

72. Mr. HAMID (Sudan) recalled that his delegation had voted in favour of the draft resolution in the Economic Committee. He agreed with the representative of Brazil, however, that it was regrettable that it did not provide for preferential treatment for the least

developed countries and the land-locked developing countries. He hoped that that deficiency would be remedied when the resolution came before the General Assembly.

*The meeting rose at 1.15 p.m.*

## 1858th meeting

Friday, 18 May 1973, at 3.20 p.m.

President: Mr. Sergio A. FRAZÃO (Brazil).

E/SR.1858

### AGENDA ITEM 8

#### **The impact of multinational corporations on the development process and on international relations (E/5334 and Corr.1, E/5351)**

##### REPORT OF THE ECONOMIC COMMITTEE (E/5351)

1. Mr. STAVROPOULOS (Legal Counsel) said that the titles listed for Mr. L. K. Jha in paragraph 8 of the progress report of the Secretary-General (E/5334 and Corr.1) included the title "Governor of Jammu and Kashmir". During the discussion of item 8 at the 632nd meeting of the Economic Committee, the representative of Pakistan had requested that a foot-note be added to the effect that the legal status of Jammu and Kashmir remained to be determined. Following a discussion in the course of which the representative of India had stated that Jammu and Kashmir was an integral part of India and that he would object to the addition of any foot-note, it had been decided, at the request of Pakistan, to refer the matter to the Office of Legal Affairs.

2. The Office of Legal Affairs considered that the Secretariat could include in its maps and publications explanatory foot-notes of the nature indicated when it had itself compiled the information concerned and was responsible for it. The Secretariat would not, however, consider it appropriate to alter, add to or delete information supplied to it in a *curriculum vitae* by the party concerned. That did not imply any position on the part of the Secretariat with respect to the information supplied in the *curriculum vitae*.

3. Mr. AKRAM (Pakistan) pointed out that his delegation's purpose in raising the question had been to ensure that the information contained in the report did not reflect the position of the Secretary-General with respect to Jammu and Kashmir, and it was happy to note that the Legal Counsel had confirmed that that was the case.

4. As the Legal Counsel had said, the Secretariat did include a foot-note in maps and publications it prepared, stating that the legal status of Jammu and Kashmir remained to be determined in accordance with the relevant resolutions of the Security Council on the question of Kashmir. That was what had been done, for example, in the *Demographic Yearbook* and the *Statistical Yearbook*, which showed that that was the position of the Secretary-General and the United Nations Secretariat with respect to the legal status of Jammu and Kashmir.

5. The Secretary-General should ensure that in all documents prepared by the Secretariat or for which it was responsible, wherever a reference was made to Jammu and Kashmir, that position was clearly and categorically reflected.

6. Mr. JAIN (India) said that his delegation had followed the statement of the Legal Counsel with interest, since it confirmed its view regarding the inadmissibility of including the foot-note suggested by the representative of Pakistan. He repeated that Jammu and Kashmir was an integral part of India and drew attention to the very clear-cut and precise formulation of the Legal Counsel's statement. That statement had referred to the general practice followed by the Secretariat and not to the kind of foot-note suggested by the representative of Pakistan, who had attempted to mislead and confuse the Council by giving his own interpretation of the Legal Counsel's statement as having been specifically addressed to the question of Jammu and Kashmir. Actually, the statement showed that in many cases, the practice followed by the Secretariat was not to include such foot-notes.

7. Mr. WANG Tzu-chuan (China) said that, in the view of his delegation, the position of Pakistan was correct and reasonable. The United Nations Secretariat should carefully carry out the resolutions of the Security Council with a view to avoiding confusion.

8. The PRESIDENT drew attention to paragraph 5 of the report of the Economic Committee (E/5351), which contained a draft decision recommended for adoption by the Council.

9. Mr. SANTA CRUZ (Chile) said that a question as important as that of the impact of multinational corporations on the development process and on international relations ought to have been discussed in depth in the plenary meetings of the General Assembly, because the Council was still not sufficiently representative, many countries not yet having ratified the relevant amendment to the Charter.

10. In view of the profound effect of the problem on the national life of Chile and its international relations, he was tempted to reiterate his views on the subject, but he would refrain from doing so to avoid the difficulties of reopening the debate, provided other delegations did likewise.

11. Reviewing the draft decision on which the Council was requested to act, he said that a foot-note might be added referring to the summary records of the Economic Committee that contained the observations men-

tioned in the text, either in the draft decision itself or in the Council's report to the General Assembly.

12. The PRESIDENT suggested the addition after the last word of the text of a foot-note indicator, the corresponding foot-note to read: "See documents E/AC.6/SR.630 and 632".

13. He recalled that the Committee had adopted the draft decision without objection. If the Council agreed, he would take it that it also wished to adopt the draft decision as amended, without objection.

*The draft decision, as amended, was adopted without objection.*

## AGENDA ITEM 11

### Report of the Statistical Commission

#### REPORT OF THE ECONOMIC COMMITTEE (E/5348 and Corr.1)

14. The PRESIDENT drew the Council's attention to the report of the Economic Committee on agenda item 11 (E/5348 and Corr.1). Paragraph 4 of the report contained a draft decision recommended for adoption by the Council.

15. He recalled that the Committee had adopted the draft decision without objection. If the Council agreed, he would take it that it wished to do the same.

*The draft decision was adopted without objection.*

## AGENDA ITEM 12

### Population:

- (a) United Nations Fund for Population Activities;
- (b) Report of the Population Commission

#### REPORT OF THE ECONOMIC COMMITTEE (E/5347)

16. The PRESIDENT drew the Council's attention to the Economic Committee's report on item 12 (E/5347) and noted that paragraph 17 contained a draft resolution and a draft decision recommended for adoption by the Council.

17. He pointed out that the draft resolution had been adopted by a majority in the Committee.

18. Mr. SINGH (Malaysia) said that in the English text of the draft resolution a semi-colon should be placed after the word "problems" in paragraph 1(b).

19. Mr. MAKEEV (Union of Soviet Socialist Republics) requested a separate vote on subparagraph 1(d).

*Subparagraph 1(d) was retained by 17 votes to 5, with 5 abstentions.*

*At the request of the representative of Malaysia, a recorded vote was taken on the draft resolution as a whole.*

*In favour:* Algeria, Bolivia, Burundi, Chile, China, Finland, France, Haiti, Japan, Lebanon, Madagascar, Malaysia, Mali, Netherlands, New Zealand, Niger, Spain, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

*Against:* None.

*Abstaining:* Brazil, Hungary, Mongolia, Poland, Union of Soviet Socialist Republics.

*The draft resolution was adopted by 22 votes to none, with 5 abstentions.<sup>1</sup>*

20. Mr. ROVIRA (Spain) explained that he had cast his vote in favour of the draft resolution for the reasons he had given in the Economic Committee, where he had also voted in its favour. While he thanked the sponsors for having accepted part of the amendment he had submitted in the Economic Committee, he felt that the full text proposed by his delegation, or the Brazilian amendments, for which it had voted in that Committee, would have been a considerable improvement on the original text.

21. The Spanish delegation had voted for the draft resolution out of a desire to align itself with the majority and out of respect for the views of certain developing countries particularly affected by the problem.

22. The PRESIDENT said that the draft decision contained in the Economic Committee's report had been adopted by the Committee without objection. If the Council agreed, he would take it that it wished to do the same.

*The draft decision was adopted without objection.*

## AGENDA ITEM 6

### Fiscal and financial matters:

- (a) Promotion of private foreign investment in developing countries;
- (b) Transfer of operative technology at the enterprise level;
- (c) Tax treaties between developed and developing countries

#### REPORT OF THE ECONOMIC COMMITTEE (E/5349)

23. The PRESIDENT drew the Council's attention to the report of the Economic Committee on item 6 (E/5349), paragraph 13 of which contained two draft resolutions and a draft decision recommended by the Committee for adoption by the Council.

24. He said that draft resolution I had been adopted without objection by the Committee and that if the Council agreed, he would take it that it wished to do the same.

*Draft resolution I was adopted without objection.<sup>2</sup>*

25. The PRESIDENT said that the Committee had also adopted draft resolution II without objection and that if the Council agreed, he would take it that it wished to do the same.

*Draft resolution II was adopted without objection.<sup>3</sup>*

26. The PRESIDENT said that the draft decision contained in the report of the Economic Committee had been adopted without objection by the Committee and that if the Council so agreed, he would take it that it wished to do the same.

*The draft decision was adopted without objection.*

27. Mr. MAKEEV (Union of Soviet Socialist Republics) said that he did not object to the adoption of draft resolution I, on the understanding that his delegation maintained the reservations and observations it had expressed on the item in the Economic Committee, since it did not share the prevailing view regarding the relationship between private investments and develop-

<sup>1</sup> Council resolution 1763 (LIV).

<sup>2</sup> Council resolution 1764 (LIV).

<sup>3</sup> Council resolution 1765 (LIV).

ment. If a vote had been taken on the draft, his delegation would have abstained.

28. Had a vote been taken on draft resolution II, the Soviet Union would not have supported paragraph 2.

## AGENDA ITEM 28

### Implementation of Security Council resolution 329 (1973) concerning the question of economic assistance to Zambia

#### REPORT OF THE ECONOMIC COMMITTEE (E/5350)

29. The PRESIDENT drew attention to the report of the Economic Committee on item 28 (E/5350), paragraph 7 of which contained a draft resolution recommended by the Committee for adoption by the Council. If there were no objections, he would take it that the Council wished to adopt the draft resolution by consensus.

*The draft resolution was adopted by consensus.<sup>4</sup>*

30. The PRESIDENT said that Australia had announced on 7 May that it would provide the sum of \$150,000 to help Zambia establish a new route for imports and exports; the details would be agreed upon by the two Governments.

## AGENDA ITEM 19

### Report of the Working Group on Rationalization

#### REPORT OF THE CO-ORDINATION COMMITTEE (E/5352)

31. The PRESIDENT drew attention to the report of the Co-ordination Committee on item 19 (E/5352), paragraph 25 of which contained five draft resolutions recommended for adoption by the Council. Paragraph 26 of the report contained three draft decisions whose adoption was also recommended.

32. He noted that paragraph 5 of the report indicated that the Committee had adopted draft resolution I unanimously and if he heard no objections, he would take it that the Council wished to do likewise.

*Draft resolution I was adopted unanimously.<sup>5</sup>*

33. Mr. OGISO (Japan) announced that the Japanese Lower House had approved the ratification of the amendment to the Charter on 10 May and that the amendment was now before the Upper House. Japan believed that it would be in a position to announce ratification in mid-June.

34. The PRESIDENT, referring to the ratifications of the amendment to the Charter contained in General Assembly resolution 2847 (XXVI), said that among the Latin American countries, Barbados, Brazil, the Dominican Republic, Guatemala and Trinidad and Tobago had already ratified it. Among the permanent members of the Security Council, China and the Soviet Union had done so. The United Kingdom and France were in the process of ratifying the amendment.

35. He expressed the hope that the amendment would be in force by the twenty-eighth session of the General Assembly.

36. Mr. KITCHEN (United States of America) said that the United States was also in the process of ratifying the amendment.

37. Mrs. DERRÉ (France) confirmed the President's statement and announced officially that the French Parliament had taken favourable action on the amendment. The French Government would complete the remaining formalities before the fifty-fifth session of the Economic and Social Council.

38. Mr. MACKENZIE (United Kingdom) also confirmed what the President had stated and said that the ratification process would be completed by mid-summer.

39. The PRESIDENT said that paragraph 15 of the report of the Co-ordination Committee (E/5352) indicated that the Committee had adopted draft resolution II by consensus. If there were no objections he would take it that the Council wished to adopt the draft resolution without objection.

*Draft resolution II was adopted without objection.<sup>6</sup>*

40. Mr. FACK (Netherlands) expressed his deep satisfaction that draft resolution II had been adopted without objection. Although it could not solve once and for all the problems that had affected the Council in recent years, by reaffirming the political commitment of all Member States to world-wide economic co-operation through the Council and by focusing its work on the implementation of the International Development Strategy, the resolution, together with the enlargement of the Council, represented a major step towards the revitalization of the Council.

41. The Netherlands was particularly gratified that the resolution had been sponsored by a solid group of developed and developing countries and that all delegations had demonstrated a constructive spirit of compromise. That showed that, given the political will, major decisions could be arrived at without confrontation and division.

42. Mr. SANTA CRUZ (Chile) endorsed the remarks of the representative of the Netherlands. Just as political will and collaboration between developing and developed countries had been demonstrated in the case of draft resolution II, its objectives—which sought to restore the Council's authority to direct international co-operation—would not be fully effective unless there was the same political will to ensure the implementation of the resolution's recommendations that the world's major economic and social problems should be brought before the Council and unless countries saw to it that they were represented at the highest possible level in the Council's deliberations. Furthermore, as a complement to its provisions, regional services should be restructured.

43. Mr. DUMAS (France) said that if the Council was to function more effectively, it would have to rationalize its procedures. However, the adoption of the draft resolution without objection was a positive step. The spirit of compromise shown by the sponsors had made that possible, and he was particularly gratified that his delegation's amendments had been well received.

44. Mr. MEDEIROS (Brazil) expressed the hope that the resolution signalled the start of a new phase in the Council's work. It was a declaration of intent of a diplomatic and political nature, which was designed to reorient the work of the Council.

<sup>4</sup> Council resolution 1766 (LIV).

<sup>5</sup> Council resolution 1767 (LIV).

<sup>6</sup> Council resolution 1768 (LIV).

45. The PRESIDENT invited the Council to vote on draft resolution III, which had been adopted by a majority in the Co-ordination Committee.

*Draft resolution III was adopted by 23 votes to 4.<sup>7</sup>*

46. The PRESIDENT said that the Co-ordination Committee had adopted draft resolution IV without objection; if the Council agreed, he would take it that it wished to do likewise.

*Draft resolution IV was adopted without objection.<sup>8</sup>*

47. The PRESIDENT said that draft resolution V had also been adopted without objection by the Co-ordination Committee and that if the Council agreed, he would take it that it wished to do likewise.

*Draft resolution V was adopted without objection.<sup>9</sup>*

48. The PRESIDENT drew the Council's attention to paragraph 26 of the report of the Co-ordination Committee on item 19 (E/5352), which contained three draft decisions recommended for adoption by the Council.

49. He asked the Council to consider draft decision I, which had been adopted by a majority in the Co-ordination Committee.

50. Mr. MEDEIROS (Brazil) explained that when the Co-ordination Committee had voted on the draft decision, his delegation had abstained because, although it agreed with the spirit of the proposal, it had found it somewhat exaggerated that the principal organs should not be able to establish *ad hoc* bodies for specific tasks. Thus, the delegations of Brazil and Canada had submitted a draft amendment deleting the words "either" and "or *ad hoc*". The draft amendment had been rejected in the Co-ordination Committee by a narrow margin. His delegation formally proposed that another vote be taken on the draft amendment.

51. Mr. HEMANS (United Kingdom) said that his delegation, as a sponsor of the draft decision, would like the text to remain as it stood. In the first place, for the purposes of rationalization, the Council itself must retain control over the establishment of new subsidiary organs. Furthermore, since the Council met four times in a year there would be no substantial delay caused by waiting for the Council's approval. Lastly, it would be harmful to make exceptions regarding *ad hoc* subsidiary bodies between sessions of the Council, in view of the well-known tendency towards proliferation of *ad hoc* bodies.

52. The PRESIDENT called for a vote on the retention of the words "either" and "or *ad hoc*" in draft decision I.

*The words "either" and "or *ad hoc*" were retained by 18 votes to 5, with 4 abstentions.*

53. The PRESIDENT called for a vote on draft decision I as a whole.

*Draft decision I was adopted by 25 votes to none, with 2 abstentions.*

54. The PRESIDENT called upon the Council to vote on draft decision II, which had been adopted by a majority in the Co-ordination Committee.

*Draft decision II was adopted by 22 votes to none, with 5 abstentions.*

55. The PRESIDENT called upon the Council to vote on draft decision III, which had been adopted by a majority in the Co-ordination Committee.

*Draft decision III was adopted by 13 votes to 5, with 9 abstentions.*

56. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation had voted for draft resolution II despite the fact that it still had reservations regarding certain paragraphs, which it had explained in the Co-ordination Committee. His delegation had voted against draft resolution III for the reasons already given in the Co-ordination Committee. He had no objection to draft resolution V, but maintained the reservations already expressed in the Co-ordination Committee.

57. Mr. MACKENZIE (United Kingdom) said that he wished to make four time-saving suggestions with a view to accelerating the Council's work. First, when subjects of a ceremonial nature came before the Council, it would be sufficient for one spokesman from each group of countries to speak for all of them, as for example the Nordic countries did. He recalled that many delegations had expressed their sympathy with regard to the Tunisian floods and the Yemeni air disaster.

58. Secondly, he drew attention to the matter of draft resolutions sponsored by many delegations: generally speaking, almost all the sponsors spoke on the draft resolution when, except on rare occasions, it would be enough for a single sponsor to speak for all of them. In that context, there was an additional complication in that many delegations, so it was alleged, made statements so that they would be reported by the press in their respective countries. However, there was a simple solution to hand, namely that delegations in that position could circulate written texts of the statements that they would have made to other delegations and the press. Such a device was common in national parliaments in many countries.

59. Thirdly, he referred to the comment made at the 1855th meeting by the representative of Spain concerning the possibility of fixing a time-limit for statements by delegations. Rule 51 of the rules of procedure of the Economic and Social Council authorized the Council to limit the time allowed to each speaker. He did not wish to suggest that an arbitrary time-limit be imposed on all statements, but it would be useful to bear in mind that both the Council and its subsidiary organs could take *ad hoc* decisions on the matter when their work was behind schedule and abide by the provisions of rule 51 of the rules of procedure more frequently.

60. Lastly, it was becoming an increasingly common practice for delegations to explain their vote and state their reservations both in the Committees and in the plenary meetings of the Council. It would be sufficient for such explanations and reservations to be expressed on one occasion only and, subsequently, delegations which wished to do so could confine themselves to referring to their previous statement.

61. Mr. ROVIRA (Spain) endorsed the statement of the representative of the United Kingdom.

62. Mr. SANTA CRUZ (Chile) said that he would study carefully the United Kingdom proposals for the Council's next session. For the time being, he did not feel that it was possible to apply fixed rules to the debate without infringing the sovereign right of each State to express its views according to its Government's

<sup>7</sup> Council resolution 1769 (LIV).

<sup>8</sup> Council resolution 1770 (LIV).

<sup>9</sup> Council resolution 1771 (LIV).

instructions. It should be borne in mind that the Council was not a commercial enterprise but an international organ made up of delegations representing Governments which wished to explain their views. For the majority of the developing countries, the work in the Council constituted a continuing and significant effort to convince the other countries that their position was valid.

63. The PRESIDENT said that, as he understood them, the suggestions made by the representative of the United Kingdom were not formal proposals but merely suggestions. Informal consultations could be held among delegations to consider the subject again informally at the next session of the Council.

64. He understood that that was the spirit in which the representative of the United Kingdom had made his suggestions.

65. Mr. MACKENZIE (United Kingdom) agreed that that would be the most appropriate procedure.

## AGENDA ITEM 25

### Report of the Committee for Programme and Co-ordination

#### REPORT OF THE CO-ORDINATION COMMITTEE (E/5353)

66. The PRESIDENT drew the Council's attention to the report of the Co-ordination Committee on item 25 (E/5353) and, in particular, to recommendation (d) contained in paragraph 3 of that report, in which the Secretariat was requested to provide the Council, before the conclusion of its fifty-fourth session, with information on the availability of documentation relating to the items on the provisional agenda of the Committee for Programme and Co-ordination (CPC) for its fourteenth session. The Secretary of the Council would provide the relevant information.

67. Mr. CORDOVEZ (Secretary of the Council) provided the following information requested by the Co-ordination Committee: with regard to item 2 of the provisional agenda of the Committee for Programme and Co-ordination (Work programme and budget for 1974-1975 and the medium-term plan, 1974-1977), all sections of the programme and budget for 1974-1975 had already been distributed on 17 May, with the exception of the following: section 11 (Economic Commission for Africa), in Spanish and French; section 14 (United Nations Conference on Trade and Development), in Russian; section 15 (United Nations Industrial Development Organization), in Spanish, French and Russian; and section 19 (Regular Programme of Technical Assistance), in Spanish.

68. He stated that the Budget Division had announced that the medium-term plan, 1974-1977, would be ready in all working languages by 29 May.

69. With regard to item 3 of the provisional agenda of CPC (Reports of the specialized agencies and the International Atomic Energy Agency), he pointed out that the reports of the United Nations Educational, Scientific and Cultural Organization and the International Atomic Energy Agency (E/5287 and E/5271 respectively) had already been distributed. On the other hand, copies—of which there were only limited quantities—of the reports of the Food and Agriculture Organization of the United Nations, the International

Civil Aviation Organization, the Universal Postal Union, the International Telecommunication Union and the Inter-Governmental Maritime Consultative Organization would be sent to the members of CPC by 21 May. The International Labour Organisation, the World Health Organization and the World Meteorological Organization had not as yet submitted their reports. The reports of the first two agencies would be sent by diplomatic pouch from Geneva on 25 and 22 May respectively.

70. With regard to item 4 of the provisional agenda of CPC (Reports of the Administrative Committee on Co-ordination (ACC)), the report of the Administrative Committee on Co-ordination (E/5289) would be distributed on 23 May. The special report of ACC on employment policy in the Second United Nations Development Decade (E/5289/Add.1) had been received in English only. The ILO had undertaken to submit the French and Spanish translations of that report, but they had not yet reached Headquarters.

71. With regard to item 5 of the provisional agenda of CPC (Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations), the report of the Secretary-General (E/5284 and Add.1) had already been distributed.

72. With regard to item 6 of the provisional agenda of CPC (Marine co-operation), the report of the Secretary-General (E/5332) would be issued on 21 May.

73. With regard to item 7 of the provisional agenda of CPC (Reports of the Joint Inspection Unit), the reports of the Joint Inspection Unit on technical co-operation activities of UNIDO in Algeria and Tunisia (E/5181 and Add.1 and 2) and on country programming (E/5182 and Add.1-6), had already been distributed.

74. With regard to item 8 of the provisional agenda of CPC (Measures to improve the documentation of the Council), the report of the Secretary-General would be distributed on 23 May.

75. Mr. MEDEIROS (Brazil) said that as a member of CPC, his delegation was not exactly surprised at the difficulties which had arisen, since they reflected a worsening problem, which was becoming intolerable both for CPC and the Council. It was truly regrettable that an item as important as the work programme and budget for 1974-1975 and the medium-term plan, 1974-1977, could not be given the consideration it deserved. Consequently, he requested that the record of the meeting should reflect the profound dissatisfaction of his delegation with the status of the documentation for the next session of CPC and its bewilderment at the current state of affairs. The situation would jeopardize the entire process of co-ordination.

76. Mr. ABHYANKAR (India) associated himself with the statement by the representative of Brazil regarding recommendation (d) in paragraph 3 of the report of the Co-ordination Committee (E/5353). His delegation had worked loyally and honestly in CPC because it believed that there was need for intergovernmental control over the entire co-ordination process. When the Co-ordination Committee had been considering agenda item 19, his delegation had pointed out that many of the difficulties of CPC had been caused by the lack of documentation. The Committee



had been correct in relieving CPC of all responsibility for the problem and his delegation supported the recent decision not to dispense with CPC. The Co-ordination Committee had felt that it was illogical for CPC to meet on 23 May, because, even if it met on 29 May or one week later, it would not be able to fulfil its task effectively. He proposed that consultations should be held in order to determine the date on which the Office of Conference Services would be able to provide all the documentation necessary for consideration of the item on the work programme and biennial budget in all working languages. He did not foresee any unavoidable financial implications and pointed out the need for Member States and their Governments to be given sufficient time to study that documentation properly.

77. Mr. HEMANS (United Kingdom) observed that the Secretary of the Council had not mentioned the dates on which the documents would be ready in all working languages and agreed with the representative of India that consultations should be held with the Secretariat to determine whether services were available for the necessary documentation and that the Secretariat should provide information on the matter and on the possible financial implications, since CPC had to consider the item as soon as possible.

78. He pointed out that the fourteenth session of CPC might overlap with the second session of the Committee on Review and Appraisal, to which many delegations attached the utmost importance. If those two sessions coincided, serious staffing problems could arise for many delegations, primarily because of the highly technical nature of the subjects which had to be dealt with. He also pointed out that the Governing Council of the United Nations Environment Programme would be meeting at Geneva in June and that many countries would have to be represented there by members of their New York delegations. Consequently, and taking into account the fact that the most important and urgent item to be considered by CPC was the work programme and budget for 1974-1975 and the medium-term plan, 1974-1977, he proposed that, as an exceptional measure, the Council should decide that CPC should meet at an early date to consider that item only, since it must be taken up before the fifty-fifth session of the Council. The remaining items on the provisional agenda of CPC could be postponed until the summer session.

79. Mr. TRAORÉ (Mali) asked whether the Secretariat had given due consideration to the importance of the distribution of documents not only to members of delegations but also to the entire international community. Furthermore, the Secretariat must bear in mind that some delegations worked in one language only and when documents were not distributed in that language they could not keep up to date with the items. For example, the documentation of the Economic Commission for Africa had not yet been distributed in French and he wondered when it would be distributed in that language.

80. Mrs. DERRÉ (France) said that her delegation associated itself with the dissatisfaction expressed by many delegations and, like the delegation of Mali, regretted that the documentation in French was distributed after others. CPC could not deal with the item on the work programme and biennial budget properly if the documentation was distributed on the same day that it began its work. Her delegation had been one

of the few to support the continuation of CPC, but there was no doubt that, if it met under those conditions, the effectiveness of its work could not be truly evaluated. Consequently, her delegation supported the United Kingdom proposal on the understanding that it was an exceptional solution for a regrettable situation.

81. Mr. MEDEIROS (Brazil), taking into account the various factors pointed out by preceding speakers and in the light of the fact that the documentation would be distributed on the same day as the opening of the session, proposed that the fourteenth session of CPC should be cancelled and that the item on the work programme and budget for 1974-1975 and the medium-term plan, 1974-1977, should be considered meanwhile by the Co-ordination Committee.

*Mr. Scott (New Zealand), Vice-President, took the Chair.*

82. Mr. ABHYANKAR (India) said that the Brazilian proposal raised certain problems and therefore must be approached cautiously. Although it would be convenient for his delegation, two serious drawbacks should be pointed out: first, the discussion which the Council would hold in July would be of no use to the Advisory Committee on Administrative and Budgetary Questions (ACABQ), whose session would begin in the middle of June; secondly, the proposal to establish a special group to replace CPC did not take into account the fact that CPC was an intergovernmental body, and that the problem which arose because UNDP and other bodies would be meeting in June was not insurmountable, since Governments would be able to meet with those concerned with CPC.

83. On the other hand, his delegation felt that the United Kingdom proposal was the best solution to the problem which had arisen.

84. Mr. KITCHEN (United States of America) observed that the review and appraisal of the International Development Strategy would begin the following week and he understood that the Chairman of ACABQ had indicated that the latest possible date on which that body could examine the report would be 15 June. Nevertheless, delegations would not have sufficient time to receive instructions and at the same time to devote proper attention to CPC, the Governing Council of UNDP and the meetings of the Governing Council of the United Nations Environment Programme.

85. The representative of the United Kingdom had proposed that only the item on the work programme and budget should be considered and that all others should be deferred until the summer session of the Council, but his delegation felt that the Brazilian proposal was more appropriate, unless one week or more would be available between 29 May and 15 June. His delegation would reserve its position until it had heard other opinions on the matter.

86. Mr. GARRIDO (Philippines) said that his delegation was not a member of CPC. While he realized that lack of documentation had prevented CPC from working effectively, he doubted whether it would be able to produce anything that would be of value to ACABQ.

87. He felt that the United Kingdom proposal merited serious consideration and that CPC should be asked to redouble its efforts.

88. Mr. FAROOQ (Pakistan) said the Brazilian proposal would mean that ACABQ would be without

intergovernmental supervision, which was not acceptable to his delegation. If CPC could not submit its comments on time, ACABQ could at a later date modify its programme of work in order to consider CPC's comments—even in September.

89. The United Kingdom proposal was a useful one, and the Secretariat should find a date that did not coincide with the June meetings. It might be at the end of June or even in July. It was also essential that there should be no financial implications and that the Secretariat should be in a position to supply the necessary services.

90. Mr. DRISS (Tunisia) asked whether the report on the work programme and budget was ready.

91. The PRESIDENT said that it would be distributed on 29 May.

92. Mr. DRISS (Tunisia) proposed that a detailed report should be prepared on the whole system for consideration by the Co-ordination Committee and subsequent submission to a ministerial conference, with a view to deciding on what approach to adopt.

93. The PRESIDENT said that he would submit the proposal to the Co-ordination Committee at the fifty-fifth session of the Council at Geneva in July.

94. Mrs. DERRÉ (France) asked whether it would not be possible to set a date forthwith. Perhaps the best course would be to ask the officers of CPC to determine the most suitable date. If the session could not be held in New York, it might be convened at Geneva.

95. Mr. HEMANS (United Kingdom) recalled that his proposal was not for the Council to set the date but to leave the decision to the Chairman of CPC. The Secretariat should also report on the availability of conference services.

96. Mr. CORDOVEZ (Secretary of the Council), referring to the United Kingdom representative's query regarding documents on the work programme and budget, said that the French and Spanish versions of section 11 (Economic Commission for Africa) would be distributed on the following Tuesday, as would the French, Russian and Spanish versions of section 15; the Russian version of section 14 had been issued earlier in the day, and the Spanish version of section 19 (Regular Programme of Technical Assistance) had already been distributed.

97. It was difficult to answer the United Kingdom representative's second query if there were no specific proposals. It was his understanding that, if the agenda was reduced to a single item, the session would be shorter. If so, it would be possible to arrange it for the week of 25 to 29 June or 18 to 22 June.

98. Mr. HEMANS (United Kingdom) asked whether it could not be held before 18 June.

99. Mr. CORDOVEZ (Secretary of the Council) replied that that would be impossible without entailing financial implications.

100. Mr. MAKEEV (Union of Soviet Socialist Republics) suggested that the United Kingdom proposal should be amended so that the shorter CPC agenda would include another item, namely, the annual report of the Administrative Committee on Co-ordination.

101. Mr. KITCHEN (United States of America) recalled that the Chairman of ACABQ had reported that it could not consider any new information reach-

ing it after 15 June. Would ACABQ be ready to revise its programme of work so as to take account of any views expressed by CPC after that date? If not, there would be no point in meeting after 15 June.

102. Mr. HEMANS (United Kingdom) said that it was difficult to accept the Soviet Union suggestion, for his proposal was simply an emergency measure to cut down the CPC work programme to the bare essentials. Moreover, if ACABQ could not change its time-table, CPC might have to meet at a time that would involve financial implications. If that was so, he did not believe that the Soviet Union would be opposed to cutting CPC's programme to the absolute minimum.

103. At all events, it would be advisable to ascertain the intentions of ACABQ. The United Kingdom proposal did not aim at setting a date, and his delegation would be willing to accept the solution suggested in recommendation (c) contained in paragraph 3 of document E/5353.

104. He requested a vote on the suggestions made.

105. The PRESIDENT said that, under the rules of procedure, the vote should start with the amendment furthest removed from the original proposal; therefore, it would be the proposal to cancel the session of CPC.

106. Mr. HEMANS (United Kingdom) said that the United Kingdom proposal had been submitted earlier. Moreover, the Brazilian delegation had put forward a proposal, not an amendment. It was also his feeling that the majority of the Council favoured the United Kingdom approach.

107. The PRESIDENT said that he would agree with the United Kingdom representative's interpretation to avoid a long procedural discussion, but there was nothing to prevent the Brazilian delegation from considering its proposal as an amendment to recommendation (c) contained in paragraph 3 of the report (E/5353).

108. Mr. MAKEEV (Union of Soviet Socialist Republics) said that he would not press his amendment, the fact that it was not accepted would none the less influence the Soviet Union's position regarding the United Kingdom proposal.

109. The PRESIDENT put to the vote the United Kingdom proposal that CPC should deal with a single item at its fourteenth session: work programme and budget for 1974-1975 and the medium-term plan 1974-1977.

*The United Kingdom proposal was adopted by 12 votes to 2, with 13 abstentions.*

110. Mr. ZAGORIN (United States of America) said that, in his view, the Brazilian proposal was still before the Council. The United Kingdom proposal had not mentioned the date of the next session of CPC. The intention of the Brazilian proposal was not simply to cancel the session of CPC, for it also said that the Co-ordination Committee should consider the work programme and budget. A vote should be taken on that proposal, since it contained points not included in the United Kingdom proposal.

111. Mr. CORDOVEZ (Secretary of the Council) said that the Chairman of ACABQ had consulted the members of that body, who had decided that the deadline for the submission of documents was still 15 June.

112. Mr. HEMANS (United Kingdom) explained that his delegation's proposal was that the agenda for the fourteenth session of CPC should be reduced to a

single item. If it was now decided to dispense with CPC, the latter's fourteenth session would not be held and, consequently, CPC would not be able to discuss that item. The two proposals therefore conflicted with each other. He requested a ruling from the President.

113. Mr. ABHYANKAR (India) endorsed the comments of the representative of the United Kingdom.

114. Mr. MAHMASSANI (Lebanon) said he did not believe that it was necessary for the President to give a ruling. He quoted rule 66 of the rules of procedure and said that, unless the Council decided otherwise, a vote had to be taken on the Brazilian proposal.

115. The PRESIDENT reminded the members of the Council that procedural discussions usually ran on for a long time.

116. Mr. ZAGORIN (United States of America) said the only way to ascertain the Council's view was to take a vote. The United Kingdom representative had talked of a session of CPC, but had not said when it was to take place. In view of what had been stated by ACABQ, September was conceivably the only suitable date. The purport of the Brazilian proposal was that the question of the budget should be considered by the Co-ordination Committee. Since the United Kingdom representative had carefully avoided setting a date, the two proposals were not contradictory. CPC could meet in September, if possible, to discuss the item mentioned. Meanwhile, the Co-ordination Committee would consider the work programme and budget and the medium-term plan. He requested a vote on the Brazilian proposal.

117. The PRESIDENT put to the vote the Brazilian proposal to cancel the fourteenth session of CPC and refer consideration of the work programme and budget for 1974-1975 and the medium-term plan, 1974-1977, to the Co-ordination Committee.

*There were 6 votes in favour, 6 against and 15 abstentions. The proposal was not adopted.*

118. The PRESIDENT put to the vote recommendations (a) and (b), and (c), as amended, in paragraph 3 of the report of the Co-ordination Committee (E/5353).

*The recommendations were adopted by 26 votes to none, with 1 abstention.*

119. Mr. KITCHEN (United States of America) said that, in a spirit of co-operation, his delegation had cast an affirmative vote.

*Mr. Frazão (Brazil) resumed the Chair.*

## AGENDA ITEM 16

### Narcotic drugs:

- (a) Report of the Commission on Narcotic drugs;
- (b) Report of the International Narcotics Control Board;
- (c) Activities of the United Nations Fund for Drug Abuse Control

### REPORT OF THE SOCIAL COMMITTEE (E/5331)

120. The PRESIDENT drew the Council's attention to the Social Committee's report on item 16 (E/5331). Paragraph 26 of the report contained 10 draft resolutions recommended for adoption by the Council.

121. He pointed out that the Social Committee had adopted draft resolution I without objection. If the

Council agreed, he would consider that it wished to do likewise.

*Draft resolution I was adopted without objection.<sup>10</sup>*

122. The President pointed out that the Social Committee had adopted draft resolution II without objection. If the Council agreed, he would consider that it wished to do the same.

*Draft resolution II was adopted without objection.<sup>11</sup>*

123. The PRESIDENT put to the vote draft resolution III, which the Social Committee had adopted by a majority of votes.

*Draft resolution III was adopted by 22 votes to none, with 4 abstentions.<sup>12</sup>*

124. The PRESIDENT put to the vote draft resolution IV, which the Social Committee had adopted by a majority of votes.

*Draft resolution IV was adopted by 22 votes to none, with 4 abstentions.<sup>13</sup>*

125. The PRESIDENT put to the vote draft resolution V, which the Committee had adopted by a majority of votes.

*Draft resolution V was adopted by 23 votes to 3.<sup>14</sup>*

126. The PRESIDENT put to the vote draft resolution VI, which the Social Committee had adopted by a majority of votes.

*Draft resolution VI was adopted by 22 votes to none, with 4 abstentions.<sup>15</sup>*

127. The PRESIDENT put to the vote draft resolution VII, which the Social Committee had adopted by a majority of votes.

*Draft resolution VII was adopted by 23 votes to 4.<sup>16</sup>*

128. The PRESIDENT pointed out that the Social Committee had adopted draft resolution VIII without objection. If the Council agreed, he would consider that it wished to do likewise.

*Draft resolution VIII was adopted without objection.<sup>17</sup>*

129. The PRESIDENT put to the vote draft resolution IX, which the Social Committee had adopted by a majority of votes.

*Draft resolution IX was adopted by 23 votes to 4.<sup>18</sup>*

130. The PRESIDENT put to the vote draft resolution X, which the Social Committee had adopted by a majority of votes.

*Draft resolution X was adopted by 23 votes to none, with 4 abstentions.<sup>19</sup>*

131. Mr. EVDOKEEV (Union of Soviet Socialist Republics) explained his vote on draft resolution VIII. The Soviet delegation had already made known its position in the Social Committee, and it wanted its views to be recorded in the Council report as well. The Soviet delegation considered that, in connexion with requests for information sent to States Parties to the international conventions on narcotic drugs, countries which had not been allowed to become parties to

<sup>10</sup> Council resolution 1772 (LIV).

<sup>11</sup> Council resolution 1773 (LIV).

<sup>12</sup> Council resolution 1774 (LIV).

<sup>13</sup> Council resolution 1775 (LIV).

<sup>14</sup> Council resolution 1776 (LIV).

<sup>15</sup> Council resolution 1777 (LIV).

<sup>16</sup> Council resolution 1778 (LIV).

<sup>17</sup> Council resolution 1779 (LIV).

<sup>18</sup> Council resolution 1780 (LIV).

<sup>19</sup> Council resolution 1781 (LIV).



the said conventions, such as the Democratic Republic of Viet-Nam, were not obliged to provide the information requested by the International Narcotics Control Board.

132. Mr. AN Tung (China) restated the views expressed by his delegation on draft resolutions II, III, IV and VIII when the latter had been under discussion in the Social Committee.

### AGENDA ITEM 18

#### Human rights questions:

- (a) Report of the Commission on Human Rights;
- (b) Allegations regarding infringements of trade union rights

#### REPORT OF THE SOCIAL COMMITTEE (E/5345, E/L.1549)

133. The PRESIDENT drew the Council's attention to the report of the Social Committee on item 18 (E/5345). Paragraph 45 of the report contained 15 draft resolutions and paragraph 46 contained eight draft decisions recommended for adoption by the Council.

134. Mr. COUTO (Brazil) felt it necessary to repeat the reasons why his delegation had not participated in the debates on the report of the Commission on Human Rights (E/5265) and in the votes taken on the drafts recommended therein. Its attitude did not in any way imply a lack of interest on the part of Brazil in that item of the agenda. On the contrary, it reflected Brazil's belief that such an important matter should receive the thorough consideration that it deserved.

135. Since the distribution of the first copies of the report had begun only 48 hours—Saturday and Sunday—before the Committee took up its work on the human rights item, his delegation had been unable to give adequate and responsible consideration to the report.

136. He recognized the difficulties which the Secretariat might have encountered in preparing the report, and was grateful for its efforts, but he could not help expressing his dissatisfaction with the late distribution of the report and his hope that such a situation, which could seriously hamper the deliberations of the Council on the human rights issue, would not be allowed to recur. He hoped that when the calendar of conferences came up for discussion during the next session of the Council, arrangements could be made for effective consideration of the question. The record of the meeting should state that the Brazilian delegation would also not participate in the vote on the draft resolutions recommended by the Social Committee under item 18 (a) of the agenda.

137. The PRESIDENT invited the Council to vote on draft resolution I.

*Draft resolution I was adopted by 25 votes to none, with 1 abstention.<sup>20</sup>*

138. The PRESIDENT said that draft resolution II had been adopted without objection by the Social Committee. If he heard no observation to the contrary, he would take it that the Council also wished to do likewise.

*Draft resolution II was adopted without objection.<sup>21</sup>*

139. Mr. FACK (Netherlands) said that his delegation would abstain in the vote on draft resolution III but its abstention should not be interpreted as support for the policy and practice of *apartheid*, which it rejected as a negation of fundamental human rights. Nor could its abstention be considered as a lack of interest in the matter. The Netherlands had expressed its views at various stages of the deliberations by submitting amendments and by its active participation.

140. His delegation had serious doubts about the means of having recourse to an instrument of international criminal law without the legal and practical implications having been properly considered by an appropriate organ of the United Nations. That was particularly pertinent in the absence of an international criminal code and international criminal jurisdiction. Thus, it was inadvisable to approve a draft international instrument when the essential matter of the implementation machinery was left open. His delegation had therefore given its strong support in the Social Committee to the amendments submitted by the delegation of New Zealand with a view to asking the International Law Commission (ILC) to consider the draft convention as a matter of urgency. The legal expertise of such a highly qualified body as ILC was indispensable. Despite the fact that ILC was considering a closely related matter, the New Zealand amendments had, regrettably, been rejected.

141. The PRESIDENT invited the Council to vote on draft resolution III.

*Draft resolution III was adopted by 18 votes to 2, with 6 abstentions.<sup>22</sup>*

142. Mr. SCOTT (New Zealand) said that his delegation's position had been made clear in the Social Committee by the amendments it had submitted. It agreed with the statement just made by the representative of the Netherlands and would continue to maintain its reservations on the matter.

143. Mr. MAKEEV (Union of Soviet Socialist Republics) said that he was gratified that the Council, by approving the draft Convention on the Suppression and Punishment of the Crime of *Apartheid* (for the text, see E/5265, chap. XX, resolution 16 (XXIX), annex), had endorsed one of the most important documents of its fifty-fourth session. He was all the more gratified since the draft Convention had been proposed by his delegation and subsequently supported by those of Guinea and Nigeria at the twenty-sixth session of the General Assembly. He hoped that the General Assembly, despite opposition, would approve the draft Convention at its twenty-eighth session.

144. Mr. AN Tung (China) said that his delegation had not able to study the draft Convention fully and therefore agreed that the matter should be submitted to the next session of the General Assembly for consideration.

145. The PRESIDENT invited the Council to vote on draft resolution IV.

*Draft resolution IV was adopted by 22 votes to none, with 3 abstentions.<sup>23</sup>*

146. The PRESIDENT said that draft resolution V had been adopted without objection by the Social Committee. If he heard no observation to the contrary,

<sup>20</sup> Council resolution 1782 (LIV).

<sup>21</sup> Council resolution 1783 (LIV).

<sup>22</sup> Council resolution 1784 (LIV).

<sup>23</sup> Council resolution 1785 (LIV).

he would take it that the Council also wished to adopt it without objection.

*Draft resolution V was adopted without objection.*<sup>24</sup>

147. The PRESIDENT said that draft resolution VI had been adopted without objection by the Social Committee. If he heard no observation to the contrary, he would take it that the Council also wished to adopt it without objection.

*Draft resolution VI was adopted without objection.*<sup>25</sup>

148. The PRESIDENT invited the Council to vote on draft resolution VII.

149. Mr. MAKEEV (Union of Soviet Socialist Republics) requested a separate vote on paragraph 5 of draft resolution VII.

*Paragraph 5 was adopted by 12 votes to 5, with 7 abstentions.*

*Draft resolution VII as a whole was adopted by 19 votes to 4, with 2 abstentions.*<sup>26</sup>

150. Mr. TRAORÉ (Mali) said that his delegation had abstained in the vote on the draft resolution as a whole because it could not support paragraph 5. His delegation did not challenge the right of everyone to leave and to return to his country, but Governments had the right to protect the basic structures of their countries and individual mobility could present major problems.

151. Mr. AN Tung (China) said that his delegation had not participated in the vote on draft resolutions V and VII because it had not had the time to study them fully.

152. Mr. PAUL (Haiti) said that his delegation had abstained in the vote on draft resolution VII for the same reasons as the delegation of Mali. A developing country, which needed the services of its experts, had to safeguard its human resources.

153. The PRESIDENT said that draft resolution VIII had been adopted without objection by the Social Committee. If he heard no observation to the contrary, he would take it that the Council also wished to adopt it without objection.

*Draft resolution VIII was adopted without objection.*<sup>27</sup>

154. The PRESIDENT called on the Council to vote on draft resolution IX.

*Draft resolution IX was adopted by 20 votes to none, with 5 abstentions.*<sup>28</sup>

155. The PRESIDENT invited the Council to vote on draft resolution X.

*Draft resolution X was adopted by 22 votes to none, with 3 abstentions.*<sup>29</sup>

156. Mr. MAKEEV (Union of Soviet Socialist Republics) expressed his delegation's satisfaction at the adoption of draft resolution X because the principles set out in it had been submitted by the Soviet Union and other socialist countries.

157. The first principle provided for the punishment of crimes against humanity whenever or wherever they were committed, that is, in the past, present or future.

158. His delegation hoped that the General Assembly, at its twenty-eighth session, would adopt those principles, which would serve the purposes of the Charter.

159. The PRESIDENT said that draft resolution XI had been adopted without objection by the Social Committee. If he heard no observation to the contrary, he would take it that the Council also wished to adopt it without objection.

*Draft resolution XI was adopted without objection.*<sup>30</sup>

160. The PRESIDENT said that draft resolution XII had been adopted without objection by the Social Committee. If he heard no observation to the contrary, he would take it that the Council also wished to adopt it without objection.

*Draft resolution XII was adopted without objection.*<sup>31</sup>

161. The PRESIDENT invited the Council to vote on draft resolution XIII.

*Draft resolution XIII was adopted by 21 votes to 4, with 1 abstention.*<sup>32</sup>

162. The PRESIDENT in connexion with draft resolution XIV, dealing with the report of the Commission on Human Rights invited the representative of Greece to address the Council under rule 75 of the rules of procedure.

163. Mr. MEGALOKONOMOS (Greece) protested against the unjustified discriminatory reference to his country in paragraph 262 of the report of the Commission on Human Rights (E/5265).

164. Paragraph 260 of the report stated that the view had been expressed that the Commission should focus its attention on mass violations such as *apartheid*, racism and colonialism, and paragraph 261 mentioned other violations of human rights and fundamental freedoms in certain countries. Yet, his country was the only one mentioned by name. The statement that "some representatives" had made reference to the situation in Greece, was misleading; only two delegations had referred to Greece, and he therefore strongly objected to the wording of paragraph 262 to the extent that it affected the consideration of violations of human rights by United Nations organs. Consequently, his delegation was strongly opposed to the inclusion of paragraph 262 in the report of the Commission on Human Rights not only because it constituted a blatantly biased discrimination against a particular country, but also because it affected the very essence of the protection of human rights by the competent organs of the United Nations. The procedure for the Commission on Human Rights had been established under resolutions 728 F (XXVII), 1235 (XLII), paragraph 3, and 1504 (XLVIII) of the Council. According to that procedure any allegation concerning violations of human rights had to be specified, substantiated and submitted to a specific organ and in a specific manner. A given procedure had to be followed until the allegations were proved true and then, and only then, could publicity be given to the relevant report as a sanction provided after the exhaustion of all procedural steps. Yet the Commission, in paragraph 262 of its report, had broken with and evaded its own procedure; it had reversed the normal order of its steps and had not brought for-

<sup>24</sup> Council resolution 1786 (LIV).

<sup>25</sup> Council resolution 1787 (LIV).

<sup>26</sup> Council resolution 1788 (LIV).

<sup>27</sup> Council resolution 1789 (LIV).

<sup>28</sup> Council resolution 1790 (LIV).

<sup>29</sup> Council resolution 1791 (LIV).

<sup>30</sup> Council resolution 1792 (LIV).

<sup>31</sup> Council resolution 1793 (LIV).

<sup>32</sup> Council resolution 1794 (LIV).

ward any substantiated case. Such an outright breach of well-established procedures with no substantiation of the case, with no decision taken, no recommendation made and finally, quite irregularly, the publication by the Commission on Human Rights of a global characterization, such as the one against Greece, could open Aeolus' bags to unforeseen and undesirable situations. Why, for instance, should any State bother to examine specific cases put forward before the Commission and be willing to answer to allegations, in order to facilitate the task of the Commission? That was a very pertinent question that could jeopardize the whole system of protection of human rights within the framework of the United Nations and bring it to self-defeat.

165. His delegation therefore asked whether the Commission on Human Rights had the right to include in its report allegations by a limited number of delegations—a dangerous precedent—and whether, in view of the procedural irregularity, paragraph 262 of the report of the Commission on Human Rights could be redrafted. The second question was especially important to his delegation.

166. He also requested that his remarks should be included concisely in the Council's report and fully in the summary record.

167. The PRESIDENT recalled that under rule 75 of the rules of procedure proposals by non-members of the Council could be put to the vote only at the request of a voting member of the Council. The statement by the representative of Greece would be duly reflected in the record.

168. Mr. FACK (Netherlands) said that the remarks of the representative of Greece were reflected in a letter from the Permanent Representative of Greece to the United Nations (E/5333) referring to two representatives, one of them the Netherlands representative, who had expressed concern at the twenty-ninth session of the Commission about reported violations of human rights in Greece. The Netherlands representative had been acting on specific instructions from his Government.

169. Democracy had been born in Greece, as had been rightly claimed by the Greek representative in the Commission on Human Rights at its twenty-fourth session, and the Netherlands would like to consider Greece in that perspective. The concern of the Netherlands was all the greater in view of the special ties between Greece and the Netherlands. His delegation was therefore disappointed because Greece apparently rejected its humanitarian concern and saw fit to qualify its sober intervention in the Commission in extravagant terms.

170. The letter of the Permanent Representative of Greece to the United Nations made allusions to the past colonial record of the Netherlands, which—as his own delegation was the first to acknowledge—included acts which, if they were to occur in current times, might appropriately receive the attention of the Commission on Human Rights. However, if the Greek delegation was implying that the Netherlands, because of events in its past history, should never refer to specific human rights situations, it was overlooking the dynamic development of international concern for human rights over the past two decades in which the Universal Declaration of Human Rights and subsequent international instruments had played an important role. Also in the light of those developments, the Netherlands delega-

tion considered that, as a responsible member of the Commission, it could not remain silent on the human rights situation in Greece.

171. He rejected the formal objections raised by the Permanent Representative of Greece. Neither Article 2, paragraph 7, of the Charter nor the Council resolutions to which the letter vaguely referred could be interpreted as precluding Member States from referring to situations in which human rights were at stake. The Netherlands position in that regard was amply borne out by United Nations practice. In fact, Greece had voted for resolutions in which serious human rights situations had been exposed. A number of Council resolutions had given the Commission an express mandate to consider violations of human rights and fundamental freedoms.

172. Turning to the statement just made by the representative of Greece, he pointed out that during the years that the question of the violation of human rights and fundamental freedoms had been on the Commission's agenda, 12 countries—four in southern Africa—had been mentioned by name with reference to human rights situations that had attracted the Commission's attention. That did not constitute discrimination against Greece. Furthermore, the representative of Greece, in referring to the procedures of the Commission, had confused the procedure followed with respect to petitions from individuals with that applied to the interventions of States.

173. The PRESIDENT invited the representative of Norway to speak in accordance with rule 75 of the rules of procedure.

174. Mr. ERIKSEN (Norway) said that during the consideration of item 10 of the agenda of the Commission on Human Rights (see E/5265) the Norwegian representative had drawn attention to the situation prevailing in South Africa, in the African territories administered by Portugal and in Greece. It had done so in accordance with Council resolution 1235 (XLII), the most relevant of the resolutions referred to by the representative of Greece. In the Commission, the Norwegian representative had recalled that the Committee of Ministers of the Council of Europe had upheld the conclusion of the European Commission of Human Rights that the Greek Government had violated a number of important articles of the Convention for the Protection of Human Rights and Fundamental Freedoms, known as the European Convention on Human Rights.<sup>33</sup> The Committee of Ministers had further urged the Government of Greece immediately to abolish torture and other ill-treatment of prisoners and release persons detained under administrative order. The Greek Government had denounced both the European Convention and the Statute of the Council of Europe.

175. The Norwegian representative had referred to well-documented evidence of continued violations of human rights and fundamental freedoms in Greece. In so doing he had acted as a responsible member of the Commission and his only motivation had been the hope that Greece would rectify the situation. That was no more a violation of article 2, paragraph 7, of the Charter than was the condemnation of the practice of *apartheid* in South Africa. It was not true that Greece was being singled out. The Commission was only following its usual practice in such cases.

<sup>33</sup> Adopted by the Council of Europe at Rome on 4 November 1950.

176. The Permanent Representative of Greece to the United Nations had referred in his letter (E/5333) to alleged discrimination against the Lapp minority in Norway. A similar allegation had been made in the 1950s by a representative of South Africa following a Norwegian condemnation of the policies of *apartheid*, and there was no more foundation for such an allegation at present than there had been at that time.

177. The PRESIDENT invited the representative of Sweden to take the floor in accordance with rule 75 of the rules of procedure.

178. Mr. SKOGLUND (Sweden) said that the Swedish Government shared the concern expressed by the Netherlands and Norwegian representatives in the Commission regarding the human rights situation in Greece. At the twenty-seventh session of the General Assembly the Minister for Foreign Affairs of Sweden had expressed regret that, in spite of repeated assurances, the Greek Government had failed to restore democracy.<sup>34</sup> Since then, new violations of human rights had occurred in Greece. Such violations caused Sweden particular concern and grief when they occurred in countries which had earlier shared its belief in democracy.

179. Sweden continued to hold the firm opinion that the Commission had the duty to examine situations which revealed a consistent pattern of violations of human rights.

180. Mr. BUHL (Denmark) said that the Charter entrusted the Council with the responsibility for promoting respect for and observance of human rights and fundamental freedoms for all. It was therefore appropriate that the Commission should deal with alleged violations of such rights and report to the Council on its deliberations. His delegation hoped that Greece would soon return to its democratic traditions.

181. The PRESIDENT said that draft resolution XIV had been adopted by the Social Committee without objection, and if he heard no objection, he would take it that the Council wished to do likewise.

*Draft resolution XIV was adopted without objection.*<sup>35</sup>

182. The PRESIDENT invited the Council to vote on draft resolution XV.

*Draft resolution XV was adopted by 22 votes to none, with 4 abstentions.*<sup>36</sup>

183. The PRESIDENT said that draft decision 1 had been adopted without objection by the Social Committee; he would take it that the Council wished to follow suit.

*Draft decision 1 was adopted without objection.*

184. The PRESIDENT said that draft decision 2 had been adopted without objection by the Social Committee and if he heard no objection he would take it that the Council wished to do the same.

*Draft decision 2 was adopted without objection.*

185. Mr. MAKEEV (Union of Soviet Socialist Republics) said that although his delegation supported the proposed study in principle, it had reservations regard-

ing its financial implications and requested that the study should be financed from available resources.

186. The PRESIDENT invited the Council to vote on draft decision 3.

*Draft decision 3 was adopted by 22 votes to none, with 4 abstentions.*

187. The PRESIDENT invited the Council to vote on draft decision 4.

*Draft decision 4 was adopted by 22 votes to none, with 4 abstentions.*

188. The PRESIDENT invited the Council to vote on draft decision 5.

*Draft decision 5 was adopted by 22 votes to none, with 4 abstentions.*

189. The PRESIDENT invited the Council to vote on draft decision 6.

*Draft decision 6 was adopted by 24 votes to none, with 1 abstention.*

190. The PRESIDENT invited the Council to vote on draft decision 7.

*Draft decision 7 was adopted by 20 votes to none, with 6 abstentions.*

191. The PRESIDENT invited the Council to vote on draft decision 8.

*Draft decision 8 was adopted by 21 votes to none, with 5 abstentions.*

192. Mr. HAMID (Sudan) said his delegation was especially gratified that the Council had adopted draft resolution IV. He particularly appreciated paragraph 1, which paid a tribute to an eminent Sudanese scholar.

193. The suggestion in paragraph 22 of the report of the Commission on Human Rights (E/5265) that effective punishment should be meted out to the perpetrators of the so-called Khartoum incident only served to aggravate the tragic situation in the Middle East and the struggle of the Palestinian people against the usurpers in Palestine who called themselves the State of Israel. His Government fully appreciated the importance of the rule of law. The Khartoum incident fell within Sudanese jurisdictions; internationalization of the issue was improper and irrelevant. The case was being handled competently by the Sudanese Government, which did not need to be reminded of its duties. The Council's concern for human rights matters should be addressed not to the three diplomats killed in Khartoum, but to the thousands of innocent people killed and the land and property usurped 25 years earlier, and to similar incidents taking place in the occupied territories. The statement in the last sentence of paragraph 23 of the report of the Commission on Human Rights should not pass unheeded.

*Mr. Scott (New Zealand), Vice-President, took the Chair.*

194. Mr. ZAGORIN (United States of America) pointed out that the question of international terrorism had been brought to the attention of the international community by the Secretary-General. The murder of three diplomats must be considered worthy of international attention.

*Mr. Frazão (Brazil) resumed the Chair.*

195. Mr. HAMID (Sudan) said that international terrorism had still to be defined; the definition should not include the acts of national liberation movements.

<sup>34</sup> See *Official Records of the General Assembly, Twenty-seventh Session, Plenary Meetings*, 2062nd meeting.

<sup>35</sup> Council resolution 1795 (LIV).

<sup>36</sup> Council resolution 1796 (LIV).

## AGENDA ITEM 30

**Consideration of the provisional agenda for, and duration of, the fifty-fifth session (concluded)\* (E/L.1544 and Add.1, E/1545, E/L.1548 and Add.1, E/L.1550)**

196. The PRESIDENT said that, if there were no objections, he would take it that the Council approved the list of items for the provisional agenda of the fifty-fifth session (E/L.1544 and Add.1).

*It was so decided.*

197. The PRESIDENT said that, if there were no objections, he would take it that the Council agreed to include an item entitled "The impact of multinational corporations on the development process and on international relations", as proposed by the representative of Chile (1855th meeting).

*It was so decided.*

198. The PRESIDENT invited the Council to consider the question of the duration of the fifty-fifth session. If there were no objections, he would take it that the Council wished to extend the fifty-fifth session to 6 p.m. on 10 August 1973.

*It was so decided.*

199. The PRESIDENT pointed out that his note on the organization of work of the fifty-fifth session (E/L.1550) had been drawn up on the assumption that the session would last six weeks. The Council had just decided to include several additional items in the provisional agenda for that session. It could be left to the Bureau to insert the new items in the time-table suggested in paragraph 12 of document E/L.1550.

200. He reminded members that the representative of Chile had proposed (1855th meeting) that the Secretary-General should invite the Director-General of the General Agreement on Tariffs and Trade (GATT) to participate in the discussion of item 3. The proposal had been made in connexion with Council resolution 1724 (LIII). He asked the representative of Chile to repeat his proposal.

201. Mr. FIGUEROA (Chile) read out the following text:

"The Economic and Social Council decides to invite the Director-General of the General Agreement on Tariffs and Trade to participate in the general debate of the fifty-fifth session in conformity with Council resolution 1724 (LIII) of 28 July 1972 and to submit a report on the activities of the organization in accordance with the intention expressed by the Director-General at the thirty-ninth session of the Council."<sup>37</sup>

202. Mr. ZAGORIN (United States of America) suggested that it might be appropriate to delete the latter part of the Chilean text, which would thus end with the words "... 28 July 1972". His delegation had some reservations about the report mentioned. Multilateral trade negotiations were very complicated; relations were being worked out. It would be inappropriate to

introduce a new and possibly disturbing factor into the satisfactory developments following resolution 82 (III) of the United Nations Conference on Trade and Development.<sup>38</sup> He was prepared to support the first part of the proposal.

203. Mr. MACKENZIE (United Kingdom) remarked that the United States amendment would not detract from the Chilean proposal. The Director-General of GATT had made a personal offer in 1965; no decision had been taken and the matter had not been followed up. It would be presumptuous to request his successor to submit a report.

204. Mr. FIGUEROA (Chile) said he could accept the United States amendment.

205. The PRESIDENT said that, if there were no objections, he would take it that the Council adopted the draft decision as proposed by the representative of Chile, with the amendment suggested by the representative of the United States.

*The draft decision, as amended, was adopted without objection.*

**Increase in the seating capacity of the Economic and Social Council Chamber (concluded)\* (E/5308)**

206. The PRESIDENT said that, following informal consultations during the previous two days, he wished to suggest a draft decision for the Council's consideration.

207. Mr. CORDOVEZ (Secretary of the Council) read out the text of the draft decision proposed by the President, as follows:

"The Economic and Social Council

"(a) Decides to request the officers of the Council, together with the representatives of China, Sweden, Poland and the United States of America, to enter into consultations with the Secretary-General concerning the arrangements to increase the seating capacity of the Council Chamber, bearing in mind the need to ensure: (i) that the design of the Chamber will befit the dignity and importance of the Council; (ii) that all members of the Council are provided with at least two advisers' seats; (iii) that an adequate number of seats are provided for observers from States non-members of the Council, taking into account the need to provide appropriate accommodation for representatives of the specialized agencies and the International Atomic Energy Agency, and non-governmental organizations, as well as for the press and the public; (iv) that the Council can count on all the necessary modern facilities, including a voting machine, for the performance of its functions. The possibility of enlarging the seating capacity of the Council Chamber to accommodate the Second Committee of the General Assembly should also be examined;

"(b) Requests the President of the Council to report to the Council at its fifty-fifth session on the result of such consultations."

\* Resumed from the 1855th meeting.

<sup>37</sup> See *Official Records of the Economic and Social Council, Thirty-ninth Session, Annexes*, agenda item 4, document E/4090, para. 4.

<sup>38</sup> For the text of the resolution, see *Proceedings of the United Nations Conference on Trade and Development, Third Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.73.II.D.4), annex I.A.

\* Resumed from the 1855th meeting.



208. The PRESIDENT said that, if there were no objections, he would take it that the Council adopted the draft decision.

*The draft decision was adopted without objection.*

***Closure of the session***

209. After the customary exchange of courtesies, the PRESIDENT announced that the Council had completed the work of its fifty-fourth session.

*The meeting rose at 8.05 p.m.*