1514 (XV) on the granting of independence to colonial countries and peoples would have been all the more uplifting an occasion.

The intransigence, the foot-dragging and the deceptive manoeuvres of South Africa have dashed our hopes and frustrated the independence of Namibia, an independence which remains the demand of the entire international community.

The Security Council, on the joint demand of the non-aligned countries and the countries of the African group, last week examined with concern South Africa's refusal to implement the Council's resolutions on Namibia. However, seven years ago the Security Council had already spelled out and set forth in its resolution 435 (1978) a plan for Namibia's independence agreed to by all parties concerned. The implementation of that plan, which is still pertinent, is being blocked by the stance of South Africa.

As long ago as 1966 the General Assembly proclaimed the Pretoria régime's occupation of Namibia to be illegal. The International Court of Justice, in its advisory opinion of 1971, confirmed the view of the General Assembly that the tyranny of the illegal occupation of Namibia by the racist Pretoria régime had already lasted far too long. The General Assembly, the International Court of

(Mr. Ould Boye, Mauritania)

Justice and the Security Council have pointed the way. The Pretoria régime, however, is constantly erecting new roadblocks and constantly engaging in new ways of dragging its feet. Mauritania can only deplore the obstacles thus raised to hold up the advent of independence for Namibia. We believe that independence for Namibia cannot be linked to any other considerations which are extraneous to it.

The Namibian people, which has suffered so much, continues courageously to stand up to occupation and bloody repression, under the leadership of its sole legitimate representative, the South West Africa People's Organization (SWAPO). SWAPO is constantly giving us new lessons in determination, far-sightedness and perseverance. We here and now express our support for it and our solidarity with it in its legitimate struggle.

Mauritania shares the concern and disquiet of those who are revolted by the contempt for and violation of General Assembly and Security Council resolutions, particularly resolution 435 (1978), which was unanimously adopted by the Security Council. That resolution remains the only acceptable basis for a peaceful settlement of the question of independence for Namibia. Mauritania, while remaining convinced that the heroic struggle of the Namibian people will triumph, appeals to the Assembly to do its utmost to speed the advent of independence and freedom for Namibia.

The PRESIDENT (interpretation from Spanish): We have heard the last speaker in the debate on this item.

I should like to inform members of the Assembly that the voting on the draft resolutions contained in document A/40/24 (Part II), chapter I, will take place at a subsequent meeting to be announced in the Journal.

I call on the representative of the United Kingdom, who has asked to speak in exercise of the right of reply.

Mr. EWANS (United Kingdom): Mindful of the role which they will play in implementing Security Council resolution 435 (1978), the members of the Western contact group have customarily not delivered individual statements in the debate on this subject and my delegation's views were fully represented in the statement of the Permanent Representative of Luxembourg on behalf of the member States of the European Community and in the meetings of the Security Council last week. I speak in exercise of the right of reply only to ensure, in the light of certain allegations, that there is no room for misunderstanding.

It will be clear from the statements I have mentioned that the United Kingdom's attitude to South Africa's illegal occupation of Namibia is the same as that expressed by virtually all speakers in this debate. There is no delegation keener than my delegation, as one of the authors of the United Nations settlement proposal, to see the plan and resolution 435 (1978) implemented at once. The protection of the settlement plan and of efforts to secure its enactment is a prime consideration for us.

In this connection, I welcome the support now offered, however belatedly, for Security Council resolution 435 (1978) by the Soviet Union, which in 1978 refused to vote in favour of that resolution. But I must observe that in his statement the Permanent Representative of the Soviet Union totally misrepresented the attitude of

(Mr. Ewans, United Kingdom)

Western members to the self-styled transitional government in Namibia. Our attitude can be seen simply by reference to the statements of Western members in this debate and in the Security Council last week.

The United Kingdom shares the view expressed by many of our friends and partners that disruption of the international consensus on Namibia, a consensus reflected in many debates at the United Nations as well as in the meetings and communiqués of other international groups to which we belong, can only work to South Africa's advantage.

To this end, we proposed that the Security Council should adopt a resolution which complemented the strategy of those groups. We would have been delighted to see the adoption of such a resolution, which would have reinforced the meaningful action already taken nationally by my Government.

AGENDA ITEM 17 (continued)

APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS

- (k) CONFIRMATION OF THE APPOINTMENT OF THE SECRETARY-GENERAL OF THE UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT: NOTE BY THE SECRETARY-GENERAL (A/40/901)

The PRESIDENT (interpretation from Spanish): In his note of 18 November 1985, the Secretary-General proposes to appoint Mr. Kenneth Dadzie Secretary-General of the United Nations Conference on Trade and Development for a term of office of three years, beginning 1 January 1986 and ending on 31 December 1988.

Mr. GOLOB (Yugoslavia): It gives me great satisfaction to welcome, on behalf of the Group of 77, the confirmation of the appointment of His Excellency Mr. Kenneth K. S. Dadzie, High Commissioner of Ghana to the United Kingdom, to the post of Secretary-General of the United Nations Conference on Trade and Development (UNCTAD).

(Mr. Golob, Yugoslavia)

The Secretary-General, Mr. Javier Perez de Cuellar, has once again demonstrated his wisdom. By this appointment he has put the right man in the right post. He has chosen a person of the highest qualifications to be his associate in one of the most important and delicate fields of the activities of the United Nations. Mr. Kenneth Dadzie has proved himself and is rightly credited with achievements in the field of international economic co-operation for development.

There is no need to go way back to find the proof of his excellence. Suffice it to recall the competence with which he directed the Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations system, to remember his dedication while he was pioneering as the Director-General for Development and International Economic Co-operation and to refresh our memory on the contribution he made only a couple of weeks ago to the outcome of the work of the Committee on the Review and Appraisal of the Implementation of the International Strategy for the Third United Nations Development Decade. Guiding that Committee, he distinguished himself again as a man of knowledge and understanding of issues.

We all appreciate the fact that Mr. Kenneth Dadzie is readily accepting the duties of Secretary-General of UNCTAD at a time when international co-operation for development is experiencing a profound crisis. We are convinced that he will address the major international economic problems in the field of trade and development in his own resolute way and will achieve a full measure of success. However, no amount of competence, wisdom and dedication is going to be enough to ensure the successful fulfilment of the duties of the Secretary-General of UNCTAD unless Mr. Dadzie receives the full support and co-operation of all Member States.

I should like to add that, for UNCTAD to fulfil its vital role, it is necessary to bring about an environment of strengthened multilateralism and of a consensus on development. These have been eroded for too long and this erosion runs counter to the interests of all countries, developed and developing alike.

(Mr. Golob, Yugoslavia)

The developing countries hold UNCTAD in very high esteem both for what it has done with a view to the solution of key international problems and for what it still has to do in the struggle for the creation of new, more just international economic relations and the establishment of a new international economic order.

Mr. Kenneth Dadzie will enjoy the full support of the developing countries.

(Mr. Golob, Yugoslavia)

Finally, gratitude should be voiced on this occasion to Mr. Gamani Corea of Sri Lanka for all he did for the cause of international economic co-operation and development while he occupied the post of Secretary-General of the United Nations Conference on Trade and Development (UNCTAD). We should also mention with appreciation the work of Mr. Alister McIntyre in successfully discharging the duties of officer in charge of the United Nations Conference on Trade and Development. We are certain that he will continue his dedicated service to the Organization as successfully as in the past.

Mr. ZVEZDIN (Union of Soviet Socialist Republics) (interpretation from Russian): Speaking on behalf of the delegations of the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Czechoslovak Socialist Republic, the German Democratic Republic, the Hungarian People's Republic, the Mongolian People's Republic, the Polish People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, I have the honour to express our satisfaction at the proposal of the Secretary-General, Mr. Perez de Cuellar, to appoint Ambassador Dadzie Secretary-General of the United Nations Conference on Trade and Development (UNCTAD).

The delegations of our countries have consistently supported the work of UNCTAD as one of the most important organizations for developing international trade and economic co-operation and one which has made an important contribution to formulating new ideas and concepts on ways to normalize international economic relations on a just, democratic basis.

(Mr. Zvezdin, USSR)

The history of UNCTAD convincingly demonstrates that the possibilities of that organization can be used most effectively when all Member States have the necessary political will. The socialist countries support the active continuance of UNCTAD's work under its present mandate.

As preparations are under way for the seventh UNCTAD it is necessary that the efforts of this Organization focus on implementing fundamental United Nations decisions regarding UNCTAD's competence, the restructuring of international economic relations and the establishment of a new international economic order.

On UNCTAD's agenda also are such important items as the strengthening trust in international economic relations and elimination of the practice of using trade and economic measures as a means of political and economic coercion.

UNCTAD should intensify its efforts to normalize the situation on the raw materials markets, combat protectionism, solve the debt problem and the drain of resources from the developing countries and improve the transfer of technology. It should promote mutually beneficial trade and economic relations, on a basis of equality, between countries with different socio-economic systems.

An important area of this body's activities is the work on trade and economic aspects of disarmament under UNCTAD resolution 44/111. Ever since its establishment UNCTAD has traditionally had an authoritative leader, each of whom has made a contribution to fulfilling the mandate of that organization. The socialist countries are convinced that this tradition will be continued by Ambassador Dadzie as Secretary-General of UNCTAD. We wish him great success in his work in developing broad, mutually beneficial trade and economic co-operation among all countries.

Mr. KANEKO (Japan): I should like to extend to Mr. Kenneth Dadzie the whole-hearted congratulations of my Government on his appointment to the high office of Secretary-General of the United Nations Conference on Trade and Development (UNCTAD). It is hardly necessary to say that Mr. Dadzie has abundant experience and knowledge of the relevant issues as well as great diplomatic skill. We are happy to have such an eminent person as Secretary-General of UNCTAD, which is an important United Nations organ for the enhancement of international co-operation in the field of trade and development.

We had the pleasure of working under the chairmanship of Mr. Dadzie in the Committee on the Review and Appraisal of the Implementation of the Third United Nations Development Decade. The success of the Committee was due largely to his wisdom in guiding members in truly constructive and productive negotiations. This has convinced us that with Mr. Dadzie as Secretary-General the negotiations in UNCTAD will take a successful course.

I take this opportunity also to express our sincere appreciation to Mr. McIntyre for his tireless efforts as officer in charge. During his tenure UNCTAD's activities have proceeded in an excellent manner. I believe that all members of UNCTAD share this view.

My Government attaches great importance to UNCTAD's activities. We are confident that under the eminent leadership of the new Secretary-General UNCTAD will continue to be a busy and constructive forum for North-South dialogue. I wish to assure him that Japan will spare no effort to work closely with him.

Mr. WANG Baoli (China) (interpretation from Chinese): We listened with pleasure to the proposal made by our Secretary-General, Mr. Perez de Cuellar, of the appointment of Mr. Kenneth Dadzie as Secretary-General of the United Nations Conference on Trade and Development (UNCTAD) and we have noted the General

(Mr. Wang Baoliu, China)

Assembly's confirmation of this appointment. The Chinese delegation wishes to express its warm congratulations to Mr. Dadzie.

Mr. Kenneth Dadzie is a well-known diplomat with wide-ranging knowledge, excellent capabilities and vast experience. He enjoys a very high reputation in the diplomatic world and the United Nations system for the important contribution he has made to the promotion of North-South dialogue and the strengthening of international economic co-operation.

(Mr. Wang Baoliu, China)

The Chinese delegation believes that Mr. Dadzie is a very suitable person to be Secretary-General of UNCTAD.

We wish also to take this opportunity to reiterate that the Chinese Government will continue to maintain and strengthen its excellent relationship of co-operation with UNCTAD. Over the past year, under the guidance of the Deputy Secretary-General and officer-in-charge, Mr. McIntyre, UNCTAD has achieved many results. The Chinese delegation hopes that, under the leadership of the new Secretary-General, UNCTAD will continue to play its positive and important role in the international economic field and make an even greater contribution to the promotion of world trade and development, the strengthening of international economic co-operation and the revitalization of the world economy.

The PRESIDENT (interpretation from Spanish): The next speaker is the representative of Iceland, who will speak on behalf of the Group of Western European and Other States.

Mr. HELGASON (Iceland): The Western European and Other States attach great importance to the role of the United Nations Conference on Trade and Development (UNCTAD) and have consistently supported the activities of the organization. Therefore, it was with great pleasure that we learned of the Secretary-General's decision to appoint Kenneth Dadzie as the new Secretary-General of UNCTAD, and we are happy to join in the confirmation of that decision by the Assembly.

Mr. Dadzie will bring to this high office his vast experience, both in the United Nations Secretariat and as a representative of his country in important posts. He has chaired with great success a number of important committees, the latest of which concerned the review and appraisal of the International Development Strategy (IDS).

(Mr. Helgason, Iceland)

We look forward to co-operating with Kenneth Dadzie in his new post, as we have learned to respect his wisdom, deep knowledge and ability to achieve results through perseverance, hard work and a sense of responsibility.

The Western European and Other States also wish to pay particular tribute to Alistair McIntyre, who throughout the past year has handled UNCTAD matters in a most skilful and competent manner.

We wish Kenneth Dadzie all success, and feel confident that at this crucial time UNCTAD will have competent leadership. I assure him of the full co-operation of our countries.

Mr. FERRER (United States of America): The United States is pleased to join in confirming Secretary-General Perez de Cuellar's appointment of Ambassador Kenneth Dadzie as the next Secretary-General of the United Nations Conference on Trade and Development (UNCTAD). The Secretary-General has demonstrated great wisdom in appointing a man of Mr. Dadzie's experience and qualifications. Mr. Dadzie's abilities have been repeatedly demonstrated, not only in the service of his own country, but also in the service of the United Nations and its goals of international co-operation in the field of economic development. Most recently, he served as the Chairman of the Committee on the Review and Appraisal of the Implementation of the International Development Strategy for the Third United Nations Development Decade, where his integrity, knowledge and patience successfully guided that Committee's work. The United States looks forward to co-operating with him in UNCTAD and hopes that together we can contribute to the economic and social progress of all countries.

(Mr. Ferrer, United States)

As we officially confirm the passing of the torch in UNCTAD, my delegation also wishes to express its sincere gratitude and thanks to Mr. Alister McIntyre for the superb job he has done as officer-in-charge of UNCTAD over these many months. We remain confident that he and the other members of the UNCTAD staff will be of invaluable assistance to Mr. Dadzie in carrying out his duties.

Mr. GBEHO (Ghana): I wish to express in all humility my delegation's deep satisfaction and gratitude to the representatives who have spoken during the debate on agenda item 17 (k) for their very kind words about my colleague and fellow countryman, Mr. Kenneth K. S. Dadzie. My delegation is happy that the choice of Secretary-General of the United Nations Conference on Trade and Development (UNCTAD) has now been finalized and that will now have the benefit of a substantive head.

The delay experienced in the appointment that has now been made is proof of the seriousness with which the international community regards the agency. I wish, therefore, to put on record my Government's appreciation of the exemplary manner in which the Acting Secretary-General, Professor Alister McIntyre, carried out his onerous responsibilities during the interim period.

The appointment of High Commissioner Dadzie is naturally flattering to my delegation, but, more than that, it is an honour for which my country and its Government will remain eternally grateful. We are sure that Mr. Dadzie will do his utmost to merit the trust and confidence that the Assembly has today reposed in him. We know that he can look forward to the co-operation of each Member State in order to carrying out the duties involved in UNCTAD.

May I also take this opportunity to record our sincere thanks and appreciation to the Secretary-General, Mr. Perez de Cuellar, for being kind and gracious enough to appoint Mr. Dadzie. It is also an expression of confidence in my country, which we shall remember for a long time.

(Mr. Osho, Ghana)

Our thanks and appreciation go in equal measure to the former Secretary-General of UNCTAD, Mr. Gamani Corea of Sri Lanka, for the exemplary, indeed brilliant, work he did during his period of office. We are greatly indebted to him for shaping the character of UNCTAD, which is an important organization not only for the international community but also, and especially, for the developing countries.

We are grateful also to our colleagues in the African Group for the understanding shown in the appointment of Mr. Dadzie. We hope that the understanding that has characterized the decision today will also be demonstrated in the co-operation extended to Mr. Dadzie by the African Group.

Finally, my delegation addresses its thanks to all those who made it possible for us to reach a unanimous decision on this delicate appointment.

The PRESIDENT (interpretation from Spanish): May I take it that the General Assembly wishes to confirm the appointment of Mr. Kenneth Dadzie as Secretary-General of the United Nations Conference on Trade and Development for a three-year term?

It was so decided.

The PRESIDENT (interpretation from Spanish): We have concluded our consideration of agenda item 17 (k).

AGENDA ITEM 20

RETURN OR RESTITUTION OF CULTURAL PROPERTY TO THE COUNTRIES OF ORIGIN:

- (a) REPORT OF THE SECRETARY-GENERAL (A/40/344)
- (b) DRAFT RESOLUTION (A/40/L.18)

The PRESIDENT (interpretation from Spanish): I call on the representative of Zaire, who wishes to introduce the draft resolution in document A/40/L.18.

Mr. BAGBENI ADEITO NZENGEYA (Zaire) (interpretation from French): On 4 October 1973, the President and Founder of the Popular Movement of the Revolution and President of the Republic, Marshal Mobutu Sese Seko, said the following from this rostrum:

"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". (A/PV.2140, para. 176)

Later in his statement, President Mobutu said:

"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 arts 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". (A/PV.2140, para. 178)

At the twenty-eighth session of the United Nations General Assembly, in 1973, at the initiative of the delegation of Zaire the Assembly inscribed on its agenda, for consideration and decision, an item on the restitution of works of art to countries victims of appropriation.

(Mr. Bagbeni Adeito Nzengeya, Zaire)

The Secretary-General has submitted reports on the implementation of the resolutions adopted by the General Assembly on this item. The latest has been circulated as document A/40/344, of 21 June 1985. My delegation pays a tribute to the Secretary-General and, in particular, to the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the concise, clear and pertinent recommendations contained in it.

My delegation is grateful to the Director-General of UNESCO for his abiding interest in this issue - an interest that was demonstrated at the sessions of the Intergovernmental Committee for Promoting Return of Cultural Property to its Countries of Origin that he organized in Istanbul from 9 to 12 March 1983 and in Athens and Delphi from 2 to 5 April 1985.

My delegation has noted with satisfaction that the secretariat of UNESCO has prepared a revised draft of a set of guidelines define the formulation of requests for the return or restitution of cultural property. Those guidelines define the principles and procedures that should guide museum curators and concerned officials in the States members of UNESCO in this regard. The basic aim of the guidelines is to contribute to the establishment of optimum conditions for the advancement of the Intergovernmental Committee's task of facilitating bilateral negotiations for the return or restitution of cultural property to the countries of origin.

We must also congratulate the secretariat on having drawn up an inventory of African cultural property outside Africa. At the present time, there are 20,000 entries - 16,000 photographs and 4,000 descriptive texts - as well as microfiches. In this respect, the secretariat has informed the Assembly that the next stage of this work, beginning in 1985, is the drawing up of a complete inventory of objects documented in auction catalogues.

(Mr. Bagbeni Adeito Nzengeya, Zaire)

The work with respect to Oceania has been finished and, with regard to Australia and the Pacific Islands, a preliminary survey of the aboriginal artifacts in public collections in the United States and Canada has also been completed.

In the context of steps to curb illicit traffic in cultural property, it is pointed out that four States - the Democratic People's Republic of Korea, Guatemala, Senegal and the United States of America - have deposited their instruments of ratification or acceptance of the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. That brings to 55 the total number of States parties to that Convention. The secretariat has been informed that the process leading to ratification in Australia, France and the Netherlands is well advanced.

During the fourth session of the Intergovernmental Committee, held at Athens and Delphi in April 1985, it was recommended that Member States adopt or strengthen the necessary protective legislation concerning their own heritage and that of other peoples. The Committee welcomed the initiative by a group of fine art and antique dealers in the United Kingdom to adopt a code for the control of international trading in works of art.*

*Mr. Moushoutas (Cyprus), Vice-President, took the Chair.

(Mr. Bagbeni Adeito Nzengeya,
Zaire)

There is no need to stress here the cardinal contribution of culture to the definition of societies in which people of the world wish to live in harmony. African States recognize and acknowledge the value of the culture of each people by adopting in 1976 in Mauritius the Cultural Charter of Africa.

The importance of culture in defining the development of models of use to our peoples was emphasized by all of the developing countries, and in this context the initiative was taken several years ago by a certain number of developing countries, with a view to the return or restitution of cultural property to the countries of origin. Ever since the most distant eras in the history of mankind, man, whatever his colour, has always pondered the problems of his own existence, the motives - and the rationale behind it, its ultimate purpose and its future, and the state of his co-existence with the vastness of nature and ultimately with the mysteries of the Great Beyond.

Man has used nature and has tamed it to make it capable of meeting his own needs. That is the explanation for stone-cutting, the working of wood, bronze and iron, the building of huts, caves, bridges and rafts, the manufacture of bows and arrows, and even of the flute.

Thus man has represented himself and at the same time has represented in painting and in sculpture his environment, the countryside, his tools and the animals with which he was familiar, as well as the full range of his perception and vision of nature as he saw it. This vision of the world gave birth to the culture of a people, comprising the sum total of spiritual and material values it has created and fashioned, throughout its evolution in time and space.

(Mr. Bagbeni Adeito Nzengeya,
Zaire)

Each people thus has its own culture and civilization and has created its own values on which it sets great store and is an expression of its own genius. The works of art, manuscripts, documents, archives and other cultural and artistic treasures are the very cultural values to which it attaches great importance.

The draft resolution before us (A/40/L.18) which it is my honour and privilege to introduce on behalf of the sponsors is guided by that proper concern.

In essence, in the draft resolution, the General Assembly first reaffirms that the restitution to a country of its objets d'art, monuments, museum pieces, archives, manuscripts, documents and any other cultural or artistic treasures contributes to the strengthening of international co-operation and to the preservation and flowering of universal cultural values through fruitful co-operation between developed and developing countries.

Secondly, the General Assembly invites Member States to continue drawing up, in co-operation with the United Nations Educational Scientific and Cultural Organization systematic inventories of cultural property existing in that territory and of their cultural property abroad; and also invites Member States engaged in seeking the recovery of cultural and artistic treasures from the sea-bed in accordance with international law, to facilitate by mutually acceptable conditions the participation of States having a historical and cultural link with those treasures.

Thirdly, it appeals to Member States to co-operate closely with the Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin or Its Restitution in Case of Illicit Appropriation and to conclude bilateral agreements for this purpose; it also appeals to Member States

(Mr. Bagbeni Adeito Nzengeya,
Zaire)

to encourage the mass information media and educational and cultural institutions to strive to arouse a greater and more general awareness with regard to the return or restitution of cultural property to its country of origin.

Fourthly, it endorses the opinion expressed at the World Conference on Cultural Policies held at Mexico City from 26 July to 6 August 1982, that the return of cultural property to its country of origin should be accompanied by the training of key personnel and technicians and the provision of the necessary facilities for the satisfactory conservation and presentation of the property restored.

Fifthly, it welcomes the steady increase in the number of States parties to the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property; and again invites those Member States that have not yet done so to sign and ratify the above-mentioned Convention.

Sixthly, the General Assembly recommends that Member State adopt or strengthen the necessary protective legislation with regard to their own heritage and that of other peoples.

On behalf of the 17 sponsors of the draft resolution, namely, Burundi, the Central African Republic, Chad, Congo, Cuba, Ecuador, Egypt, Gabon, Greece, Guinea, Mali, Morocco, Oman, Peru, Rwanda, Senegal and Zaire, we should like to express our sincere appreciation to certain States Members of our Organization, notably Belgium and France, for having, in line with the appropriate General Assembly resolutions on this question, taken constructive measures to facilitate, within the framework of bilateral arrangements, the return and restitution of certain works of art to their countries of origin.

(Mr. Bagbeni Adeito Nzengeya,
Zaire)

We should also like to make a point of expressing our profound gratitude to the Greek Government for the welcome and generous hospitality accorded to the fourth session of the Intergovernmental Committee held in Athens, the Eternal City, from 2 to 5 April 1985, as well as at the sacred site of Delphi.

We are convinced that the fifth session of the Intergovernmental Committee to be held in the spring of 1987 in Paris will enjoy the legendary concern and support of the French people and their Government.

In conclusion, I should like to appeal to all Member States to appreciate in full measure the scope and importance of this issue in our development efforts, and to give their wholehearted support to draft resolution A/40/L.18 in the interests of strengthening international co-operation and preservation and the full flowering of our universal cultural values through fruitful co-operation of developed and developing countries.

Mr. AL-AMIN (Iraq) (interpretation from Arabic): The General Assembly is today considering the draft resolution on the return of cultural property to its country of origin. Indeed, it is a matter that we started discussing in 1973, in following a request by a number of countries which wanted the international community to support their legitimate right to regain what they had lost in cultural and precious treasures created over long centuries of civilization in those countries.

It is on that premise that Iraq attaches great importance to the discussion on this item, and to the results thereof. We hope that serious and effective measures will be adopted, based on national, patriotic and human motivation, for indeed such matters are the cornerstone for the achievement of international co-operation on a just and equitable basis.

(Mr. Al-Amin, Iraq)

Iraq was the cradle of human civilization in the dawn of history. This is a fact known to all those who are acquainted with the history of mankind. The civilization of Mesopotamia was one of the main contributors to the human heritage through the Sumerian, Akkadian, Assyrian and Babylonian civilizations, which were rich sources for the emergence and development of the present world civilization. If proof is needed, we need only mention the names of such Iraqi cities as Ur, Akkad, Babel and Nineveh and many other historical Iraqi centres which were and remain sources of generous and inexhaustible contributions for the benefit of humanity as a whole. More than 1100 years ago, Baghdad became the heart of the Islamic and Arab civilization and a major source of enlightenment for the world of that time. It played a major role in ensuring the continuity of the historical path of human progress and the enrichment of the human heritage.

We are fully aware that artifacts, art works and valuable treasures created by these great ancient civilizations are considered to be among the most important relics of human civilization as a whole. First and foremost, however, they are the property of the Iraqis and they cannot be separated from their national, patriotic and spiritual heritage. We are all fully aware of the wholesale plunder and theft of our cultural property and rich heritage which occurred during the foreign occupation of Iraq by two empires, the British and the Ottoman. That occupation lasted for many centuries, and that plunder led to the transfer of irreplaceable and invaluable treasures to many other parts of the world. Now, today, they light up and adorn famous museums, far removed from their original owners and homeland.

During the thirty-second session of the Assembly, in 1977, my delegation presented to this Assembly an inventory of those historical treasures and the museums where they are to be found, and that inventory was published on

(Mr. Al-Amin, Iraq)

30 October 1977, at the request of Iraq, as an official document of the General Assembly.

In addition to the irrefutable fact that this historical heritage is part of its natural environment, there is the fact that it is part of the heritage and identity of the people and the country of origin; that artifacts and historical objects are among the most important incentives to national artists and an invaluable source of their creative endeavour. Our countries cannot be deprived of these important sources of artistic renaissance and revival, quite a part of the fact that they are an important source of income through tourism.

We have considered very carefully the report of the Secretary-General (A/40/344), which contains the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) with regard to the efforts under way to ensure the return of cultural property to the countries of origin and the measures adopted by the Member States and the secretariat of UNESCO in implementation of the recommendations of the Intergovernmental Committee at its third session. It also includes the recommendations of the fourth session of that Committee concerning the promotion of bilateral negotiations for the return or restitution of cultural property and international technical co-operation in a survey and the preparation of inventories of all art objects, so as to put an end to the illicit trade in cultural property at national and international levels.

Despite the efforts made by the acquiring countries to facilitate the inventory, however, we must say that, regrettably, no real progress has been made and no genuine response has been elicited on the return of that property to its

(Mr. Al-Amin, Iraq)

original owners. We also regret the fact that no effective measures have been taken and no real effort has been made by the United Nations in this extremely important and vital field.

While we value the efforts made by UNESCO in specific domains, we hope that the United Nations will take effective action and ask the countries where such art treasures are to be found to act very seriously in order to restore those objects to the countries of origin for, indeed, most of the former have not responded to the repeated requests so far made.

In conclusion, the Iraqi delegation wishes to reaffirm once again the right of peoples to preserve their national and cultural heritage, which is expressed above all in artifacts and historical treasures, the work of many generations. The recovery of those artifacts is an important and vital aspect of the sovereignty of the State and its control over its resources. We call upon all States that have acquired such archaeologically precious objects from other countries to enter into bilateral negotiations, with the assistance of UNESCO, to reach agreement and organize the process of the return of those artifacts to their legitimate owners. Such agreements will make a considerable contribution to strengthening friendship between peoples and promoting harmony and international understanding.

Mr. PANDEY (Nepal): Nepal is a country with a rich cultural and religious heritage. Although constitutionally Nepal is a Hindu kingdom, we are proud to declare that we have a very happy blending of Hindu and Buddhist culture. Thus, religious strife is virtually unknown, and instead tolerance is practised.

(Mr. Pandey, Nepal)

As the birth-place of the Lord Buddha, Nepal is a sacred land for both Hindus and Buddhists. If we have countless ancient Hindu temples, numerous Buddhist shrines too are scattered all over the kingdom. Together they constitute the rich fabric of our religious and cultural life. In fact, even the awe-inspiring Himalayas which add lustre to the scenic beauty of our land have a deep cultural and religious connotation. The legendary abode of Lord Shiva, the Himalayas are the source of our numerous glacier-fed rivers and are held to be sacred by both Hindus and Buddhists.

Given this background, Hindus from all over the world flock to Nepal on pilgrimage to visit venerated temples, many of which were built centuries ago. Designed in a unique style, they are stone houses of icons of great antiquity, craftsmanship and beauty.

(Mr. Pandey, Nepal)

Nepal is equally sacred to Buddhists. Buddhists from all over the world visit Lumbini, Buddah's birthplace in the Nepal Terai.

If religious tolerance and harmony are the distinctive features of Nepal's socio-religious make-up, it must be stressed that this has been due largely to the patronage extended by Their Majesties the King and Queen to all matters concerning the safeguarding of Nepal's cultural heritage and property.

However, owing to the rapacious demand of affluent collectors of antiques and objets d'art, a pernicious breed of traffickers have over the years been plundering our treasure chest of cultural property even while decorating the homes of the very affluent and even numerous museums and art galleries abroad.

My delegation therefore takes this opportunity to express not only our appreciation to the Secretary-General for the report on restitution of cultural property to the countries of origin but also to hope that the report will help to curb the illicit trafficking in cultural property. We also fully endorse the following measures recommended in both the report and by the Intergovernmental Committee session held at Athens and Delphi from 2 to 5 April 1985.

First, the promotion of bilateral negotiations for the return or restitution of cultural property. Here, we believe that the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Council of Museums can play a leading role in facilitating bilateral talks on the return or restitution of cultural property.

Secondly, international technical co-operation on the preparation of inventories. The International Council of Museums has been preparing an inventory of African cultural property outside Africa and has made more than 20,000 entries. My delegation feels strongly that a similar inventory of Asian cultural property outside Asia should be prepared.

(Mr. Pandey, Nepal)

Appropriate steps should in any case be undertaken by UNESCO and the International Council of Museums to curb the ongoing illicit trafficking in cultural property. Legislation should also be enacted in all countries to restrict the trafficking in such property, including in countries which are the destination of much of that property.

Mr. AL-HAGRI (Oman) (interpretation from Arabic): First of all, let me thank our Secretary-General and the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the thorough report contained in document A/40/344 of 21 June 1985 on agenda item 20, entitled "Return or restitution of cultural property to the countries of origin". The information contained in that report which is before us has enabled us to take stock in a useful and serious manner of this question of world-wide importance.

The cultural property of a people is indeed a mirror that reflects the identity and civilization of that people; it is a record of its history and civilization. Today nobody can get a clear idea of a people without examining its history and civilization. Cultural property is the best medium through which one people can get to know another with an ancient civilization and a glorious heritage. For that reason the preservation of that civilization and heritage should not be neglected in any way or in any circumstance.

My country's delegation shares the opinion of those who believe that the civilization of nations and peoples and their cultural property are the common heritage of mankind; therefore all peoples of the world should benefit from them. However, that does not necessarily mean that the peoples which have created them should be deprived of their right to maintain them under any pretext.

(Mr. Al-Hagri, Oman)

For mankind to enjoy and benefit from the property of a people does not mean that said property should be transferred from the country in which it was created. Neither does it mean that some people should be able to engage in illegal trafficking in that heritage to extract material profit or monopolize and deprive mankind of that property. It should remain the heritage of civilization and man's evolution.

The Sultanate of Oman has treasures and cultural property as old as history. National and international museums contain many works of art and other items that illustrate the history of Oman's people. Throughout its history Oman has produced many works of art of which we are very proud. The Sultanate of Oman, like many other countries, has been victimized by the plunder of its cultural property that is now scattered around the world in various museums and cultural institutions. Through the Ministry of National Heritage and Culture my Government has been able to retrieve some items, such as old books and manuscripts, that belong to the people of Oman, although much remains outside its country of origin.

For those reasons my country is determined to continue working for the recovery of its property which, through history and by right, belongs to the people of Oman.

From the beginning of our modern cultural renaissance, His Majesty Sultan Qaboos bin Said, on 23 June 1970, requested that particular interest should be taken in Oman's cultural heritage. The Ministry of National Heritage and Culture was created to act as a centre of activities in that area. That Ministry has been successful on the national and international levels. Several museums have been established to preserve manuscripts and ancient books and many exhibitions have been organized throughout the world where Oman's cultural heritage has been displayed and admired by those who deal with the cultures and civilizations of the world.

(Mr. Al-Hagri, Oman)

Archaeological fortresses and buildings have been restored, arts and crafts have been encouraged and the export of cultural property has been prohibited by law. The Sultan of Oman has ratified a Convention on measures to be taken to prevent the illicit export or transfer of cultural property. My country supports every international effort to preserve cultural property and restore it to its country of origin. Nations have the right, under international law, to protect their cultural heritage and to have cultural property restored to its country of origin. That is why we must make a collective effort to restore cultural works to the countries where they were created.

We in the Sultanate of Oman are determined to preserve and to work towards recovering our cultural property with every means at our disposal, and to preserve the many works of Omani art which are now in Great Britain, Portugal, the United States, France, India, East Africa, South East Asia and China.

We also attach particular importance to our musical cultural heritage, which is genuinely Arabic and Islamic and is extremely original. Last month my country organized an international seminar on the traditional music of Oman. In our capital, Muskat, 40 important people, including the Secretary-General of the International Council on Traditional Music, met at the invitation of the Oman Centre for Traditional Music. That Seminar studied the authenticity and the modern character of Omani and Arab music so that this form of art should not be exclusively limited to either the West or the East.

People of many civilizations have visited the Arabian Peninsula, and as a result our region has an original and authentic civilization and heritage which must be preserved.

(Mr. Al-Haqri, Oman)

For the reasons I have mentioned we fully support the return or restitution of cultural property to its country of origin, and we support every effort to achieve that noble aim. My delegation is happy to state that the Sultan of Oman would like to associate himself with the resolution on the return or restitution of cultural property to the countries of origin.

Mr. ALBORNOZ (Ecuador) (interpretation from Spanish): The issue of the return or restitution of cultural property to the countries of origin is an important topic in terms of peoples' awareness of history and culture - something which should characterize a number of other items on the agenda of this Assembly. This topic, on which we have before us as mentioned in the comprehensive report by the Secretary-General (A/40/344), to which is annexed the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), is one that is bound up with the cultural heritage of each people as part of the cultural heritage of humanity, as a whole, and that reveals the course of events and the progress made in the countries of the developing world as regards the organization of their inventories of cultural property as well as the establishment of modern museums and the training specialists in this field from among their own nationals.

Just as important as the process of historical evolution, which began with the discovery of the New World almost half a millenium ago and continued with the era of the political independence of the peoples of the Americas and their development in the twentieth century in the context of the organization of international institutions - just as important is to take a look back into prehistory and to analyse the message left to us by the specimens of pottery, or textiles or goldsmith's work produced by ancient cultures that preceded our own.

(Mr. Albornoz, Ecuador)

In Ecuador, archaeological artifacts reveal the history of the migrants who established their first settlements in the valleys of the Andes; people with Stone Age cultures still inhabit the region of the Amazonian forest, and the pieces of pottery between 8,000 and 10,000 years old found in the Pacific coastal areas are possibly indicative of pre-Colombian crossings of the Pacific whose feasibility was demonstrated by Thor Heyerdal when he crossed the Pacific Ocean in the Kon-Tiki which united our aboriginal peoples with those of Asia.

For all those reasons it is important for our contemporary history that we should preserve such valuable vestiges. To do so in the best possible way, Ecuador has set up modern museums, such as that of the Central Bank, with specialists in restoration techniques, where educational talks are given for the information of visitors of all ages from our country and from abroad.

The time has therefore come to return to us the artifacts - of which there are sometimes dozens or even hundreds of the same kind - that have been amassed in foreign museums as a result of large-scale collecting expeditions aimed at unearthing such archaeological vestiges and treasures. In many cases international museums could participate in this equitable and necessary task of restitution, providing duplicate pieces, or at least copies of unique items, to the countries of origin, thus demonstrating a genuine spirit of international co-operation.

I would mention, for example, the more than 100 stone thrones from the Manabi cultures of the Pacific coast of Ecuador which, ever since the Saville expedition financed by the Hays Foundation, have been kept by and still are in the Museum of the American Indian in New York and a 13,000-year-old osseous fragment known as the

(Mr. Albornoz, Ecuador)

Punin skull, which is in the Museum of Natural History in New York. It is of particular importance for Ecuador to participate in this demonstration of international co-operation for the benefit of universal culture. As our capital, Quito, with its architectural monuments dating from Spanish colonial times and the Galapagos Islands have been declared by UNESCO to be part of the common cultural heritage of mankind, the Government of Ecuador is fulfilling its obligation of preserving these artistic treasures, the environment and the ecosystem so that they will retain all this splendour and their pristine natural beauty for the benefit of scholars throughout the world and for the education of future generations in my country.

(Mr. Albornoz, Ecuador)

Ecuador is a sponsor of the draft resolution (A/40/L.18) now being discussed by the General Assembly which supports the appeal made by UNESCO for cultural property to be returned to the countries of origin as they are part of those countries' irreplaceable heritage. In turn, my country will co-operate in having similar steps taken with respect to other States to see to it that a struggle is waged against illicit trafficking in cultural property, which results in despoliation that is often absolutely irreparable.

Mr. ZAREMBOVSKY (Byelorussian Soviet Socialist Republic) (interpretation from Russian): The delegation of the Byelorussian SSR would also like to deal with some aspects of the agenda item now under discussion.

As members know, the question of the return or restitution of cultural property to the countries of origin is being directly dealt with by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as a specialized agency of the United Nations competent in those areas having a direct bearing on the problems of maintaining the cultural heritage of countries and organizing international cultural co-operation. UNESCO set up the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Cases of Illicit Appropriation. That Committee has been called upon to seek ways and means of facilitating bilateral negotiations, to develop multilateral and bilateral co-operation related to this problem and to promote the holding of information campaigns among the public as well as to promote international cultural exchanges. It seems to us that UNESCO's recommendations in this area are acceptable, since they are intended to promote bilateral negotiations for the return or restitution of cultural property and also since they call for the drafting of measures to combat illicit trafficking in cultural property.

(Mr. Zarembovsky, Byelorussian SSR)

It is the view of the delegation of the Byelorussian SSR that the United Nations should encourage those efforts which UNESCO is undertaking to find ways to solve this problem in the interest of peace, justice and the development of international cultural co-operation among States and to take measures to prohibit the illegal export or trade in art objects.

In the discussion of this question earlier, a number of delegations pointed to another aspect, namely, that this question is important since it is related primarily to the problem of the elimination of the harmful consequences of colonialism and aggression, which have brought irreparable damage to the cultural heritage of the victims of the imperialist policies of the colonizers and the aggressors. This problem does not lose its timeliness even now during this turbulent period. Israel is continuing to violate the historical and cultural monuments in the Israeli-occupied Arab territories. The South African racists are stealing and destroying the historical and cultural property of Namibia and of the indigenous inhabitants of southern Africa. Cultural property is disappearing and is being destroyed in various regions of the world, in conflicts which have been brought about by the subversive and aggressive actions of imperialism and reaction.

We must also recall the tremendous damage done to the cultural heritage of many peoples caused by fascism, which attempted to establish world-wide domination. Although 40 years have elapsed since the end of the Second World War, many cultural objects to this day have not been found or returned. I am referring to property that was pilfered and carried off or lost as a result of the aggression of Hitlerite fascism or Japanese militarism. During the Second World War, the evil deeds and monstrous crimes of the Hitlerite occupiers on the territory of the countries which they temporarily occupied in Europe, especially the Soviet Union,

(Mr. Zarembovsky, Byelorussian SSR)

caused great, and in many cases irreparable, damage, to works of art or other cultural property. On the Soviet territory which they temporarily occupied, the fascists destroyed and plundered hundreds of museums and stole many museum pieces, including paintings, sculptures, rare books as well as many objects of historical and ethnographic value.

In the capital of the Byelorussian SSR, the city of Minsk, for example, the Hitlerites destroyed the State Art Museum and stole many objects from all the libraries; they stole or destroyed monuments and removed historical and archival material along with ancient manuscripts. The list of the evil deeds of the fascist occupiers could go on and on, but the facts I have cited are sufficient to remind us of the monstrous face of fascism, the most evil enemy of mankind, whose criminal past is something which, in some countries of the North Atlantic Treaty Organization (NATO), people would like to consign to oblivion.

It is precisely in this connection that we should like to emphasize once again that we cannot forget that the reliable means for maintaining cultural property is to fight for peace, to eliminate the threat of nuclear war, to eliminate the vestiges of colonialism and to end the greed of people who are pilfering the heritage of other peoples. This whole question of the return or restitution of cultural property to the countries of origin should be given due attention by Governments and by public organizations of countries.

In the light of what I have said, the delegation of the Byelorussian SSR will support the draft resolution on this question in document A/40/L.18.

Mr. JOUVE (Gabon) (interpretation from French): Every year in the same circumstances, the place taken in our debates by cultural questions is, to say the least, very modest. In fact, in our traditional statements, only political or economic issues are given sufficient attention, since they take up most of our work.

(Mr. Oyoue, Gabon)

In speaking in this debate on the item entitled, "Return or restitution of cultural property to the countries of origin", my delegation would like to express its real pleasure at seeing this item on our agenda and we want to pay a tribute to the Secretary-General for having submitted a complete report to us on this issue.

(Mr. Oyoue, Gabon)

There are many reasons why my country, Gabon, is speaking on a question of such importance. First, from the ethical standpoint Gabon considers the plundering of the cultural heritage of our regions by the colonial system to be a form of genocide the goal of which was to take the very soul of the populations involved. For African countries, which were not in any way spared this form of genocide, it would only be logical to proclaim their legitimate right to recover their cultural property into which colonial administrators, missionaries, researchers and tourists had made steady inroads illegally for centuries, and sent off to foreign museums. Secondly, my country considers the sphere of culture to be a matter of great importance which deserves our full attention.

This issue has two aspects. First, the Government of Gabon considers culture to be at best one of the channels and one of the aims of our development process. Furthermore, while it is true that science and technology are the driving forces in the evolution of contemporary societies, it is also true that the cultural factor is decisive in any social programme. Consequently my country strongly supports the idea that culture and development are two closely related concepts, especially since they constitute the basic pillars of any civilization.

Moreover, as was indicated by the Secretary-General in his report contained in document A/40/344 on the item now before our Assembly, the authorities of Gabon have given priority status to a national project to draw up an inventory of our national collections and cultural property that are still abroad.

On behalf of my Government, I should like to pay a tribute to the Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin or Its Restitution in Case of Illicit Appropriation for having taken note with satisfaction of our project, which it recommended to the United

(Mr. Oyone, Gabon)

Nations Educational, Scientific and Cultural Organization (UNESCO) at its fourth session held in Greece from 2 to 5 April 1985, and for having supported it.

I should also like to emphasize the increasing importance my country attaches to the necessary regional co-operation that must also exist in the cultural field. On this point, I am very pleased that since 8 January 1983 the International Centre for Bantu Civilization (CICIBA) has become a reality, thanks to the initiative of President Bongo, who proposed its establishment to his peers from Central Africa. It is therefore appropriate to point out that this Centre hopes to bring together some 10 countries from our region on the basis of their cultural heritage. I should like to avail myself of this opportunity to thank all the agencies, such as the United Nations Development Programme (UNDP), UNESCO, the European Economic Community (EEC) and other organizations of goodwill that have constantly given their support for the strengthening of this Centre, to which its founders entrusted the task, inter alia, of ensuring the recovery or drawing up an inventory of the cultural property of the Bantu cultural era that is now abroad.

All this indicates the special importance that the international community should attach to this issue, and in particular to the return or restitution of cultural property to its countries of origin. There is no need to dwell on how much the developing countries have been wounded by the brutal stripping of their cultural and artistic treasures.

Like the plundering of their raw materials, the illicit exportation and transfer of cultural property has increased the imbalances in those countries. The urgent need to restore this heritage to its legitimate owners is a categorical imperative that will enable our regions to recover their identity. This is also a dynamic process which is one of the elements of the new world cultural order sought by many peoples and nations.

(Mr. Oyoue, Gabon)

Hence the importance of draft resolution A/40/L.18, of which my country is a sponsor. The essence of this draft resolution is to affirm the right of the countries of origin to recover the cultural property which has a basic spiritual and cultural value for them.

At a time when the North-South dialogue is held up in the economic field, and when many political disputes increase tension in international relations, the text now before us points the way to a valuable centre of interest for international co-operation, both bilateral and multilateral.

This year, when our Organization has just celebrated its fortieth anniversary, the adoption of this resolution will be a valuable contribution to its main task of working for a better world, not only a world of peace and solidarity, but also, and above all, a world in which there is an obligation to safeguard the sovereignty of Member States over their own cultural and artistic wealth.

Mr. ALZAMORA (Peru) (interpretation from Spanish): It is our fate to live in an era characterized by constant change, an era which is not free of turmoil because the desire for domination and economic power still seems to govern the conduct of international society. This is a troubled time in the history of the peoples of the world when their destinies cross without meeting and their hopes run along parallel lines rather than converging.

In this process, which is characteristic of the second half of the twentieth century, the developing world has acted as a catalyst, which has made it possible for it to redesign a world geography drawn up on the basis of the self-interest of the few; they are no longer spectators of a history written behind their backs, and all too often to their detriment.

(Mr. Alzamora, Peru)

The claims of our countries are on many levels. We have had to fight on different fronts: decolonization, political independence, the new international economic order. But all of this would be incomplete if we did not fight for our own roots and defend what is a fundamental element of our own cultural identity. This is not only a particular way of seeing and understanding the world, it also includes a range of assets produced by the creative power of man, a reflection of the feelings of a people at a given time in a given area.

The subject which gathers us here today has been given the attention of the General Assembly since 1973, and since that time this forum and the United Nations at large has given it due attention. In doing so, our Organization is merely being true to its own essence, which demands that it act as the centre for harmonizing the efforts of peoples to achieve common goals, particularly when the discussion relates to the culture and cultural identity of peoples.

There can be no doubt that some progress has been made and this can be attributed basically to the efforts of the United Nations and the resolutions adopted. The same may be said of the draft resolution submitted by the delegation of Zaire, of which my delegation is pleased to be a sponsor. Thus, little by little standards and regulations will be formulated and added to, based on the principle that the right to cultural identity is inseparable from the right to the property that composes it.

(Mr. Alzamora, Peru)

However, although there are encouraging signs with regard to the return of illicitly appropriated cultural property, progress is also required with regard to the return of such property now in the hands of large museums but not being exhibited. It will also be necessary to think of possible, mutually acceptable ways of dealing with unique objects that represent genuine milestones in the evolution of the culture of mankind.

My country is the heir to ancient cultures, and it is honoured to cherish the contributions of them all. For that reason it is going ahead with the building of a large museum to house the innumerable mementoes of the civilizations that flourished on Peruvian soil, giving yet further proof that the intelligence and will of mankind are capable of overcoming the challenge of adverse geography and limited resources.

All Peruvians are dedicated to making the words "social justice" more than an empty phrase, in the context of a development effort to which we want to allocate the maximum resources. But we understand that that development can be genuine only if, while we carry out the reforms and changes demanded by the contemporary world, we rescue and preserve the values of our original cultures. Otherwise, the progress resulting from development will bring uniformity to the world, eliminating individual creativity and implanting alien values and patterns of living.

There are many ways of changing the preservation of culture from an ideal to a matter that can be dealt with constructively, within the framework of a national tradition capable of creating awareness of its own special worth. Peru is particularly interested in building a large museum with features that will make it a favoured meeting place of tradition and the future. We are today preparing to

(Mr. Alzamora, Peru)

construct that great museum of Peruvian culture, which will offer the world examples of 3,000 years of aesthetic creativity. We require the return to Peru of products of that culture that are now outside the country, in inaccessible places, to enrich that educational function of our heritage, for the benefit not only of our people but of mankind, in whose bosom it began.

The PRESIDENT: We have heard the last speaker in the debate on this item.

The Assembly will now take a decision on draft resolution A/40/L.18, of which Benin has now become a sponsor.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Finland, Gabon, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: None

Abstaining: Austria, Belgium, Denmark, France, Germany, Federal Republic of, Ireland, Israel, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The draft resolution was adopted by 123 votes to none, with 15 abstentions (resolution 40/19)*

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

Mr. EVETTS (United Kingdom): My delegation abstained in the voting on draft resolution A/40/L.18. The United Kingdom cannot accept the principle that cultural property which over the years has been acquired freely and legitimately should be returned to other countries. On the other hand, we condemn illicit trafficking in such property.

My delegation can support much of the resolution which the Assembly has just adopted. However, certain operative paragraphs presented us with difficulties. Paragraph 2 runs counter to our conviction that the great collections of works of art constitute a unique international resource for the benefit of both the public and scholars. Support for paragraph 4 would imply that my delegation favoured the drawing up of a systematic inventory within the United Kingdom. We doubt that that was the intention of those who drafted it, but in any case producing an inventory would cause great practical difficulties.

*Subsequently the delegations of Djibouti and Kenya advised the Secretariat that they had intended to vote in favour.

(Mr. Evetts, United Kingdom)

Paragraphs 9 and 10 refer to the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. Ratification of that Convention would present considerable problems for the United Kingdom, but we are happy to draw attention to the fact that on 1 April 1984 the United Kingdom fine art and antiques trade adopted a code of practice which, together with the code of practice already implemented by British museums, serves as an effective safeguard against illicit traffic in cultural goods.

For those reasons, my delegation abstained. Nevertheless, the United Kingdom remains sympathetic to the wishes of those countries that want to develop and improve their collections. Museums in Britain are happy to collaborate with such countries in achieving their aims through bilateral contact. The United Kingdom Government has continued to support the work of UNESCO's consultative Intergovernmental Committee in facilitating bilateral negotiations for the return of cultural property. But I should emphasize that items in British museums belong to those museums and not to the British Government. Provided that those items were legitimately acquired, there are no grounds in law on which my Government can order their return.

Mr. PRESIDENT: I call on the representative of the Byelorussian SSR on a point of order.

Mr. ZAREMBOVSKY (Byelorussian Soviet Socialist Republic) (interpretation from Russian): My delegation wishes to draw attention to a typographical error in the title of the resolution in the Russian version. Though apparently a small mistake, it is significant, because it distorts the meaning.

My delegation voted for the draft resolution, because we understand its substance and agree with it.

(Mr. Zarembovsky, Byelorussian SSR)

However, the word "countries" in the title of the draft resolution - "Return or restitution of cultural property to the countries of origin" - appears in the Russian text in the instrumental case instead of the dative case. The addition of a letter to the Russian word has completely distorted the meaning of the draft resolution. If the Russian text is not corrected, it would mean that the countries to which the cultural property rightly belongs should return it to somebody else; whereas what we are talking about is returning the cultural property precisely to the countries from which it was appropriated.

The PRESIDENT: We appreciate the observation just made by the representative of the Byelorussian SSR. It will be referred to the Translation Service so that the Russian text of the draft resolution may be brought into line with the original text.

Mr. BRAUN (Federal Republic of Germany): My delegation abstained in the vote on draft resolution A/40/L.18. Although we share the objectives of the co-sponsors, we wish to repeat the reservation on several parts of the text that we have explained at previous sessions of the General Assembly. We hold the view that the United Nations Educational, Scientific and Cultural Organization (UNESCO) is the appropriate body to deal with this matter.

Mr. ISTWANI (Syrian Arab Republic) (interpretation from Arabic): The delegation of the Syrian Arab Republic voted in favour of draft resolution A/40/L.18 because it supports the principle underlying the text. We welcome the report of the Secretary-General contained in document A/40/344, which informs us of the measures taken by the member States and the secretariat of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and its Director-General to implement the recommendations of the Intergovernmental Committee.

The Syrian Arab Republic reserves the right to recover its cultural property plundered by the Israeli occupation authorities. They have registered some of that

(Mr. Istwani, Syrian Arab Republic)

property in their registry of antiques, in violation of international laws and rules. Similarly, the Syrian Arab Republic reserves its legitimate right to demand the restitution of its cultural property, representing its heritage of national civilization, which was taken from its territory, its museums and its other collections of antiques during the foreign occupation and the period of the Mandate. That cultural property dates from very ancient times - the year 3000 B.C. - to the fifteenth century.

The PRESIDENT: That concludes the Assembly's consideration of agenda item 20.

AGENDA ITEM 25

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE ORGANIZATION OF AFRICAN UNITY:

- (a) REPORT OF THE SECRETARY-GENERAL (A/40/536)
- (b) DRAFT RESOLUTION (A/40/L.17)

The PRESIDENT: I call on the representative of Mauritius, who wishes to introduce the draft resolution in document A/40/L.17.

Mr. SEEREKISSOON (Mauritius): I have the pleasure of introducing, on behalf of the sponsors, the draft resolution contained in document A/40/L.17, on co-operation between the United Nations and the Organization of African Unity (OAU). The draft is now also sponsored by Gambia and Equatorial Guinea.

It has been a tradition of this Assembly to adopt a resolution each session on co-operation between the two organizations. Since its inception the OAU has maintained a close working relationship with the United Nations and all its specialized agencies. It is heartening to note that through the years this co-operation has grown and diversified. The General Assembly has continuously given its full support and encouragement to the two organizations to work closely in all areas of common interest.

(Mr. Seereekisoorn, Mauritius)

In the last few years economic issues, particularly the drought, the critical economic situation and the problems of African refugees, have been brought to the forefront by both the United Nations and the Organization of African Unity. The continuing deterioration of the situation in South Africa as a result of Pretoria's adamant insistence on its inhuman policies of apartheid in South Africa, its continuing illegal occupation of Namibia and its persisting aggression against the neighbouring front-line countries remains among the high priorities for this Assembly.

This draft resolution, as usual, in its preambular section recalls the Assembly's previous resolutions on co-operation between the United Nations and the OAU. It takes note of the important statement of the current Chairman of the OAU and the important resolutions and declarations adopted by the twenty-first Summit of the OAU and the Priority Action Programme on the critical economic situation adopted by the OAU Summit in July 1985, and expresses its concern over the deteriorating economic situation in Africa.

The General Assembly, by this draft resolution, also once again, would express its appreciation to the Secretary-General and the international community for their efforts and generous assistance in dealing with the emergency situation in Africa. The Assembly would also refer to the continuing need to assist refugees in Africa.

The draft resolution expresses the Assembly's concern over the situation in South Africa and the need to intensify international campaigns to inform international public opinion about this situation.

The Assembly would also recognize the need for closer co-operation and consultations between the OAU and the United Nations and its specialized agencies and would encourage the concerned parties to continue this co-operation to further the common objectives of the two organizations.

(Mr. Seereekissoon, Mauritius)

The operative part of the draft resolution consists of 28 paragraphs, most of which appeared in resolution 39/8, adopted by the Assembly last year. As usual, the draft resolution notes the report of the Secretary-General and the resolutions and declarations of the OAU Summit. It commends the two organizations for co-operative efforts and reaffirms the willingness of the Assembly to continue this co-operation. It calls for the continuation of periodic consultations, meetings and exchanges of information and documentation between the two organizations. It also requests the United Nations Secretary-General to continue to provide the OAU with technical assistance to enable it to carry out effectively the mandate entrusted to it.

(Mr. Seereekissoon, Mauritius)

On the economic side, the draft resolution, in numerous paragraphs, expresses its appreciation to the Secretary-General, the United Nations Office for Emergency Operations in Africa, the donor community, the United Nations specialized agencies, intergovernmental and non-governmental organizations, individuals and groups for their laudable efforts in responding to the emergency situation in Africa, thus saving millions of lives. It urges all of them to continue these efforts to avoid the recurrence of such disasters.

The draft resolution also calls upon the international community to participate fully in the implementation of General Assembly resolution 39/29, on the critical economic situation in Africa, and the Declaration annexed thereto. It calls on them to assist our countries in implementing Africa's Priority Programme for Economic Recovery 1986-1990, adopted by the 21st summit meeting of the OAU. It also calls upon the international community to provide assistance on a long-term basis to African countries suffering calamities such as drought and other natural disasters.

On the question of refugees, the draft resolution invites the Secretary-General to continue his commendable efforts in alerting the international community to the plight of African refugees and in mobilizing additional assistance for Africa. It also invites the international community to contribute generously to the implementation of the Declaration and Programme of Action of the second International Conference on Assistance to Refugees in Africa.

On the political front, the draft resolution requests the Secretary-General to continue to strengthen the co-operation between the two organizations in all fields, particularly with regard to the provision of assistance to the victims of apartheid in southern Africa. It draws the attention of the international community once again to the need to contribute to the assistance fund for the

(Mr. Seereekissoo, Mauritius)

struggle against colonialism and apartheid established by the OAU. The draft resolution also urges United Nations bodies and agencies to continue to associate the OAU in their efforts to combat apartheid, as well as all their work concerning Africa. It also urges all United Nations agencies to continue to expand their co-operation with the OAU and their assistance to the liberation movements recognized by the OAU.

Finally, the draft resolution requests the Secretary-General to continue to report to the Assembly on co-operation between the United Nations and the OAU.

It is our hope that this draft resolution will be adopted, as have similar ones in the past, by a consensus. We are certain that the Assembly will once again give this co-operation, which has become a model for mutually beneficial relationships between the organizations, its full support and endorsement.

Mr. PHILIPPE (Luxembourg) (interpretation from French): I have the honour to speak on behalf of the European Community and its Member States and of Spain and Portugal.

In placing the item on co-operation between the United Nations and the Organization of African Unity (OAU) on its agenda the General Assembly gives us the opportunity to reaffirm the importance which we attach to this co-operation. Thanks to the Secretary-General's report, we have information and recommendations which are indispensable to the effectiveness of this co-operation in the areas of economic and social development. Furthermore, this report provides us with useful detailed information about the current situation in southern Africa.

The 10 Member States of the European Community, Spain and Portugal have always been aware of the advantages of regional co-operation. They feel that the countries directly affected by a political conflict or by economic, social or

(Mr. Philippe, Luxembourg)

environmental problems should be encouraged by the United Nations to seek a settlement within the framework of inter-regional co-operation. Therefore, we are convinced that the difficulties facing African countries must be settled by the Africans themselves under conditions which allow them to decide their own future freely and without foreign interference.

The close historical and geographical links between European countries and Africa mean that Europe has an obligation to share solidarity with that continent, which, in spite of its considerable potential resources, still contains more than half the economically least developed countries of the planet.

Entire populations have been exposed to famine and malnutrition, and it has become necessary to mobilize the entire international community to ensure their survival. Since April 1984 the European Community has played an essential part in this mobilization, which has benefited subsequently from the action to promote public awareness undertaken by the agencies of the United Nations system. In this action the Office for Emergency Operations in Africa has played a major role, as has the International Conference on the Emergency Situation in Africa, which was held in Geneva last March. This followed the Declaration adopted by the thirty-ninth session of the General Assembly and started a vast movement of solidarity, to which the European Community and its Member States contributed, in particular by supplying and transporting food assistance, which was supplied entirely in the form of outright donations.

It is not enough, however, to help those who are hardest hit. Over and above emergency assistance to fill immediate needs, it is necessary to attack the underlying causes of the economic and social crises which affect the African continent by adopting lasting structural measures of reform that will ensure the resumption of medium-term and long-term development.

(Mr. Philippe, Luxembourg)

Against this background, the action which the European Community is taking with its African partners is considerable. In line with the priorities established in July by the Heads of State and Government of the OAU at a meeting in Addis Ababa, the object of this action is to eliminate the factors which have led to the present catastrophic situation caused by desertification, deforestation and the loss of crops.

The Third Lomé Convention, signed recently by the European Community with 66 countries of the African, Caribbean and Pacific group, including 45 African countries, emphasizes the priority to be given to the development of agriculture and to food self-sufficiency. That Convention provides for the mobilization in the next five years of considerably longer financial resources as compared with those under agreements, and the sub-Saharan African countries will be the principal beneficiaries of these increased resources. The resources will contribute to the promotion of lasting, solid economic development based on the independence and self-sufficiency of the countries concerned, to ensure an improved standard of living and greater well-being for their peoples. The third Lomé Convention is thus intended to emphasize the effectiveness of co-operation between Europe and Africa and give a fresh impetus to that co-operation.

(Mr. Philippe, Luxembourg)

The European Community, its member States as well as Spain and Portugal, will furthermore continue their assistance to refugees in Africa, being guided by the data provided by the Declaration and Programme of Action of the Second International Conference on Assistance to Refugees in Africa, at a time when those refugees and their situation have worsened considerably because of the combined effects of drought, famine and civil war.

Through our commitment in these different areas of action, we intend to ensure the stability of the African continent and to deepen our co-operation, both with the Governments themselves and with regional organizations and the Organization of African Unity (OAU).

We are convinced that the OAU will continue to play an important role in ensuring respect for the principles guiding the United Nations and in pursuit of the goals of the world Organization. For the States members of the European Community, as well as for Spain and Portugal, the importance of the OAU is to be seen not only in areas which directly affect the African continent, but it extends also to all of international life. Consequently we hope that the bonds of friendship and co-operation which we maintain with all member countries of the OAU will be further strengthened in the years to come.

Mr. SKVORTSOV (Union of Soviet Socialist Republics) (interpretation from Russian): This year we are celebrating the twenty-fifth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Both the United Nations and the Organization of African Unity (OAU) have before them the common task of comprehensively promoting the final elimination of colonialism, racism and apartheid on the African continent, and of helping the African countries to overcome their backwardness, the legacy of colonialism. We must also help to strengthen their national sovereignty and economic independence.

(Mr. Skvortsov, USSR)

The fight for these noble goals is one of the main bases for co-operation between the United Nations and the OAU. The peoples of Africa, having thrown off the shackles of colonialism, have achieved significant successes in solving difficult tasks and strengthening their political and economic independence. The activities of the OAU have become an important factor in their struggle to improve the situation in Africa and to eliminate the sources of colonialism and racism and, finally, for the economic decolonization of the continent.

The significance of the OAU is especially great in connection with the difficult problems which the African countries are at present facing. The endeavours of the racists and neo-colonialists to hinder the African countries from freely determining the path of their own development, represent one of the main causes for the dangerous tension on the African continent, especially in southern Africa. The aggressive forces of racism and imperialism use every means available - from political and economic pressure to outright armed intervention - in order to deprive the African peoples of their historic achievements and to prevent them from building a new life according to their own sovereign choice. Nor do they stop at applying economic and political pressures. They also attempt to use the critical situation caused by the drought in a number of regions of Africa in order to reshape the foreign and domestic policies of the African States to their own liking. Under these conditions, it is necessary to have even closer co-operation between the United Nations and the OAU.

In the period since the thirty-ninth session of the General Assembly, the Secretary-General and various United Nations organizations, being guided by resolution 39/8 of 8 November 1984, have supported constant contacts with the OAU. The participation by the Secretary-General of the United Nations in meetings of the Assembly of Heads of State and Government of the OAU, the convening of the United Nations Special Meeting on the Emergency Situation in Africa, the invitation to

(Mr. Skvortsov, USSR)

representatives of the OAU to conferences and other events held by the United Nations and its organizations, sending representatives to the OAU to participate in its work - all this constitutes different forms of co-operation between the United Nations and the OAU on current African problems whose solution demands joint efforts. This should be especially emphasized in connection with the fact that international imperialism, working together with the racist régime in South Africa, is hindering the achievement of independence by Namibia, encouraging the policy of State terrorism with regard to the front-line States, and finally, it is supporting the inhumane system of apartheid.

It is precisely those causes which forced a group of African States Members of the United Nations repeatedly to come in recent times to the Security Council for consideration of questions relating to southern Africa, the situation in Namibia and the complaints of Angola and Botswana against South Africa.

In the Declaration of the OAU adopted last summer regarding the repeal of the Clark amendment by the United States Senate, it stated with full justification that any covert or overt interference by the United States in the internal affairs of the People's Republic of Angola, carried out directly or through third parties, would be considered as a hostile act against the OAU.

The Soviet Union, like all States which cherish the cause of peace and freedom of peoples, commends the activities of the OAU and the active efforts of member States of that Organization to strengthen the political and economic independence of those countries and, furthermore, commends their struggle against imperialism, colonialism, racism and apartheid and their struggle for peace and international security.

Resolutions of the United Nations General Assembly acknowledge the importance of the constant close participation by the United Nations and its specialized agencies in the efforts of the OAU to promote social and economic development and

(Mr. Skvortsov, USSR)

to strengthen co-operation among African countries; and those resolutions also acknowledge the importance of joint efforts to establish a new international economic order.

The unity of African countries is an effective political weapon in the fight against imperialism, colonialism and apartheid. Therefore the forces of neo-colonialism and racism are attempting to weaken that unity, to split the African countries into conflicting groups and thereby distract the attention of the peoples of Africa from the solution of timely and urgent social and economic problems.

The Soviet delegation is deeply convinced that the present international situation demands further stimulus to action by the OAU, the United Nations and all peace-loving forces, and it demands the strengthening of their mutual involvement in the current fight for peace and social progress. It is necessary further to stimulate co-operation between the United Nations and the OAU in achieving the purposes and principles of the United Nations Charter and also in the matter of strengthening international peace and security, disarmament, decolonization, self-determination and eliminating all forms of racism and racial discrimination.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/40/L.17. May I take it that the Assembly wishes to adopt that draft resolution?

Draft resolution A/40/L.17 was adopted (resolution 40/20).

The PRESIDENT: The Assembly has concluded its consideration of agenda item 25.

The meeting rose at 7 p.m.