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Chairman: Mrs. Lina P. TSALDARIS (Greece).

AGENDA ITEM 34

**Advisory services in the field of human rights: report
of the Economic and Social Council (A/3918, A/3848,
chap. VII, sect. X, A/C.3/L.672) (concluded)**

1. Mr. ROSSIDES (Greece) said he would like to begin by paying a special tribute to the memory of His Holiness Pope Pius XII, who throughout his period of office had consistently served the cause of peace and freedom and defended the rights of the human person.

2. The report on advisory services in the field of human rights submitted to the Economic and Social Council by the Secretary-General ^{1/} was an extremely valuable document. It analysed the results of the 1957 seminar on the civic responsibilities and increased participation of Asian Women in public life and of the seminar on the protection of human rights in criminal law and procedure, which had been held at Baguio City, Philippines, in 1958. At the latter seminar, a series of topics had been discussed (such as the rights and safeguards protecting the individual against arbitrary or illegal arrest and detention), which were of crucial importance to human rights.

3. His delegation would vote in favour of the draft resolution before the Committee (A/C.3/L.672). It was in favour of the programme of seminars for 1959. ^{1/} In the future, however, it would like to see the programme of advisory services broadened to include the question of the eradication of discrimination, in accordance with General Assembly resolution 730 (VIII).

4. Mr. SUDJAHRI (Indonesia) said that his country attached great importance to any assistance offered without political conditions and, accordingly to a programme such as that of the advisory services. In the organs in which it was represented, Indonesia had voted for all the resolutions relating to those services, and in particular for Economic and Social Council resolution 684 (XXVI).

^{1/} Official Records of the Economic and Social Council, Twenty-sixth Session, Annexes, agenda item 12, document E/3075 and Add.1.

5. In view of the fact that there had so far been few requests for scholarships and fellowships or for the advisory services of experts, it was natural that the programme should concentrate on seminars. Indonesia had been represented in the expert working group, which had drawn up recommendations for the programme of the seminar held at Bangkok in 1957, and it had also taken an active part in the work of that seminar. Such meetings provided an opportunity for the sharing of ideas and experience and could help to rouse public opinion and thus to stimulate action by Governments and non-governmental organizations to ensure respect for human rights. In that way, seminars prepared the way for specific measures.

6. Indonesia would be glad to support the draft resolution before the Committee.

7. Mr. YAPOU (Israel) expressed his sorrow at the passing of His Holiness Pope Pius XII, who had resolutely defended the victims of oppression against a tyranny as evil as any the world had known.

8. Year by year, the advisory services in the field of human rights were acquiring increased importance, which should not be underestimated. They should, however, not be regarded as a substitute for the International Covenants on Human Rights, which, when approved, would have the force of law for the nations and would be applicable to their mutual relations.

9. It was not enough to organize seminars; what mattered was the extent to which their participants would influence the action of the public authorities and various organizations. Perhaps the teaching of the principles of the Universal Declaration of Human Rights might be linked with the advisory services by, say, arranging for persons responsible for such teaching to take part in future seminars. The principles of the Declaration would thus be brought within reach of the masses, and the Covenants, when adopted, would not remain a dead letter.

10. Mrs. DE VASCONCELLOS (Brazil) said that, as the representative of a predominantly Catholic country, she wished to pay a tribute to the memory of His Holiness Pope Pius XII.

11. With regard to the draft resolution before the Committee, she said that her delegation regarded it as extremely important and would vote for it.

12. Miss MacENTEE (Ireland) said that she shared the deep sorrow felt throughout the world at the passing of His Holiness Pope Pius XII. The memory of his long life devoted to the cause of justice and charity would, however, be a perpetual source of inspiration to mankind.

13. With regard to the United Kingdom representative's observations at the preceding meeting, she thought that the allocation of responsibilities between the Fifth and Third Committees in no way precluded

the latter from making specific proposals in matters within its terms of reference. It would be for the Fifth Committee to find means of carrying those proposals into effect. Her delegation would vote in favour of the draft resolution.

14. Mr. AVRAMOV (Bulgaria) proposed that the following paragraph should be inserted in the operative part of the draft resolution:

"**Recommends** that the Economic and Social Council organize in the future, in addition to regional seminars, a general seminar on more diversified subjects of universal interest."

That text met some of the objections raised with regard to the draft resolution and was entirely in the spirit of Council resolution 684 (XXVI). He hoped that the draft resolution, thus amended, would be adopted unanimously. Should its amendment be rejected, his delegation would regretfully be compelled to abstain in the vote.

15. Mr. WALKER (Pakistan) noted that the seminar method had proved particularly effective in the field of the advisory services, as indicated by the success of two such meetings recently held in Asia. However, scholarships and fellowships were also very useful and should be given greater publicity than in the past.

16. With regard to the draft resolution, his delegation also doubted whether the Third Committee could take a final decision on the 1959 programme without consulting the Fifth Committee.

17. The General Assembly should not be faced with a fait accompli. He was therefore in favour of inserting the words "if possible" in operative paragraph 2, as suggested by Denmark at the preceding meeting. He reserved his delegation's position in the Fifth Committee, should that amendment not be adopted.

18. Miss IMRU (Ethiopia) said that she was prepared to support the draft resolution but would have to abstain if operative paragraph 2 was left in its existing form. She would be able to vote for it if the words "if possible" were inserted.

19. Mr. YEOH (Federation of Malaya) observed that the draft resolution as it stood imposed on the Fifth Committee the difficult task of finding the necessary funds for the execution of the 1959 programme. Unless it was amended, he would have to abstain.

20. Mr. ASIROGLU (Turkey) expressed his sympathy to the Catholic members of the Committee on the loss of their spiritual leader.

21. He had read with interest the section of the Council's report (A/3848) concerning advisory services and was happy to note the encouraging results achieved. In view of the lack of interest shown in scholarships and fellowships, it seemed wise to concentrate on the organization of seminars. The value of those planned for 1959 seemed beyond doubt. His delegation would support the draft resolution before the Committee.

22. Mrs. LORD (United States of America) said that she had listened attentively to the observations made during the discussion. Several representatives had stressed the need for "international" seminars. It should be borne in mind, however, that the programme of advisory services was still in its infancy and that the responsible departments unquestionably preferred

to organize seminars on a regional basis. The question of the necessary funds should present no difficulty. For the time being, the main consideration was the organization of three particular seminars; it would be unwise to think, in terms of a more ambitious programme in the immediate future.

23. Mrs. MURAVYEVA (Union of Soviet Socialist Republics) said she had been gratified by the efforts made to reach a unanimous decision. All representatives who had spoken had acknowledged the importance of advisory services and indicated what they considered appropriate measures to improve their quality. The Soviet delegation considered that the scope of those services should be broadened by organizing truly international seminars covering a wider range of problems. She accordingly supported the amendment proposed by Bulgaria. She trusted that all other delegations would do the same and that the resolution on that important question would be adopted unanimously.

24. In a spirit of compromise, Mrs. LORD (United States of America) made a proposal, which she hoped the Bulgarian representative might be able to accept and which might then lead to a unanimous decision: namely, the addition to the operative part of a new paragraph reading as follows:

"3. Endorses resolution 684 (XXVI) of the Economic and Social Council requesting the Secretary-General to keep in mind the possibility of organizing in the future an international seminar on a subject of universal interest."

25. Miss BERNARDINO (Dominican Republic) expressed the earnest hope that the Bulgarian and USSR representatives would accept the United States proposal. She personally had had an opportunity in the Commission on the Status of Women to express her support for certain types of seminars, and she stressed the advantages of international seminars at which specific problems could be thoroughly studied. The draft resolution, however, was concerned with regional seminars because the smaller number of participants facilitated the examination of particular topics and made it possible for concrete results to be achieved.

26. Some representatives held that the Third Committee was not competent to address financial requests to the Fifth Committee. That was not the case: the Third Committee, like all other Committees of the General Assembly, was entitled to issue directives on matters within its special competence. She would not vote for the Danish amendment, which would weaken the text of paragraph 2. The Secretary-General had already prepared plans for the three proposed seminars. The draft resolution should therefore be kept in its original form in order to assist in protecting human rights and the rights of women.

27. Mr. AVRAMOV (Bulgaria) said that his delegation was in no way opposed to the organization of regional seminars but, on the contrary, considered them extremely useful; it was merely proposing that, in addition to the three seminars planned, international seminars should receive consideration.

28. Miss FUJITA (Japan) was also in favour of international seminars. It was, however, preferable to keep to regional seminars at the beginning. She supported the United States proposal without reservation.

29. Mr. ELMANDJRA (Morocco), reverting to a suggestion he had made at the preceding meeting, formally proposed that the following phrase should be added at the end of paragraph 2 of the draft resolution: "keeping in mind Economic and Social Council resolution 684 (XXVI) requesting the Secretary-General to keep in mind the possibility of organizing in the future an international seminar on a subject of universal interest".

30. Mr. BAROODY (Saudi Arabia) spoke a few words in memory of His Holiness Pope Pius XII and offered his condolences to all Christians who had lost their spiritual leader.

31. He welcomed the spirit of co-operation shown by the members of the Committee and noted that the positions of the United States and Bulgaria were very close. A compromise solution might be to modify the Bulgarian amendment as follows:

"Recommends that the Economic and Social Council keep in mind the possibility of organizing in the future, in addition to regional seminars, an international seminar on more diversified subjects of universal interest."

32. Mr. MEZINCESCU (Romania) noted that there was not much divergence between the various texts, which gave the impression that agreement would soon be reached, and thought it might be better to suspend the meeting to allow the sponsors of the draft resolution and of the various amendments to prepare a single text.

33. Mrs. LORD (United States of America) was prepared to accept the solution suggested by the Moroccan representative.

34. Mr. BAROODY (Saudi Arabia) pointed out that Economic and Social Council resolution 684 (XXVI) spoke of a single subject of universal interest whereas the Bulgarian text mentioned several. Accordingly the Bulgarian proposal was much wider.

35. Mr. ROSSIDES (Greece) suggested that the sponsors of the draft resolution might consider the following wording: "Keeping in mind the spirit of Economic and Social Council resolution 684 (XXVI), recommends that the Economic and Social Council should keep in mind the possibility of organizing in the future an international seminar on subjects of universal interest."

36. Mrs. KHADDURI (Iraq) welcomed the spirit which had led to the draft resolution. She would be in favour of a text based on both the Danish and the Bulgarian amendments.

37. Mr. TELSON (Haiti) urged all representatives not to destroy the excellent atmosphere which had prevailed in the Committee since the opening of the debate on the draft resolution and consequently to accept, as did his delegation, the Moroccan amendment.

38. Mrs. LORD (United States of America) recalled that Council resolution 684 (XXVI) had been initiated in the Commission on Human Rights, where it had been unanimously adopted after a most constructive debate. The organizing of seminars was a matter not for the Economic and Social Council but for the Secretary-General, who determined the programme

for the seminars. Past experience had shown that the most useful seminars were those which dealt with a specific subject. Consequently, she could not accept the Bulgarian amendment.

39. Miss BERNARDINO (Dominican Republic) thought that if all the sponsors of the draft resolution would accept the Moroccan amendment it might be incorporated in the original text.

40. Mrs. DE LOPEZ (Colombia) accepted the Moroccan amendment but not the Danish amendment, which would weaken the original draft.

41. Miss MAÑAS (Cuba) expressed her country's grief at learning of the death of His Holiness Pope Pius XII.

42. Her delegation could not accept the Danish amendment for the two words proposed would make the text ambiguous. Seminars had only recently been instituted and were still in the experimental stage; they had nevertheless yielded excellent results. It was important therefore to insist that there should be three seminars in 1959 and she hoped that all the members of the Committee who were in favour of the draft resolution would do everything within their power to ensure that the Fifth Committee should approve the necessary credits. Her delegation had never objected to international seminars but it thought that seminars of the kind proposed would be premature at that juncture. Nevertheless she accepted the Moroccan amendment.

43. Miss FUJITA (Japan) accepted the Moroccan amendment but pointed out that it might be advisable to refrain from repeating the phrase "keep in mind". The Danish amendment would weaken the original text.

44. Mr. AVRAMOV (Bulgaria) said that he would not press his amendment to a vote. He was ready to support the Moroccan amendment although he emphasized that the two texts did not have exactly the same meaning. The Bulgarian amendment applied not only to 1959 but to subsequent years in which several international seminars on various questions might be held. His delegation would therefore be grateful if the Moroccan delegation would agree to replace the words "a subject" by the word "subjects" in its text.

45. Mr. ELMANDJRA (Morocco) said that he would be happy to agree to the Bulgarian representative's request but, as the text of his amendment was taken from the Economic and Social Council resolution, he did not feel that he could change it.

46. Mr. BAROODY (Saudi Arabia) agreed that when the Committee explicitly referred to an earlier resolution it could not change the wording. In order to avoid the repetition to which the Japanese representative had drawn attention the expression "keeping in mind" might be replaced by the phrase "taking note of". The new phrase to be added as proposed would therefore begin with the words: "taking note of.."

47. The CHAIRMAN said that the draft resolution (A/C.3/L.672) now included the phrase proposed by the representative of Morocco in the slightly amended form suggested by the representative of Saudi Arabia.

48. She put to the vote the oral amendment proposed by the representative of Denmark.

The amendment was adopted by 30 votes to 27, with 12 abstentions.

The draft resolution, as amended, was adopted by 65 votes to none, with 4 abstentions.

49. Mr. BAROODY (Saudi Arabia) said that to avoid ambiguity, the words "if possible" should be inserted after the word "that". It should be made clear that they applied to the date and not to the number of seminars.

50. Mr. VAKIL (Secretary of the Committee) said that it was the usual practice of the Secretariat to make any drafting changes in adopted texts that were necessary to render the meaning clear.

51. Miss BERNARDINO (Dominican Republic) said that she feared the work done by the Third Committee might have been in vain if the Fifth Committee did not approve the appropriations necessary to give effect to the draft resolution that had just been adopted.

52. Mr. YAPOU (Israel) asked if any arrangements had been made to prevent the Fifth Committee and the Third Committee from reaching conflicting decisions. It would be regrettable if the Third Committee had spent two meetings on a text which would not be put into effect.

AGENDA ITEM 32

Draft International Covenants on Human Rights (E/2573, annexes I, II and III, A/2907 and Add.1-2, A/2910 and Add.1-6, A/2929, A/3077, A/3525, A/3764 and Add.1, A/3824)

ORGANIZATION OF WORK

53. The CHAIRMAN said that the Third Committee had begun its examination of the draft International Covenants on Human Rights at its ninth session. The Committee had already adopted the preamble and article 1, which were common to the two draft Covenants, together with all the substantive articles

of the draft Covenant on Economic, Social and Cultural Rights. The Committee had completed its examination of article 6 of the draft Covenant on Civil and Political Rights at the twelfth session of the General Assembly, and had now to consider article 7.

54. The General Assembly and the Economic and Social Council had been impressing upon the Committee for the past two years the need to accelerate its examination of those instruments, and the Council, in resolution 651 B (XXIV), had expressed the desire that the Covenants should be ready by 10 December 1958, for the observance of the tenth anniversary of the adoption of the Universal Declaration of Human Rights. She feared that that would not be possible, but she hoped that the members of the Committee would make every effort to proceed more rapidly with their work so that the Covenants could be adopted as quickly as possible.

55. Mr. ROSSIDES (Greece) proposed that each delegation should be allowed a period of ten minutes for its initial statement and a period of three minutes for each subsequent statement.

56. Mrs. LORD (United States of America) supported that proposal.

57. Mr. YAPOU (Israel), invoking rule 119 of the rules of procedure, proposed the adjournment of the meeting.

58. Miss FAROUK (Tunisia) supported the proposals of the representatives of Israel and Greece.

59. The CHAIRMAN put to vote the motion for adjournment by the representative of Israel.

The motion for adjournment was adopted by 37 votes to 3, with 25 abstentions.

The meeting rose at 5.20 p.m.