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THIRD COMMITTEE

47th meeting

held on

Thursday, 11 November 1976

at 3 p.m.

New York

SUMMARY RECORD OF THE 47th MEETING

Chairman: Mr. von KYAW (Federal Republic of Germany)

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The meeting was called to order at 3.30 p.m.

AGENDA ITEM 72: WORLD SOCIAL SITUATION: REPORT OF THE SECRETARY-GENERAL (E/CN.5/512/Rev.1 (ST/ESA/24); A/31/198, A/C.3/31/L.21, L.22, L.23, L.25) (continued)

1. Mrs. SHAHANI (Philippines) submitted draft resolution A/C.3/31/L.25 on behalf of her own delegation and that of Egypt. That draft dealt essentially with the format and content of the most recent reports on the world social situation. She noted that the Committee also had before it two other drafts, namely, draft resolution A/C.3/31/L.21 submitted by the United States and the amendments to that draft submitted by Czechoslovakia, Iraq and Mongolia in document A/C.3/31/L.23. The sponsors of draft resolution A/C.3/31/L.25 had taken due account of those proposals, which had been the subject of negotiations with the sponsors, and she therefore felt that the text she was submitting adequately reflected their concerns. The first preambular paragraph incorporated the formula submitted by Czechoslovakia, Iraq and Mongolia, while the second of their amendments was reflected in operative paragraph 1 (c). In addition, account had been taken of the essential provision of the draft submitted by the United States, namely, that relating to the question of re-examining the format and content of the report, a question which was dealt with in detail in paragraph 1 of the Egyptian-Philippine draft. She also pointed out that a correction should be made in the last line of paragraph 2, where the word "future" should be inserted before the word "reports". She hoped draft resolution A/C.3/31/L.25 would be adopted by consensus.
2. Her delegation expressed the hope that the next report on the world social situation would be presented to the Committee - which was the highest body empowered to discuss matters relating to social development - by a ranking member of the Department of Economic and Social Affairs. It also hoped that the Under-Secretary-General for Economic and Social Affairs would honour the Third Committee with his presence when the item was examined. The fact was that although he attended meetings of the Second Committee from time to time, she did not recall ever having seen him at a meeting of the Third Committee. She wondered what were the reasons for his absence. The Secretary-General himself attended plenary meetings of the General Assembly which he felt were of importance and his presence lent additional weight to the discussions. It would be desirable for the Under-Secretary-General for Economic and Social Affairs to follow that example; in doing so he would in no way be acting counter to the provisions of Article 100, paragraph 2, of the Charter. Her delegation would like to see the relationship between the Third Committee and the Under-Secretary-General for Economic and Social Affairs strengthened, considering the responsibilities incumbent upon them, particularly at a time when it was important to ensure the sound evolution of concepts of social development.

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AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (A/31/3 /chaps. II, III (sects. F, G and L), IV (sect. A), V, VI (sects. B to D) and VII (sect. D)) /, A/31/64, A/31/74, A/31/99, A/31/253; A/C.3/31/1, A/C.3/31/4, A/C.3/31/5, A/C.3/31/6 and Add.1; A/C.3/31/L.19) (continued)

3. Mr. MERKEL (Federal Republic of Germany) said that from the beginning of its membership in the United Nations the Government of the Federal Republic of Germany had taken the position that recognition of and respect for human rights were dissociable from peace and international co-operation. The Federal Republic of Germany had made the protection of the rights of the individual a centrepiece of its constitution and had gained positive experience in that field over the past 20 years within the framework of the European Convention on Human Rights. It had ratified at an early stage the two Covenants on Human Rights which had just entered into force and it had also been among the first countries to subscribe to the procedure provided for in article 41 of the International Covenant on Civil and Political Rights acknowledging the competence of the Human Rights Committee.

4. The policy of the Federal Republic of Germany served the individual human being, for only the realization of the rights of the individual and recognition of his dignity gave ultimate meaning to efforts to ensure political and economic co-operation among peoples and States. It was for that reason that the Federal Government had suggested the establishment of an international court of human rights which would enable the United Nations to promote human rights effectively. What was needed was an independent international authority handing down objective judgements to ensure that human rights were safeguarded in all parts of the world, with no aim other than the defence of the rights of the individual. It would therefore be desirable for all States Members to support the achievement of that purpose, which was feasible, for to be honest one had to recognize the short-comings of the Commission on Human Rights and of its procedure under Economic and Social Council resolution 1503 (XLVIII), as also the need for more effective measures. The world was daily confronted with the fact that human rights were being violated and those violations were not confined to a few particular areas. Human rights must be defended everywhere, regardless of the political ideology or the power of those who were the violators.

5. That was why the Federal Republic of Germany, which was host to nearly 2,000 Chilean refugees and exiles, was also concerned about the human rights situation in Chile. It hoped that the Chilean authorities would do their utmost to restore human rights in that country and it regretted that they had seen fit to bar the Ad Hoc Working Group of the Commission on Human Rights from entering Chilean territory, an attitude which was assuredly not in the interests of Chile. A more positive attitude would have promoted the cause of human rights in that country and at the same time would have set other countries an example of the co-operation which the Commission on Human Rights should always be able to expect. He emphasized that the United Nations should strictly avoid any selectivity or double standards - what was expected from Chile would also apply in other situations.

/...

(Mr. Merkel, Federal Republic of Germany)

6. It was imperative to place at the disposal of the Ad Hoc Working Group the requisite means for accomplishing its mandate, whatever the difficulties might be. The increasing number of contacts between the Working Group and representatives of the Chilean Government was therefore welcome. It was to be hoped that both sides would show tolerance and understanding. It was true that the Ad Hoc Working Group was the instrument of the United Nations in promoting human rights but that did not mean that it would infringe the sovereign rights of the Chilean Government. The mandate of the Working Group did not exclude co-operation and such co-operation was essential, for it was obvious that confrontation could benefit only extremists and ideologists.

7. Many people in Chile, but not only there, had been rotting in cells, camps and other special institutions for years simply for expressing political opinions which did not agree with the doctrine professed in their respective countries. The question which arose - a question both urgent and delicate - was to ascertain how the United Nations could help them. Experience had shown that the Third Committee could act in that connexion only in a truly humanitarian spirit. To politicize the debate would destroy its chances of success and would make the adoption of a draft resolution extremely difficult if not impossible. His delegation hoped the Third Committee would succeed that year in avoiding political arguments and would conduct the debate in the appropriate purely humanitarian spirit.

8. Mr. SCHREIBER (Director, Division of Human Rights), replying to a question asked by the representative of Algeria at an earlier meeting (A/C.3/31/SR.45), explained with reference to United Nations activities in the field of human rights that three inquiries were currently in progress: firstly, in southern Africa, involving a working group of six experts, which reported regularly to the Commission on Human Rights; secondly, in the Middle East territories occupied by Israel, through the Special Committee composed of representatives of three Member States - Senegal, Sri Lanka and Yugoslavia - to which the General Assembly had given the mandate of considering that question and whose report was now being studied by the Special Political Committee; thirdly, in Chile, through the Ad Hoc Working Group composed of five members of the Commission on Human Rights, which had prepared the report in document A/31/253 now before the Committee.

AGENDA ITEM 79: NATIONAL EXPERIENCE IN ACHIEVING FAR-REACHING SOCIAL AND ECONOMIC CHANGES FOR THE PURPOSE OF SOCIAL PROGRESS: REPORT OF THE SECRETARY-GENERAL (A/10166, A/31/199; A/C.3/31/L.24) (continued)

AGENDA ITEM 69 (b): REPORTS OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (A/10018; A/31/18; A/C.3/31/7, A/C.3/31/8; E/5813; A/31/151 (S/12144); A/31/178 (S/12179); A/C.3/31/L.18 and L.20) (continued)

9. Mrs. SHAHANI (Philippines) said that her delegation had joined in sponsoring draft resolution A/C.3/31/L.24 relating to agenda item 79.

10. The CHAIRMAN announced that Nepal had joined the sponsors of draft resolution A/C.3/31/L.24 relating to agenda item 79, and that Mali had become a co-sponsor of draft resolution A/C.3/31/L.18, relating to agenda item 69 (b).

The meeting rose at 4 p.m.