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Chairman: Mrs. Mara RADIC (Yugoslavia).

Fiftieth anniversary of the independence of the Republic of Finland

1. On behalf of the Committee, the CHAIRMAN congratulated the representative of Finland and her Government and people on the occasion of the fiftieth anniversary of Finland's independence on 6 December.
2. Mrs. SIPILA (Finland) thanked the Chairman and the Committee.

AGENDA ITEM 58

International Year for Human Rights (continued):

- (a) Programme of measures and activities to be undertaken in connexion with the International Year for Human Rights: report of the Secretary-General (continued) (A/6687, A/6866 and Add.1; A/C.3/L.1501/Rev.1, A/C.3/L.1502, A/C.3/L.1505-1509);
- (b) Report of the Preparatory Committee for the International Conference on Human Rights (continued) (A/6354, A/6670; A/C.3/L.1501/Rev.1, A/C.3/L.1502, A/C.3/L.1505-1509)

CONSIDERATION OF DRAFT RESOLUTION (continued)

3. Mr. SCHREIBER (Secretariat), in reply to the Moroccan representative's request at the previous meeting, that he indicate which countries had not yet ratified the United Nations conventions on human rights, read out the list of countries which had ratified the International Convention on the Elimination of All Forms of Racial Discrimination. He also read the list of countries which had not yet ratified the Convention on the Prevention and Punishment of the Crime of Genocide, the Convention on the Political

Rights of Women and the Supplementary Convention on Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. He added that no State had as yet ratified the International Covenants on Human Rights.

4. Mrs. EMBAREK WARZAZI (Morocco) thanked Mr. Schreiber for that information. The United States, she said, which had proposed a sub-amendment (A/C.3/L.1508) to add a reference in agenda item 11 of the Conference to measures to strengthen "the defence of human rights and freedoms of individuals", had not yet ratified the International Convention on the Elimination of All Forms of Racial Discrimination and some of the other human rights conventions.

5. Mr. VERENIKIN (Union of Soviet Socialist Republics) said that, in the light of the statements of various delegations, including those of Tanzania and Panama, his delegation had decided, in a spirit of compromise, to modify the second part of its amendments (A/C.3/L.1506).<sup>1/</sup> Nevertheless, it believed that the Conference should attach special importance to the struggle against apartheid, racial discrimination and colonialism in southern Africa, in accordance with the recommendations of the International Seminar at Kitwe, Zambia, (A/6818 and Corr.1, para. 123) and it thanked the delegations which had supported the first part of its amendments proposing that those recommendations should be mentioned in the preamble. His delegation could not accept Panama's proposal (A/C.3/L.1509) to omit the reference in agenda item 11 (c) to the slavery-like practices of apartheid and colonialism, for it viewed the question of slavery in its broadest aspect and regarded colonialism and apartheid as forms of slavery. He therefore urged that agenda item 11 (c) be kept in its original form.

6. Mr. TSAO (China) said that he would not take a position on the question of the participation of States in the Conference, for he agreed with the Legal Counsel that it was a political rather than a legal issue. Nevertheless, he wished to point out that China, which his Government represented, had been a founding Member of the United Nations and had been recognized by the specialized agencies. Any statement contesting his delegation's right to speak on behalf of all China was therefore inadmissible.

7. With regard to the participation in the Conference of non-governmental organizations, he was surprised that some delegations which had first opposed any sort of participation by such organizations were now asking that consultative status should be disregarded. Consultative status, as provided for under Article 71 of the Charter of the United Nations and defined by

<sup>1/</sup> The revised text was subsequently circulated as document A/C.3/L.1506/Rev.1.

Economic and Social Council resolution 288 (X), was of the utmost importance. The principles of equitable geographical distribution and representation of the various socio-legal systems had never been criteria for the granting of such status, since most non-governmental organizations were international bodies with branches throughout the world. For organizations to enjoy consultative status, resolution 288 (X) merely stipulated that they must be concerned with matters falling within the competence of the Economic and Social Council with respect to economic, social or cultural matters or to questions of human rights. He could not see why an organization which had never requested consultative status or whose candidature had been rejected should be invited to the Conference. It therefore seemed preferable to follow established practice, which in the case of States meant following the "Vienna formula" (see 1540th meeting, para. 21) and in the case of non-governmental organizations adopting the criterion of consultative status with the Economic and Social Council. The Committee could not do otherwise than follow that procedure, as it was not competent to modify it. In conclusion, he appealed to Member States not to get involved in political arguments, which could not advance the cause of human rights.

8. Mr. BAHNEV (Bulgaria) stated that, on that very day, a ceremony marking the beginning of the International Year for Human Rights in Bulgaria was to be observed in Sofia. The Bulgarian Government had established a national commission to adopt special measures in observance of the International Year and information on the subject would be officially communicated to the Secretary-General. In 1968 Bulgaria would, *inter alia*, sign the Covenants on Human Rights.

9. On the participation of States in the Teheran Conference, General Assembly resolution 2217 C (XXI) provided that the General Assembly could decide to invite States other than those expressly mentioned in the resolution. In paragraph 2 of their amendments (A/C.3/L.1505), Hungary and the Ukrainian SSR had therefore proposed that the Assembly should invite as well "States whose international agreements relating to human rights are registered with the United Nations Secretariat". It might also be proposed that States whose communications had been published in the Yearbook on Human Rights should be invited. There would be no difficulty in applying the criterion proposed by Hungary and the Ukrainian SSR if it was adopted, and the Secretary-General would not have to take decisions of a political nature.

10. With regard to the participation in the Conference of non-governmental organizations, it was absolutely essential that the General Assembly establish criteria to guide it in making its selection. There would be many more organizations wishing to take part in the Conference than usual; as the Iraqi representative had pointed out, the organizations most devoted to the cause of human rights were not the ones with the most substantial financial means. It was therefore essential to restrict the number of organizations to be invited to the Conference. The criterion proposed in operative paragraph 8 of the draft resolution was much too vague, even in its revised form (A/C.3/L.1501/Rev.1). However, he fully approved of the

criteria proposed in paragraph 2 of the sixteen-Power amendments (A/C.3/L.1502) and paragraph 4 of the Hungarian-Ukrainian amendments (A/C.3/L.1505). Some of those criteria were fairly similar in substance, and he hoped that the sponsors of the two amendments would be able to agree on common proposals.

11. With reference to the agenda, the Conference should devote its attention primarily to the elimination of racial discrimination, apartheid and colonialism, and those questions should form a separate agenda item.

12. Miss MARTINEZ (Jamaica) said that the United Kingdom amendments (A/C.3/L.1507) would restore the traditional rights of non-governmental organizations. The sponsors of the draft resolution understood the reasons for the amendments; they could not accept them, however, because their aim had been to find a compromise solution which would enable the Conference to do effective work. The United Arab Republic representative had been mistaken in stating that the United Kingdom proposal ran counter to the Preparatory Committee's decision to restrict non-governmental organizations' chances to speak. In point of fact, the Committee had not taken a decision on the matter and had referred it to the General Assembly.

13. Regarding the Hungarian-Ukrainian amendments (A/C.3/L.1505), she suggested that the sponsors should give a list of the "other States whose international agreements relating to human rights are registered with the United Nations Secretariat" which they proposed should be invited to the Conference. In view of the importance which her delegation attached to economic and social rights, it could not oppose the first part of the amendment, which proposed the inclusion on the Conference agenda of "measures for realizing economic and social human rights". She wished to point out, however, that that question was already implicitly contained in the agenda. Moreover, if the Committee accepted the Hungarian-Ukrainian amendment, it would logically have to accept also any amendment which aimed at placing emphasis on other aspects of human rights to which particular delegations attached special importance. She appealed to all delegations to avoid making any change in the agenda. At Teheran each delegation would have an opportunity to stress those questions which were of particular concern to it.

14. The USSR amendments (A/C.3/L.1506/Rev.1) would insert a new preambular paragraph taking account of the conclusions and recommendations of the Zambia Seminar. However, the Preparatory Committee had already requested the Secretariat to make the report of the Seminar available to participants in the Teheran Conference. For her part, she considered that it would be unfair to make special mention of that one Seminar, when a number of other equally important meetings, such as the Helsinki Seminar on the effective realization of civil and political rights at the national level (ST/TAO/HR/29) and the Kingston Seminar on civic and political education of women (ST/TAO/HR/30), both held in early 1967, had also requested that their reports should be considered by the Teheran Conference. The second USSR amendment would include a mention of colonialism in the title

of agenda item 11 (a). If the Soviet proposal was adopted, sub-paragraph (a) would duplicate sub-paragraph (b) concerning the right of peoples to self-determination. However, that was not where the main difficulty lay. The Preparatory Committee had arrived at the present formula after long consultations. The Soviet amendment would have the major disadvantage of diverting attention from the problem of apartheid, with which item 11 (a) was more particularly concerned.

15. She saw no objection to giving the General Committee, instead of the President of the Conference, the power to authorize non-governmental organizations to circulate written statements. She pointed out that the draft resolution in its revised form (A/C.3/L.1501/Rev.1) laid down in operative paragraphs 8 and 9 (b) criteria similar to those proposed in the sixteen-Power amendments (A/C.3/L.1502); the latter, however, had the disadvantage of imposing an excessive burden on the Preparatory Committee. It was true that the draft resolution already imposed certain obligations on the Preparatory Committee, and it had been with regret and for lack of any other solution that the sponsors of the draft resolution had requested it to consider the applications of non-governmental organizations which did not have consultative status. Her delegation, which was a member of the Preparatory Committee, had proposed, early in the year, that the Preparatory Committee should meet periodically in order to carry out the mandate assigned to it by the General Assembly. That proposal had met with almost unanimous opposition, and the Committee had thus been unable to complete its work within the time-limit set. It was quite certain that the Preparatory Committee would not be able to meet again until the beginning of March, because of the very full schedule of conferences for the first two months of 1968. Moreover, the preparations for the Conference itself would entail considerable work for missions. In the circumstances, it did not seem possible to give the Preparatory Committee extra work. However, she requested the Director of the Division of Human Rights to indicate what would be the cost of the meetings to be held by the Preparatory Committee in the event that the sixteen-Power amendment was adopted. It was, in any case, unlikely that non-governmental organizations whose consultative status with the Economic and Social Council might be called in question would attend the Teheran Conference with the intention of marring the atmosphere.

16. She said that in order that there should be no doubt that the terms governing the participation of non-governmental organizations at the Teheran Conference did not constitute a precedent, the sponsors had decided to replace the words "invited to the Conference" by the words "invited to this Conference" in rule 62, proposed in operative paragraph 10 of the revised draft.

17. Mrs. HARMAN (Israel) said that she agreed with the representative of Jamaica on many points.

18. Many of the non-governmental organizations had been established long before a number of new States had become independent, and the activities of many of them concerned human rights as a whole, which were indivisible and universal. Furthermore, many of them

were currently seeking to broaden their membership and to establish branches in new countries. They were interested in growth, diversity and the widest representation of different viewpoints and different geographical areas.

19. Non-governmental organizations were of a voluntary character; they channelled currents of opinion and enabled individuals to give expression to their views by way of protest or by support of practical action. They had always been in the forefront of social and humanitarian movements. Whatever their political affiliation or the ethnic or religious group which they represented, they had the right to make themselves heard. She referred to the statement of the representative of Iraq, who would exclude organizations which were not amenable to her viewpoint. Her delegation did not wish anyone deprived of a hearing and hoped that broadmindedness and tolerance would prevail. For its part, it would be ready to accept the formula proposed in paragraphs 8 and 9 of draft resolution A/C.3/L.1501/Rev.1. It was glad that the sponsors of the draft resolution had recognized the importance of the contribution which could be made by the non-governmental organizations, and it approved of the criterion proposed in paragraph 9 (b) which would exclude organizations whose activities had no bearing on the items on the Conference agenda.

20. Her delegation could not support the Hungarian-Ukrainian amendments (A/C.3/L.1505) because the meaning of the proposed new paragraph was not clear. With regard to the USSR amendments (A/C.3/L.1506/Rev.1), she recognized the importance of the questions which they dealt with, but, like the New Zealand and Jamaican delegations, she considered that they were already included on the agenda in other subdivisions of item 11. She supported the United Kingdom amendments (A/C.3/L.1507), which defended freedom of speech, and suggested that, for practical reasons, a limit might be placed on the length of statements. A special committee might also be set up to hear representatives of non-governmental organizations, so as to facilitate the work of the Conference. It should be noted that in the past, the majority of non-governmental organizations had shown great discipline and willingness to co-operate and had not abused their right to speak.

21. Mr. KACHURENKO (Ukrainian Soviet Socialist Republic) said that he hoped, like the representative of the United Republic of Tanzania, that the Secretariat would make known the financial implications of the draft resolution (A/C.3/L.1501/Rev.1) by indicating in detail the financial implications of the participation of non-governmental organizations in general.

22. He thought that, in replying to the questions put to him, Mr. Schreiber had tried to prejudge the number of non-governmental organizations which could hope to attend the Conference and the decisions to be taken by the Preparatory Committee and the Committee on Non-Governmental Organizations. He considered that Mr. Schreiber's statements perhaps favoured those delegations which wanted all non-governmental organizations to attend the Conference.

23. It was paradoxical that a member of the Committee, who himself represented no one, should request

that non-governmental organizations should be represented at the Conference, when there were sovereign States which would not be represented there. The amendments which he had submitted jointly with the Hungarian delegation (A/C.3/L.1505) did not involve recognizing certain States but merely proposed inviting those whose international agreements relating to human rights were registered with the United Nations Secretariat. The United Kingdom delegation had apparently feared, at the previous meeting, that such a wording might allow the participation of the rebel régime in Southern Rhodesia; that was not the case, and the question of Southern Rhodesia would be considered by the Conference, which would condemn that régime of usurpers.

24. Article 55 of the Charter of the United Nations mentioned "universal" respect for human rights, but the proceedings of the Conference would not have a universal character if countries such as China, the German Democratic Republic, North Korea and North Viet-Nam were excluded. It was regrettable that delegations which wished thus to exclude nearly one third of the world's population wanted to authorize the participation of organizations representing only an insignificant number of persons.

25. Mr. FORSHELL (Sweden) said that he did not understand the charges which had been made against the Director of the Division of Human Rights by the representative of the Ukrainian Soviet Socialist Republic. It was obvious that in order to answer technical questions of the kind he had been asked, the Director had been compelled to rely on assumptions and, in so doing, had had to anticipate what decisions might be taken by the bodies concerned. If delegations condemned as tendentious those replies which were not in accordance with their wishes, it would be impossible to consult the Secretariat. The Ukrainian representative, following the representative of the United Republic of Tanzania, had asked Mr. Schreiber to indicate what would be the financial implications of the participation of non-governmental organizations in the conference; it was not possible to answer that question without making certain assumptions.

26. With reference to the remarks of the Legal Counsel at the previous meeting, concerning the "all States" formula, Sweden, as in the past, did not wish the Secretariat to be placed in the position of having to make a political decision.

27. In principle, Sweden was in favour of the participation of the non-governmental organizations in the Conference in view of the work which they had accomplished in the past and would likely accomplish in the future. He did not think it possible to draw distinctions among those which had consultative status with the Economic and Social Council.

28. At the previous meeting, the New Zealand delegation had asked the Secretariat when the selection of non-governmental organizations as provided in the amendments submitted by Hungary and the Ukrainian SSR (A/C.3/L.1505) and by the sixteen Powers (A/C.3/L.1502), would take place. Whatever method was used, it was obvious that the co-operation of the Non-Governmental Organizations Section of the Secretariat would be necessary. Such selection would, however,

take place at virtually the same time as the Committee on Non-Governmental Organizations would be considering the question of consultative status. Moreover, a large number of meetings were scheduled for that period at United Nations Headquarters, and it was possible that the work of the Preparatory Committee, if it should be entrusted with the task of selection, and that of the Committee on Non-Governmental Organizations would coincide. Not only might that cause difficulties with regard to the availability of meeting rooms, interpretation services and so on, but seven delegations were members of the two committees and what was more important, they were generally represented on them by the same person. Under those conditions, the work of the Committee on Non-Governmental Organizations might be delayed and the study which that Committee had undertaken might not be completed in time for the spring session of the Economic and Social Council.

29. Lady GAITSKELL (United Kingdom) said she agreed with the Swedish representative that the charges of partiality made against the Director of the Division of Human Rights were groundless. It was her view that the Director had always taken the greatest care to remain perfectly objective.

30. Mr. FOUM (United Republic of Tanzania) recalled that at the previous meeting, he had requested the officers of the Committee and the Secretariat to supply the Committee with a list of all the States that were signatories to international agreements concerning human rights which had been registered with the Secretariat, in order to facilitate consideration of the amendments submitted by Hungary and the Ukrainian SSR (A/C.3/L.1505). He would like that list to be communicated to the Committee by the following meeting. He deplored the fact that the full text of the statements by the United Nations High Commission for Refugees had not yet been circulated.

31. Mr. SCHREIBER (Secretariat) replied to the question of the Jamaican representative concerning the financial implications which would arise if the Preparatory Committee undertook the task of examining the requests of those non-governmental organizations not having consultative status that wished to participate in the Conference. He said that the calendar of conferences for 1968 allowed the Preparatory Committee to meet from time to time and that it was for that Committee itself to establish its own methods of work. It was therefore difficult to give an exact figure for the expenses which would result. It was likely, however, that expenses would be incurred for the translation of documents, and in particular requests made by non-governmental organizations, and that there would be additional work for the Non-Governmental Organizations Section. He had consulted the appropriate department and would report to the Third Committee as soon as feasible.

32. The Ukrainian representative had asked what financial implications would result from the presence of non-governmental organizations at the Conference under the conditions set forth in the draft resolution. Since the United Nations was not responsible for the cost of travel or accommodation for representatives of non-governmental organizations, the only expenses,

if the proposed rule 62 should be adopted, would be those entailed by the Secretariat's circulation of written statements. The non-governmental organizations could be requested to supply their statements in a sufficient number of copies in the language of their choice among those used by the Conference, and the Secretariat would merely be responsible for their distribution to delegations. The Secretariat could ensure translation only within the limits of the Conference's budget, which would presently be considered by the Fifth Committee. The Secretary-General expected that a total of forty pages a day would be translated, exclusive of meeting records. It might perhaps be appropriate for the Conference to adopt the method used by the Economic and Social Council, namely, to limit the length of written statements presented by non-governmental organizations.

33. He pointed out for the benefit of the Ukrainian representative that he had limited himself to answering the questions put to him at previous meetings by several representatives, and he did not think that he had given tendentious replies. He had said that the Secretary-General thought that it was for the General Assembly to invite to the Conference whomever it wished. In reply to precise questions, he had given general estimates based on precedents and had indicated several times that they were nothing more than conjecture. He had said, and wished to repeat, that it was for the Preparatory Committee to adopt whatever methods it wished and that the Secretariat would assist that Committee in its task as far as its means would allow.

*The meeting rose at 1.20 p.m.*