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SUMMARY RECORD OF THE 62nd MEETING

Chairman: Mr. RITTER (Panama)

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

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)
(A/C.3/42/L.2, L.5, L.8, L.40, L.48, L.62, L.70, L.71, L.72, L.76, L.81, L.82, L.83, L.84, L.85/Rev.1, L.86, L.87, L.88, L.89/Rev.1, L.90, L.91 and L.92)

Draft resolution A/C.3/42/L.5

1. The CHAIRMAN reminded members of the Committee that the representative of Sweden had proposed an amendment whereby the words "as a matter of high priority" would be deleted from operative paragraph 3.
2. Mr. ZAWACKI (Poland) said that the report deserved high priority, but that in a spirit of compromise he would not object to the Swedish amendment.
3. Mr. HAMER (Netherlands), speaking in explanation of the vote, said that he regretted the reception accorded to the amendments he had proposed in document in A/C.3/42/L.90. A resolution on such a topic should take into account the diversity of norms, values, and beliefs represented in a universal organization. His intentions had been misrepresented. Norms could not be imposed, and his Government was hesitant to infringe on the lifestyle of individual countries. The opponents to his amendment implicitly wished to focus the draft resolution on the nuclear family to the exclusion of non-nuclear units. The draft resolution as it stood did not provide sufficient guarantee that his country's national views would get the hearing they deserved and his delegation would vote against it.
4. Miss BYRNE (United States of America) said that the United States strongly believed in the family as the basic unit of society but that the multiplicity of causes for which international years had been proclaimed in the recent past had led to the suspicion that such proclamations trivialized the subjects involved instead of promoting greater awareness and sense of their importance. Her delegation would vote against the draft resolution because of its intent rather than its wording.
5. Mr. GALAL (Egypt) said that his delegation had withdrawn its amendments to the draft resolution in response to the appeals of a number of delegations, but that it was unhappy with the text because the Member States represented different cultures and should focus on what united them rather than on what divided them. The United Nations must promote a sense of moral responsibility in the world. His delegation would vote for the resolution, but with those reservations.
6. At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.3/42/L.5, as orally amended.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist

Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, German Democratic Republic, Germany, Federal Republic of, Greece, Grenada, Guatemala, Guinea, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, Netherlands, United States of America.

Abstaining: Denmark, Finland, France, Iceland, Japan, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland.

7. Draft resolution A/C.3/42/L.5, as orally amended, was adopted by 124 votes to 3, with 8 abstentions.

Draft resolution A/C.3/42/L.62

8. Mr. VRAALSEN (Norway), introducing the amendment to draft resolution A/C.3/42/L.62 in document A/C.3/42/L.92 on behalf of the sponsors, said that the General Assembly should not give directions to the Committee on Human Rights on the question of the mandate of the Special Representative. The Commission should be allowed to consider the human rights situation in El Salvador and the report of the Special Representative without prejudging any conclusions. The report of the Special Representative showed that there were no significant changes in the human rights situation in El Salvador, despite some improvements. The criminal justice system was defective; torture, disappearances, assassination and armed conflict arising from economic and social disparities persisted. The situation in El Salvador therefore remained a matter of serious concern and the Special Representative's mandate should not be terminated.

9. Mr. ALZAMORA (Peru), supported by Mr. MONTAÑO (Mexico), requested postponement of the consideration of draft resolution A/C.3/42/62 pending the outcome of consultations.

10. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to postpone consideration of draft resolution A/C.3/42/L.62 pending the outcome of consultations.

11. It was so decided.

Draft resolution A/C.3/42/L.84

12. Mr. STROHAL (Austria) announced that Finland, Norway and Samoa had become sponsors of draft resolution A/C.3/42/L.84. In the fifth preambular paragraph, the words beginning "to proposals for the elaboration of" and ending with the words "as well as" should be omitted. In operative paragraph 3, the comma should be omitted between the words "strengthening" and "co-ordinated". In paragraph 5, the words "Requests the Secretary-General to continue to devise" should be replaced with the words "Encourages the continuing development of", and later in the sentence the words "of measures" should be added after "the administration of justice and".

13. At the request of the delegation of the United States of America, a separate vote was taken on the fifth preambular paragraph of draft resolution A/C.3/42/L.84.

14. The fifth preambular paragraph of draft resolution A/C.3/42/L.84 was adopted by 94 votes to 1, with 23 abstentions.

15. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/42/L.84 as a whole.

16. Draft resolution A/C.3/42/L.84 as a whole was adopted without a vote.

Draft resolution A/C.3/42/L.87

17. Mr. BOLD (Mongolia) said that, as a result of informal consultations, two amendments had been made to the text. Operative paragraph 4 should be replaced by: "Requests the Economic and Social Council and its appropriate functional commissions to keep the question of the right to adequate housing under periodic review;". In operative paragraph 5, the words "forty-third session" were amended to "forty-fourth session".

18. Mr. QUINN (Australia) said he welcomed the sponsors' recognition that the Council remained the chief forum for appraising measures to give effect to the right to adequate housing. His delegation would have preferred the entire deletion of operative paragraph 5; the matter was one which could be left to the Council alone.

19. Mr. MITREV (Bulgaria) said that the right to adequate housing was an individual human right, and should be considered by the Organization's relevant human rights forums. He felt that it should be possible to adopt the draft resolution by consensus.

20. Mr. BOLD (Mongolia) said that the sponsors had already shown considerable flexibility and compromise during the intensive consultations. The oral amendment just announced to operative paragraph 5 meant that, in any case, the General Assembly would consider the question only at two-yearly intervals; he hoped, therefore, that the Australian delegation would not press for the paragraph's deletion.

21. Mr. GALAL (Egypt) said that, while his delegation fully agreed that the right to adequate housing was a separate human right, it was not sure what role the United Nations could play in measures to give effect to it. Nevertheless, his delegation would not oppose the text should a majority be in favour of it.

22. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic) said that the right to adequate housing was a basic human right; the Third Committee would create an entirely wrong impression, therefore, if it failed to consider that right.

23. Mr. QUINN (Australia) proposed that the sponsors should add the word "again" after the words "consider the question" in operative paragraph 5 and omit any reference to a session.

24. Mr. TROUVEROY (Belgium) supported that proposal.

25. Mr. BOLD (Mongolia) said that, if there were no objections from the co-sponsors, he could accept the Australian proposal.

26. Miss BYRNE (United States of America) said that, despite the amendments just introduced, her delegation would abstain during the vote on draft resolution A/C.3/42/L.87. Adoption of the text would elevate what should be a matter of government policy to a government obligation to individuals. As could be seen from the note of contributions pledged or paid at the 1986 United Nations Pledging Conference for Development Activities (A/CONF.140/2), the United States had been the leading contributor to the International Year of Shelter for the Homeless for 1987, whereas the contributors had included not one of the sponsors of draft resolution A/C.3/42/L.87; nor had any of the sponsors, except Botswana, contributed to the United Nations Habitat and Human Settlements Foundation.

27. Draft resolution A/C.3/42/L.87, as orally amended, was adopted by 139 votes to none, with 1 abstention.

Draft resolution A/C.3/42/L.88

28. Mr. MONTANO (Mexico) said that, at the request of several delegations, operative paragraph 10 (a) had been replaced by the words:

"Investigate and clarify without further delay the fate of persons arrested for political reasons who have subsequently disappeared;"

29. Mr. DAZA (Chile) said his delegation deplored the fact that draft resolution A/C.3/42/L.88 was merely a ritual repetition which took no heed of developments in Chile, the positive response of that country's authorities to the

(Mr. Daza, Chile)

Commission on Human Rights or the progress recorded by the Special Rapporteur. The lamentable attitude displayed did nothing whatsoever to help improve international co-operation or the situation in question. The text was selective and biased, to say the least, in view of the many human rights violations elsewhere in which some of the sponsors themselves were implicated; and in places it was utterly false. The situation in Chile, while far from perfect, did not deserve the unfair denunciations embodied in the text. In particular, the developing nations among the sponsors could hardly fail to recognize the sort of problems faced by Chile in its efforts to institutionalize democracy. The progress already made placed the country far ahead of certain others whose violations of human rights made the sponsorship of the current text incongruous, to say the least. The Committee had a moral obligation to accept the Special Rapporteur's credibility; to ignore his findings, not to mention Chile's regular compliance with its obligations pursuant to the International Covenants, was an act of bad faith. Draft resolution A/C.3/42/L.88 was utterly unjust, and his delegation would vote against it.

30. Mr. NOGUES (Paraguay) said that his delegation would vote against draft resolution A/C.3/42/L.88 and reserved the right to explain its vote when the matter was considered by the General Assembly.

31. A recorded vote was taken on draft resolution A/C.3/42/L.88.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Barbados, Belgium, Benin, Bolivia, Botswana, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Canada, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Guinea, Hungary, Iceland, India, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Peru, Philippines, Poland, Portugal, Qatar, Rwanda, Saudi Arabia, Senegal, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: Chile, Indonesia, Lebanon, Paraguay, Thailand.

Abstaining: Bahamas, Bahrain, Bangladesh, Bhutan, Brazil, Brunei Darussalam, Burma, Cameroon, Central African Republic, Chad, China, Colombia, Comoros, Côte d'Ivoire, Democratic Kampuchea, Ecuador, Egypt, Fiji, Ghana, Grenada, Haiti, Honduras, Iraq, Israel, Japan, Jordan, Liberia, Malawi, Malaysia, Maldives, Morocco, Nepal.

Niger, Nigeria, Oman, Pakistan, Panama, Saint Vincent and the Grenadines, Singapore, Solomon Islands, Somalia, Suriname, Trinidad and Tobago, Turkey, United States of America, Yemen, Zaire.

32. The resolution was adopted by 81 votes to 5, with 47 abstentions.

Draft resolution A/C.3/42/L.89/Rev.1

33. Mrs. WARZAZI (Morocco), referring to draft resolution A/C.3/42/L.89/Rev.1, said that the final phrase in paragraph 11, following the words "of mutual understanding and trust", was unseemly and not in keeping with the objectives of the Third Committee or those of the resolution itself. Consequently, that phrase should be deleted.

34. Mrs. BARISH (Costa Rica) proposed several amendments to draft resolution A/C.3/42/L.89/Rev.1. In the third preambular paragraph, the words "an additional Optional Protocol" should be added following the words "International Covenant on Civil and Political Rights". In operative paragraph 2, a similar addition should be made.

35. The Commission on Human Rights was being unnecessarily burdened by being asked to study the question of the conduct of international co-operation in the field of human rights. The best way to establish such co-operation was by strengthening United Nations instruments, among which was the Optional Protocol. Consequently, operative paragraph 15 should be deleted and, in operative paragraph 16, the following words should be deleted: "and taking into account the work of the Commission on Human Rights at its forty-fourth session".

36. Mr. GALAL (Egypt) said that, although his delegation had been in consultation with the co-sponsors of draft resolution A/C.3/42/L.89/Rev.1, he regretted that its views had not been adequately reflected. His delegation proposed that operative paragraph 1 should end on line three, following the word "world". The rest of the paragraph should be deleted, since a number of representatives had raised doubts regarding the system of selectivity concerning United Nations procedures in the human rights field.

37. Mr. QUINN (Australia) said his delegation wished to make a number of amendments to draft resolution A/C.3/42/L.89/Rev.1, which he understood were acceptable to the co-sponsors. In operative paragraph 4, the letter "s" should be removed from the word "peoples".

38. Operative paragraphs 5 and 9 should be merged to read as follows: "Considers also that respect for human rights and the development of co-operation in this field are relevant and will contribute to the reduction of international tension and the establishment of better relations between States, the dispelling of prejudices and the identification of problems with a view to their constructive solution."

(Mr. Quinn, Australia)

39. Operative paragraph 11 should be deleted in its entirety. In operative paragraph 13, everything following the word "between States" should be deleted. As suggested by the representative of Costa Rica, paragraph 15 should be deleted. While his delegation was sympathetic to Costa Rica's proposal to delete certain words in operative paragraph 16, it believed that deleting paragraph 15 was sufficient and, consequently, paragraph 16 could remain as it stood.

40. He was grateful to the Ukrainian Soviet Socialist Republic for accommodating several of the amendments proposed by his delegation, including operative paragraph 1. However, he did understand Egypt's objections to the wording of the end of that paragraph and, in the interests of compromise, would be prepared to make the language more general. Consequently, he proposed that the words following "of the world" should be replaced by "including by respecting procedures established by the United Nations in this field".

41. Miss UMANA (Colombia) said that her delegation supported Australia's proposals, which were constructive and useful.

42. Mr. SCHWANDT (Federal Republic of Germany) said that, although the proposals by the Australian delegation would improve draft resolution A/C.3/42/L.89/Rev.1, his delegation continued to have grave problems with it. A resolution dealing with international co-operation in the field of human rights, in order to have any real meaning, must be adopted by consensus and must faithfully reflect the standards achieved so far by the United Nations in the field. The draft resolution under consideration, even as orally revised, failed to achieve those aims. The third preambular paragraph lacked any mention of the most important human rights document, the Charter of the United Nations, in particular Articles 1, 56, and 62. Furthermore, the resolution did not contain any clear definition of the purpose of international co-operation in the field of human rights. It failed to cite the preamble of the Universal Declaration of Human Rights, which embodied the aims of international co-operation in that field. He suggested that the sponsors should postpone consideration of the draft resolution until the next session of the General Assembly, thus allowing the necessary time to arrive at a clear definition of co-operation in the field of human rights.

43. Mr. GALAL (Egypt) said that, while he fully understood the concerns of Costa Rica, he would find it difficult to urge countries which were not members of the Optional Protocol to abide by it. He appealed to Costa Rica not to insist on its proposal. The amendments put forward by Australia were acceptable to his delegation.

44. Mr. TROUVEROY (Belgium) said that the draft resolution under discussion needed further elaboration. Without the required consensus, it was impossible to continue discussion of the text and, consequently, he supported the proposal of the Federal Republic of Germany to postpone consideration until 1988.

45. Mr. MATSOUKA (Ukrainian Soviet Socialist Republic) said that the proposals made were, in principle, acceptable to the sponsors. He requested a 10 minute suspension of the meeting for consultations.

46. Mr. HYNES (Canada) said his delegation was particularly concerned about two prominent concepts of the draft resolution. His Government rejected the notion of relativism and differentiation in the degree of applicability of human rights standards in different economic and social situations, as it believed that Governments everywhere must ensure the enjoyment of human rights; it also had reservations about the idea that the ultimate purpose of the consideration of human rights in the United Nations was to achieve co-operation for its own sake; that approach confused the means with the end, since the true purpose was to enhance enjoyment of human rights in all countries. His delegation urged the sponsors to withdraw the draft resolution.

47. Mrs. ALVAREZ (France) said that her delegation believed that the draft resolution was too important not to be adopted by consensus. There were clearly differences of view about the substance of the draft resolution and confusion about the additions, mergings of paragraphs and deletions. Her delegation would have great difficulty in deciding on the many amendments at the current stage, and therefore firmly supported the proposal of the Federal Republic of Germany. The consideration of the draft resolution should be postponed until the next session.

48. Mr. HOPPE (Denmark) said that many delegations had great difficulties with the text of the draft resolution, even as orally amended. He did not feel that a brief consultation among the sponsors would be of any great help, and therefore strongly supported the proposal that the consideration of the draft resolution should be deferred until the next session of the General Assembly.

49. The CHAIRMAN suggested that the Committee should take up draft resolution A/C.3/42/L.63/Rev.2 and defer a decision on draft resolution A/C.3/42/L.89/Rev.10.

AGENDA ITEM 106: NEW INTERNATIONAL HUMANITARIAN ORDER

Draft resolution A/C.3/42/L.63/Rev.2

50. Mr. BYKOV (Union of Soviet Socialist Republics) said that there had been broad and detailed consultations on draft resolution A/C.3/42/L.63/Rev.2 with delegations of many countries from all the geographical groups. It appeared that the draft resolution could be adopted without a vote. After the third preambular paragraph, a fourth preambular paragraph should be added reading: "Recognizing the positive role played by the Independent Commission on International Humanitarian Issues". The draft resolution was self-explanatory: its objective was to promote the maximum co-operation in solving humanitarian problems.

51. Ms. UMANA (Colombia) said that her delegation had difficulty in supporting a draft resolution whose only content was its title. The Committee had already adopted draft resolution A/C.3/42/L.57 calling for a strengthening of international co-operation in the humanitarian field. However, her delegation would not oppose a consensus on draft resolution A/C.3/42/L.63/Rev.2.

52. Mrs. BARISH (Costa Rica) said that her delegation shared the concerns of the representative of Colombia. It would not oppose the consensus, but did not believe that the draft resolution added anything to what the Committee had already done.

53. Mr. GALAL (Egypt) said that his delegation also had difficulty with the text of the draft resolution. He suggested that a paragraph should be added inviting countries to co-operate in introducing one comprehensive resolution on the item in question at the next session of the General Assembly. The Committee had two draft resolutions which were complementary, and it would be better for the international community to have a single resolution.

54. Mrs. WARZAZI (Morocco) said that the additional paragraph proposed by the representative of Egypt would be better submitted as a separate decision since it related to many items on the agenda.

55. Mrs. MUKHERJEE (India) said she also felt that it would be inappropriate to include a paragraph on the organization of work in a draft resolution on humanitarian co-operation. It was not the first time that there had been two or more draft resolutions on the same subject.

56. Miss A'OUAZE (Algeria) said that her delegation could not support the Moroccan proposal; the Committee could not decide that in future it would have only one draft resolution on a given item.

57. Mr. EL-FARWAZ (Jordan) said that his delegation could support the consensus on draft resolution A/C.3/42/L.63/Rev.1. It had always been in favour of producing a single draft resolution on the subject, and it supported the efforts to concentrate on common action in future years to achieve a consolidated resolution.

58. Mr. GALAL (Egypt) said that he would not insist on his addition to the draft resolution, although he was convinced about the need to unify and consolidate draft resolutions. His delegation would support draft resolution A/C.3/42/L.63/Rev.2.

59. Mrs. MUKHERJEE (India) said that in the interests of the rationalization of work, the Committee could consider having fewer draft resolutions, but that did not mean that there would necessarily be only one draft resolution on each item; the matter would have to be considered thoroughly and substantively.

60. Ms. EFFANGE (Cameroon) said that it was not an appropriate time or venue to initiate a discussion of rationalization of work; such a discussion would also duplicate work being done in other Committees. Items should be considered on their merits.

61. Ms. FLOREZ (Cuba) said that her delegation did not feel it was appropriate to decide that there should be a single draft resolution on each item since it was the sovereign right of States to submit draft resolutions in accordance with their views on any given item. The matter should be considered in the context of the rationalization of work.

62. Mrs. WARZAZI (Morocco) said that she had never suggested that there should be only one draft resolution on any given item, but had merely said that it was not appropriate to include a paragraph on rationalization of work in the text of the draft resolution before the Committee.

63. Mr. LINDHOLM (Sweden) drew attention to the amendments his delegation had made to draft resolution A/C.3/42/L.63/Rev.2, which had been accepted by the sponsor.

64. Mr. STROHAL (Austria) said that an editorial change should be made in the third preambular paragraph of the draft resolution to bring it in line with the title.

65. The CHAIRMAN suggested that the Committee should adopt draft resolution A/C.3/42/L.63/Rev.2, as amended, without a vote.

66. It was so decided.

The meeting rose at 5.55 p.m.