



UN/SA COLLECTION

THIRD COMMITTEE
3rd meeting
held on
Tuesday, 23 September 1980
at 3 p.m.
New York

SUMMARY RECORD OF THE 3rd MEETING

Chairman: Mr. GARVALOV (Bulgaria)

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

ORGANIZATION OF WORK (continued) (A/C.3/35/L.1)

1. Mr. TSERING (Bhutan) said that his delegation agreed with the Yugoslav proposal concerning the order in which the items should be considered.

2. Mr. EDIS (United Kingdom) said that there was clearly no ideal way of organizing the work of the Committee, but a generally acceptable organization of work would have to take account of several factors: firstly, the availability of documentation in respect of which the items on human rights seemed to be the most advanced; secondly, the availability of members of the Secretariat to introduce items, and in that connexion, the Committee should try to organize its work in such a way as to minimize the travel and subsistence expenses of officials of the appropriate subsidiary bodies, many of which were centred in Europe; thirdly, the desirability of grouping items, which often was advantageous and enabled the Committee to obtain a wider perspective and conduct a more concise debate. Item 12, the report of the Economic and Social Council, was very broad in scope and could perhaps be split up so as to group its various sections with suitable other items. It had been traditional in the Committee to establish working groups, especially in order to deal with various legal instruments in the drafting stage. In that connexion, his delegation attached importance to the draft declaration on the human rights of individuals who were not citizens of the country in which they lived, referred to the Committee by the Economic and Social Council. It would be best to establish a working group on the subject in order that delegations which wished to make particular comments and suggestions might meet and prepare a text for submission to the Committee. The documentation on the subject was complete, and the comments of Governments had already been submitted earlier in 1980. The group could begin work quickly, meeting perhaps once a week, depending on the amount of interest shown. His delegation also attached importance to item 72 on human rights and scientific and technological developments, for which the documentation was also complete. It would be best, in the interest of economizing the time and resources of the Committee and the Secretariat to group items broadly. Human-rights items could form one large group, and social-development issues another. His delegation felt that the Yugoslav proposal on the organization of work was reasonable, reflected the traditional practice of the Committee and could serve as a basis for agreement on the organization of the Committee's work.

3. Ms. RICHTER (Argentina) said that the officers of the Committee traditionally met to consider the organization of work in the light of comments made in the Committee. In view of the fact that no Rapporteur had as yet been elected, it would perhaps be possible to agree provisionally on an organization of work along the lines suggested by the representative of Yugoslavia. It appeared that the documentation for item 74 (a), the report of the Committee on the Elimination of Racial Discrimination, was not yet ready; however, there did not seem to be any great discrepancy of views in the Committee with regard to the organization of work, and perhaps a final decision on the organization of work as a whole could be deferred until a later time, when all the officers had been elected. Her

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(Ms. Richter, Argentina)

delegation felt the division between items relating to human rights and those relating to social development was artificial. She hoped that the Committee could start work immediately on a substantive issue, even without a final decision on the organization of work.

4. Mrs. SEMICHI (Algeria) said that the General Assembly at its thirty-fourth session had decided to establish an open-ended working group on a draft convention to protect the rights of migrant workers and their families, a subject of interest to many delegations. Such a group had been formed and was in the process of consulting to see what formula would be best for action in the Committee. She therefore requested the Chairman and the Committee not to take any decision on the work of the working group until it had included its proceedings and could make some suggestions to the Committee.

5. The CHAIRMAN said that he was aware of the decision in question and considered it necessary to seek guidance from members of the Committee on how to proceed in the matter. It was, of course, important to complete the election of officers, in order that they might meet to discuss a tentative organization of work for consideration by the Committee.

6. Mr. CARDWELL (United States of America) agreed with the Chairman that the election of officers should be completed in order that they might discuss the organization of work and submit a draft on the subject to the Committee. His delegation agreed with many others on the importance of item 82 (d) on the draft body of principles for the protection of all persons under any form of detention or imprisonment; it hoped that a working group on the subject would be established and that facilities and support from the Secretariat could be provided to assist the group.

7. Mr. OZADOVSKY (Ukrainian Soviet Socialist Republic) said that the Committee's agenda was quite large, and he agreed that the Committee should attempt to set priorities and organize its work in a rational way. In that connexion, the General Assembly had laid down certain priorities which the Committee should take into account. The officers of the Committee, when all had been elected, would have to assist the Committee in focusing its attention on the main items, that is to say, those of importance to most States. His delegation agreed with those of Algeria, Cuba and Ethiopia on the importance of item 67 on the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination, item 74 on the elimination of all forms of racial discrimination and item 66 on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa. Linked to those items in subject-matter and importance was item 75 on the right of peoples to self-determination. After considering those priority items, the Committee could deal with items relating to social questions, such as items 69 and 81 dealing with youth, items 80 and 83 dealing with women, item 73 on the question of a convention on the rights of the child, item 71 on the problems of the elderly and the aged, and item 79 on the International Year of Disabled Persons. Next, the Committee could deal with item 76 on the International Covenants on Human Rights, followed by item 72 on human rights and scientific and technological developments, item 78 on the Office of the United

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(Mr. Ozadovsky, Ukrainian SSR)

Nations High Commissioner for Refugees, item 65 on crime prevention and control, and item 82 on torture and other cruel, inhuman or degrading treatment or punishment. It would be useful to consider item 77 on alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms together with agenda item 12 on the report of the Economic and Social Council. His delegation could not, however, agree with the United Kingdom proposal to split item 12; such a procedure would be most unusual and unjustified. It was willing to accept the Irish proposal to cluster items, at least those which had some degree of interconnexion.

8. With regard to various proposals to establish working groups on certain items, he felt that the Committee should not act too hastily. In the case of the draft declaration on the human rights of individuals who were not citizens of the country in which they lived, he recalled that the Economic and Social Council, in its resolution 1980/29, had decided to transmit to the General Assembly at its thirty-fifth session the text of the draft declaration, together with comments on the text received from Member States, with the recommendation that the Assembly should consider the adoption of a declaration on the subject. Thus, the Committee would have to hear the views of delegations on the adoption of such a declaration before it could consider how the declaration might be prepared. The item should be considered together with item 12 on the report of the Economic and Social Council. His delegation felt, therefore, that the United Kingdom proposal concerning item 12 was unjustified. The same comment would apply to the proposal to establish a working group in connexion with item 82 (d). He hoped that the officers of the Committee would bear the views of his delegation in mind in organizing the work of the Committee. Furthermore, his delegation wished to request that the United Nations Secretariat should attempt to reduce the scope of documentation and enhance its quality and should make all necessary efforts to see to it that documents were prepared in good time for consideration by the Committee.

9. Mr. VOLLERS (Federal Republic of Germany) agreed with the Chairman's suggestion with regard to the organization of work. It would seem that technical considerations were more relevant than political ones in organizing the work of the Committee. If the Secretariat could issue the report of the Committee on the Elimination of Racial Discrimination soon, all of the items relating to racial discrimination could be dealt with first, as had been done in previous years. Then other items whose documentation was complete could also be considered. He felt that it would be valuable to split item 12 on the report of the Economic and Social Council so as to associate various parts of the item with other related items and speed up the work of the Committee. His delegation attached importance to item 82 (d) on the protection of all persons under any form of detention or imprisonment and requested that a working group should be established for consideration of the item in order to prepare a draft body of principles for consideration by the Committee. Similarly, it favoured the formation of a working group on the protection of the human rights of individuals who were not citizens of the country in which they lived.

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10. Mr. WALKATE (Netherlands) said that his delegation attached special importance to the legislative aspect of the United Nations work and was particularly interested in the formulation of new rules and principles governing various social problems. It therefore supported the establishment of working groups to deal with the protection of the human rights of individuals who were not citizens of the country in which they lived, with item 82 (d) on the protection of persons under any form of detention or imprisonment, and with the rights of migrant workers and their families. His delegation favoured the grouping of items and felt that the Committee could usefully begin with the items relating to racial discrimination and self-determination, followed by those relating to human-rights questions, and lastly those relating to social matters. He hoped that the attention of the Committee would be distributed equitably among all items so that it would not be necessary to postpone consideration of any item to the thirty-sixth session.

11. Mr. DOMINGUEZ PASIER (Spain) said that many of the suggestions concerning the organization of work were valuable. His delegation was particularly interested in the question of the rights of migrant workers.

12. Mr. MORENO-SALCED (Philippines) supported the Chairman's suggestion that the officers of the Committee should discuss the organization of work, bearing in mind the Committee's views, and make a proposal for consideration and approval by the Committee, on the order in which the items should be considered and the dates on which the discussion of specific items would begin. He urged that all documentation should be made available in good time before consideration of each item by the Committee.

13. Mr. HAMOUD (Iraq) said that the proposal made by the representative of Yugoslavia would provide a useful basis for presentation of the agenda. Some agenda items were of particular importance and should be considered first, for example, item 67 on the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination, item 74 on the elimination of all forms of racial discrimination and item 75 on the right to self-determination.

14. He supported the Algerian proposal to postpone discussion of measures to improve the situation and ensure the human rights and dignity of all migrant workers, included under item 12, until the working group had finished its deliberations.

15. Lastly, he urged that documents should be made available before agenda items came up for consideration.

16. Ms. CASTILLO (Dominican Republic) said that she agreed with those representatives who had proposed that the Committee should take up the items in the usual order.

17. Ms. OBAFEMI (Nigeria) endorsed the Chairman's suggestion that the officers of the Committee should prepare a paper on the organization of work, taking into account the suggestions made concerning the establishment of a working group to consider item 82 (d) on the draft body of principles for the protection of all

(Ms. Obafemi, Nigeria)

persons under any form of detention or imprisonment. Her delegation was not opposed to the establishment of such a working group, provided that a draft had been prepared for consideration by it.

18. Mr. KOMISAROV (Byelorussian Soviet Socialist Republic) agreed that the items relating to racial discrimination and self-determination should be considered first. That procedure was traditional in the Committee and those items represented the first priority of the international community. The Committee could then take up the items relating to social development, for example, item 80 on the United Nations Decade for Women.

19. His delegation was opposed to subdividing the questions dealt with under agenda item 12, the report of the Economic and Social Council. Any such subdivision would have undesirable results.

20. The proposals made by the representatives of the United Kingdom and the United States to consider certain texts in connexion with agenda items 12 and 82 were premature.

21. Lastly, his delegation was not opposed to the grouping of certain agenda items, provided that any composite items which emerged did not encompass too broad a range of questions.

22. Mr. MATELJAK (Yugoslavia) said that he had been disappointed at the priorities accorded to the documentation for the various agenda items. Documentation for the items with the highest priority should have received a similarly high priority, but that had not, apparently, been the case. He hoped that the Secretariat would take steps to improve the situation.

23. With regard to the proposal to establish a working group to consider the question of the rights of migrant workers, his delegation supported the position taken by the representative of Algeria. Consultations were being held in an attempt to resolve the matter and further discussion should be postponed pending their outcome.

24. Referring to the proposed subdivision of agenda item 12, he said that it would be useful if the Secretariat could explain precisely which constituent elements of that item were covered by staff from Vienna and Geneva. Such information would enable his delegation to judge whether any subdivision of the item was necessary.

25. The CHAIRMAN said that he had already raised the question of documentation in the appropriate quarters. He had asked the Secretariat to do its utmost to ensure that documents were published more quickly and trusted that the situation would soon improve.

26. Ms. VOURAUIS (Greece) said that it would facilitate the Committee's work if working groups were established to consider some agenda items. Accordingly, her delegation supported the establishment of working groups on measures to improve

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(Ms. Vourauis, Greece)

the situation and ensure the human rights and dignity of all migrant workers, on the draft body of principles for the protection of all persons under any form of detention or imprisonment, and on the question of international legal protection of the human rights of individuals who were not citizens of the country in which they lived.

27. Mr. LÄMMERZAHL (German Democratic Republic) said that it was premature to contemplate the establishment of working groups. The Committee should discuss the question of whether to establish such groups when it took up the relevant agenda items.

28. With regard to the order in which the items should be taken up, his delegation supported the views expressed by the representatives of Yugoslavia, the Ukrainian SSR and the Byelorussian SSR.

29. Mr. DYRLUND (Denmark) said that the Secretary of the Committee was the only member of the Secretariat assigned to the Committee. While there were limited numbers of staff in New York who specialized in the social and humanitarian fields, the Committee should not be placed at any disadvantage vis-à-vis other committees with regard to the assistance it received from the Secretariat. He urged the Chairman to investigate the matter in order to ensure the best possible working conditions for members of the Committee.

30. He supported the proposals made by the representatives of the United States and the Philippines that the officers of the Committee should submit specific proposals on the organization of work. His delegation was particularly interested in the question of the United Nations Decade for Women and trusted that that item would be taken up quickly. He hoped that the report of the World Conference of the United Nations Decade for Women, held at Copenhagen, would soon be available.

The meeting rose at 4.20 p.m.