



SUMMARY RECORD OF THE 53rd MEETING

Chairman: Mr. MADAR (Somalia)

later: Mrs. TIRONA (Philippines)

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 101: INTERNATIONAL CAMPAIGN AGAINST TRAFFIC IN DRUGS: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/39/L.30/Rev.2, L.31/Rev.1, L.33/Rev.1, L.35)

Draft resolutions A/C.3/39/L.30/Rev.2 and L.31/Rev.1

1. Mrs. DOWNING (Secretary of the Committee) said that the Central African Republic had become a sponsor of draft resolution A/C.3/39/L.30/Rev.2 and that India, Pakistan, Thailand and Turkey had become sponsors of draft resolution A/C.3/39/L.31/Rev.1.
2. Mr. SUCRE-FIGARELLA (Venezuela), speaking on behalf of the sponsors of the two draft resolutions, said that the broad support accorded them represented the widespread concern for the illicit drug traffic and drug abuse. His delegation would continue to do its utmost to seek dialogue and co-operation in the fight against those evils, whose designation as an international criminal activity represented increasing awareness and acceptance of responsibility on the part of the international community. He noted that draft resolution A/C.3/39/L.30/Rev.2 was an attempt to deal with the problem pragmatically and would serve as a working paper for future deliberations. He hoped the Committee would adopt both draft resolutions without a vote.
3. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that many of the provisions of draft resolution A/C.3/39/L.30/Rev.2 deserved support. His delegation felt, however, with regard to article 15 of the draft convention that a dispute should be submitted to the International Court of Justice only if both parties agreed. As to article 12, his delegation could support it if the assistance fund were financed with voluntary contributions. In general, in view of the fact that the draft resolution was to be used as a working paper, his delegation was ready to support it.
4. Ms. AYORINDE (Nigeria), referring to draft resolution A/C.3/39/L.30/Rev.2, said that her Government was resolutely committed to combating the illicit use and trafficking of drugs and felt that a draft convention was desirable. Her delegation had reservations, however, with regard to the use of the term "grave crime against humanity", in the draft convention noting that the report of the International Law Commission (A/39/10, para. 45) listed such crimes as murder, extermination and enslavement as crimes against humanity but did not include drug trafficking. On the understanding that her comments would be brought to the attention of the Commission on Narcotic Drugs, her delegation would join in the consensus.
5. Draft resolution A/C.3/39/L.30/Rev.2 was adopted without a vote.
6. Draft resolution A/C.3/39/L.31/Rev.1 was adopted without a vote.

Draft resolution A/C.3/39/L.33/Rev.1 and its programme-budget implications
(A/C.3/39/L.35)

7. Mr. HAMER (Netherlands) said that his delegation would join in the consensus. It felt, however, that the term "crime against humanity" in the preamble to the draft resolution was inappropriate.

8. Mrs. DOWNING (Secretary of the Committee) announced that Jamaica and Nicaragua had become sponsors of the draft resolution.

9. Draft resolution A/C.3/39/L.33/Rev.1 was adopted without a vote.

Statement by the Secretary-General

10. The SECRETARY-GENERAL said that he attached great importance to the international campaign against traffic in narcotic drugs in view of the grave human and social implications of the problem. He had been profoundly struck by the number of occasions on which Heads of State or Government who had visited him in 1984 had given it priority attention.

11. The action which the Committee had just taken was a reassurance that the international community was increasingly aware of the seriousness of the issues involved and increasingly prepared to join in a common effort to combat the evils of drug trafficking and abuse. The United Nations Declaration on the Control of Drug Trafficking and Drug Abuse, together with related resolutions - including one which would give impetus to a new convention - were welcome testimony to the urgency which the Organization must attach to drug-related problems.

12. Increasingly, the devastating effects of drug abuse were seen in developing countries as well as in the industrialized world, at all levels of society and in all age groups. As the International Youth Year approached, there must be a heightened awareness of the vulnerability of young people and of the tragedy involved where countless young lives were blighted or lost.

13. The scourge of drug abuse went hand in hand with the growing traffic in illicit drugs. Those illegal activities, financed and operated by well-organized international criminals, had become so pervasive and had generated such profits that countries' economies were disrupted, legal institutions were undermined, and the very authority of some States was seriously threatened. Central to the success of any effort to combat those crimes was a recognition that they could be dealt with only through international co-operation. While increasing amounts of illicit drugs were being used in the countries of origin, the greatest proportion crossed national boundaries and became part of a wicked and widespread international conspiracy. In his view, that was precisely the type of problem which the United Nations system was uniquely equipped to confront. For that reason, he was grateful for the widespread support and encouragement which Member States had demonstrated for the strengthening of the programmes of the United Nations Fund for Drug Abuse Control, the International Narcotics Control Board and the Division of Narcotic Drugs.

(The Secretary-General)

14. Much remained to be done, however. He had taken steps to improve co-ordination of efforts within the Secretariat, and more would follow. He was asking all departments concerned to mount a more substantial educational and informational effort to ensure that the magnitude of the problem was more widely understood. He also intended to place the topic on the agenda of the next session of the Administrative Committee on Co-ordination.

15. He wished to take the opportunity to appeal to the relevant specialized agencies to assign high priority to developing and expanding programmes in their fields of competence which would contribute to a more comprehensive effort to cope with the growing evil of drug abuse. Obviously, a much more extensive frontal attack was needed - on the agricultural front through crop substitution and control, on the health front through prevention and cure of drug abuse, and on the legal front through seizure of drugs and the profits deriving from them, as well as better co-operation in the extradition and prosecution of traffickers. That would be the best way for the United Nations system to demonstrate its relevance to the real problems afflicting the world. Moreover, the best way for the Member States to reinforce the decisions just taken by the Committee would be to provide tangible support for efforts to translate the Committee's resolutions into action.

16. In conclusion, he assured the Committee of his own commitment to an increased and more effective effort, and appealed to the members to build on the momentum now created, making the current session a watershed for a more concerted and determined struggle to eliminate one of the most pernicious and pervasive evils of modern times.

Explanations of position on draft resolutions A/C.3/39/L.30/Rev.2, L.31/Rev.1 and L.33/Rev.1

17. Ms. CLARK (New Zealand), said that, although her Government had not had time to examine the draft convention (A/C.3/39/L.30/Rev.2) in detail, her delegation wished to express its concern at the use of the term "crime against humanity" to designate drug trafficking.

18. Mrs. Tirona (Philippines) took the Chair.

19. Mr. TELLE (France) said that his delegation categorically condemned drug trafficking and was doing its utmost to combat it. It felt, however, that the use of the term "crime against humanity" was inappropriate because of the particular legal significance of that term.

20. Mr. MAHONEY (Gambia) said that, although his delegation had joined in the consensus on draft resolution A/C.3/39/L.30/Rev.2, it shared the reservations expressed with regard to designating drug trafficking as a grave crime against humanity.

21. Mr. BRAUN (Federal Republic of Germany) said that his delegation had joined the consensus with regard to draft resolution A/C.3/39/L.30/Rev.1. It had reservations, however, about the need for a new legal instrument: it felt that the existing

(Mr. Braun, Federal Republic of Germany)

instruments should instead be strengthened in order to avoid duplication. He also had serious legal reservations about the designation of drug trafficking as a crime against humanity, a term which had a special connotation in international law.

22. Ms. JONES (United States of America) said that her delegation was pleased that the draft resolutions had been adopted by consensus, thus demonstrating the importance which the members of the Committee attached to eradicating drug trafficking.

23. With regard to paragraph 10 of draft resolution A/C.3/39/L.33/Rev.1, her delegation urged the Secretary-General to see that expenditures arising from a meeting in 1986 of heads of national law-enforcement agencies were offset through savings elsewhere in the next United Nations biennial budget. The costs enumerated in document A/C.3/39/L.35 relating to that meeting were modest and should not be difficult to absorb within existing resources.

24. As a sponsor of draft resolution A/C.3/39/L.31/Rev.1, her delegation wished to place on record its understanding that the phrases "illicit use of drugs" and "drug abuse" as used in the resolution referred to the distribution of dangerous drugs for illicit purposes rather than to personal abuse of such substances, which in the United States was regarded primarily as a health problem rather than a legal problem.

25. Mr. THWAITES (Australia) paid tribute to the sincerity and energy of the sponsors of draft resolution A/C.3/39/L.30/Rev.2, who had sought to encompass all views in the revision of the text. His delegation was concerned, however, about certain concepts contained in the draft convention and would pursue those concerns in the discussion of the draft in the Commission on Narcotic Drugs. He also felt that more attention should be focused on supplementing existing legal instruments.

26. Mr. GÖKTÜRK (Turkey) said that his delegation was satisfied with draft resolution A/C.3/39/L.33/Rev.1. He noted, however, that although Turkey morally supported the designation of drug trafficking in the preamble to the draft resolution as a crime against humanity, it felt that a further analysis of the connotations of that term was required.

27. The CHAIRMAN said that the Committee had thus concluded its consideration of item 101.

The meeting was suspended at 4.10 p.m. and resumed at 5.15 p.m.

AGENDA ITEM 102: ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/39/L.36, L.39 and L.53)

Draft resolution A/C.3/39/L.36 and amendments thereto (A/C.3/39/L.53)

28. Mrs. FLOREZ PRIDA (Cuba) said that the sponsors of draft resolution A/C.3/39/L.36 had attempted to reach agreement with the countries, particularly

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(Mrs. Florez Prida, Cuba)

Italy, which had proposed amendments to it. However, the Italian delegation was insisting on its amendments and, accordingly, the sponsors of the draft resolution were submitting it to the Committee as it stood.

29. Mr. LEBAKIN (Ukrainian Soviet Socialist Republic) proposed that the following new paragraph should be inserted after paragraph 6 of the draft resolution:

"Reaffirms the duty of a State to refrain from the exploitation and the distortion of human rights issues as a means of interference in the internal affairs of States, of exerting pressure on other States or creating distrust and disorder within and among States or groups of States;".

That was the exact wording used in section II (1) of the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States, adopted by the General Assembly in resolution 36/103. That proposal also reflected others made earlier by the developing countries and would restore balance to the draft resolution.

30. Mr. THWAITES (Australia) said that in view of the unfamiliar language in the amendment proposed by the Ukrainian SSR, his delegation hoped that the sponsors of the draft resolution would agree to defer a decision on it so that delegations could continue consultations.

31. Mr. AIDARA (Senegal) said he agreed that a decision should be postponed to enable more thorough consultations to be held.

32. Mrs. WARZAZI (Morocco) supported that view.

33. Mr. MATELJAK (Yugoslavia) said that his delegation saw elements of confrontation in the amendments proposed by Italy and the Ukrainian SSR. He therefore appealed to both delegations to withdraw their amendments and allow the Committee to reach a compromise and adopt the draft resolution by consensus.

34. Mr. PERUGINI (Italy) said he agreed that the Committee should be given more time in an attempt to reach agreement on the draft resolution. The Ukrainian delegation had introduced a concept that had never before been used in resolutions of that type.

35. Mr. OSAKWE (Nigeria) said that, as a sponsor of the draft resolution, he could accept the suggestion to postpone a decision on the understanding that delegations would approach the consultations with an open mind and provided that the other sponsors agreed to the postponement.

36. Mr. AIDARA (Senegal) said that, since the earlier consultations had not produced tangible results, he was pleased to note that the representative of Nigeria had agreed to the postponement of a decision.

37. Mrs. FLOREZ PRIDA (Cuba), speaking as a sponsor of the draft resolution, appealed to the representatives of Italy and the Ukrainian SSR to consider withdrawing their amendments so that the Committee could agree on a final text. Her delegation had no objection to postponing a vote on the draft resolution in order to continue consultations, provided that the other sponsors agreed.

38. The CHAIRMAN said he took it that the Committee agreed to postpone a decision on draft resolution A/C.3/39/L.36.

39. It was so decided.

Draft resolution A/C.3/39/L.39

40. Ms. CLARK (New Zealand) said that her delegation had become a sponsor of the draft resolution.

41. Draft resolution A/C.3/39/L.39 was adopted without a vote.

AGENDA ITEM 93: UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE
(continued) (A/C.3/39/L.21, L.44)

Draft resolution A/C.3/39/L.21 and its programme-budget implications (A/C.3/39/L.44)

42. Mr. DARWISH (Egypt), speaking as a sponsor of the draft resolution, said that the words "in August 1985" in paragraph 1 should be replaced by the words "from 15 to 26 July 1985".

43. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that thanks were due to the Egyptian delegation and the Group of 77 for sponsoring the draft resolution and to the Government of Kenya for offering to host the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women. His delegation agreed to the adoption of the draft resolution without a vote, but wished to appeal to the Secretariat to reduce as far as possible the burden of costs to be borne by Kenya.

44. Mrs. KAMAL (Secretary of the Conference) drew the Committee's attention to a statement made by the Chairman of the Second (Social) Committee of the Economic and Social Council at that Committee's 15th meeting during the Council's first regular session of 1984. The statement was reproduced in paragraph 194 of the report of the Economic and Social Council (A/39/3 (Part I)).

45. Draft resolution A/C.3/39/L.21 was adopted without a vote.

Explanations of position on draft resolution A/C.3/39/L.21

46. Mrs. YAMAZAKI (Japan) said that, while her delegation welcomed the adoption of the draft resolution by consensus and while it recognized that adequate conference services and good documentation were indispensable to the success of the Conference, it believed that the excessive documentation would unnecessarily

(Mr. Yamazaki, Japan)

increase the costs of the Conference. Moreover, 1,000 pages of pre-session documentation were too much for delegations to study with ease. The Secretariat should make every effort to prepare documentation which was concise and readable. Another point of concern was the number of Secretariat staff to attend the Conference, a matter on which the statement of programme-budget implications did not supply full details. Her delegation hoped that the Secretary-General would keep the number of participating staff to the minimum essential level.

47. Ms. JONES (United States of America) said that her delegation, too, was very pleased to have joined in the adoption of draft resolution A/C.3/39/L.21 without a vote. The restoration of a consensus on the preparations for the Conference was a good omen for continued international co-operation at the Conference and beyond. The initiative and dedication shown by the Kenyan Government and Kenyan women were inspiring. In recognition of the great importance which her Government attached to the Conference, it had been decided to waive the normal United States policy of voting against all resolutions with financial implications.

48. That did not mean, however, that her delegation fully accepted the financial implications outlined in document A/C.3/39/L.44. Although the original estimates had been reduced, the current estimates of \$273,800 for convening the Conference and \$1,958,200 for conference servicing still seemed high. Her delegation expected ACABQ and the Fifth Committee to scrutinize, in particular, requests for travel and documentation. She wondered whether, for example, 23 representatives of the Department of Public Information really needed to attend and also whether it was seemly to spend money on a reception at a time when so many on the African continent were dying of starvation. Her delegation expected the Secretariat to make every effort to absorb costs where possible.

49. Miss THOMAS (United Kingdom) said that her delegation had joined the consensus on the draft resolution and attached great importance to the Conference. However, it had considerable reservations about the financial implications of both documentation and staffing. The envisaged despatch of what seemed an unwarrantedly large number of officials of the Department of Public Information to Nairobi, despite the request her delegation had made to the Secretariat in the Economic and Social Council to review those figures, was particularly disappointing. Her delegation would raise those issues in the Fifth Committee.

50. The CHAIRMAN said that the Committee had thus concluded its consideration of item 93.

AGENDA ITEM 100: OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES
(continued) (A/C.3/39/L.37, L.52)

Draft resolution A/C.3/39/L.37 and its programme-budget implications (A/C.3/39/L.52)

51. Mrs. DOWNING (Secretary of the Committee) said that Argentina, Bangladesh, Benin, the Central African Republic, the Comoros, the Congo, Cyprus, France, the Gambia, Honduras and Somalia had joined the sponsors of the draft resolution.

52. Mr. YAKOVLEV (Union of Soviet Socialist Republics), said that his delegation's support of the draft resolution did not imply approval of the decision of the High Commissioner's Executive Committee on the introduction of Arabic, Chinese and Spanish as official languages of the Executive Committee, referred to in the last preambular paragraph. His delegation reserved its position on that decision, which would entail costs amounting to almost \$400,000, and intended to raise the matter in the Fifth Committee.

53. Draft resolution A/C.3/39/L.37 was adopted without a vote.

Explanations of position on draft resolution A/C.3/39/L.37

54. Mr. GÖKTÜRK (Turkey), noting with satisfaction that the draft resolution had been adopted without a vote, said that he wished to put on record his delegation's view concerning the expression "voluntary repatriation or return" which appeared therein. The use of the term "return" side by side with "voluntary repatriation" within the context of durable solutions of the refugee problem was in conformity with his Government's position. That term "return" should not, however, be interpreted in an exhaustive manner and the fact that different circumstances necessitated different ways of achieving durable political solutions should not be overlooked.

55. Mr. MOHAMED (Sudan) said that the Committee deserved a tribute for adopting the draft resolution without a vote and, in particular, for approving the last preambular paragraph which noted the decision to add Arabic to the official languages of the Executive Committee. The refugee problem was a universal one and the exclusion of Arabic could not be justified on any grounds. He hoped that the Fifth Committee, too, would live up to its responsibilities in the matter.

56. The CHAIRMAN said that the Committee had thus concluded its consideration of item 100.

The meeting rose at 6.10 p.m.