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SOCIAL COMMITTEE

Volume II*

SUMMARY RECORDS OF THE SEVEN HUNDRED AND THIRTY-EIGHTH TO
SEVEN HUNDRED AND FIFTIETH MEETINGS

Held at Headquarters, New York,
from 3 to 14 May 1974

Chairman:

Mr. SMID

Czechoslovakia

* The summary records of the 724th to 737th meetings, held from 22 April to 2 May 1974, appear in volume I.

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738th meeting

Friday, 3 May 1974,
at 11.10 a.m.

Chairman: Mr. SAYAR (Iran)

NARCOTIC DRUGS (continued):

- (a) REPORT OF THE INTERNATIONAL NARCOTICS CONTROL BOARD (E/5456; E/AC.7/L.667) (continued)
- (b) REPORT OF THE COMMISSION ON NARCOTIC DRUGS ON ITS SPECIAL SESSION (E/5458 and Corr.1; E/AC.7/L.669) (continued)

Sir Harry GREENFIELD (President, International Narcotics Control Board) said that the standard of government reporting continued to improve and the Board's purview was gradually approaching completeness. It was to be hoped that the People's Republic of China, the Democratic People's Republic of Korea and the Democratic Republic of Viet-Nam would soon submit the required reports.

Full control of poppy cultivation was difficult to achieve, since the product was easily portable and opium commanded high prices on the illicit market. However, opium production in Turkey had ceased at the end of 1972, thus substantially reducing the area of risk. India was now the largest licit producer and the sole exporter of opium for licit purposes and that country's control system was highly efficient. There were also efficient controls over opium and poppy straw in countries where they were produced solely to supply domestic manufacture of opiates. Controls over the manufacture, distribution and marketing of the end products of narcotic raw materials similarly gave little cause for anxiety. The control system prescribed by the treaties was therefore operating satisfactorily.

The situation was very different for coca-bush cultivation. Despite the efforts made by the international organs, no significant improvement had been achieved. Production was far in excess of legitimate needs, so that widespread coca-leaf chewing continued virtually unchecked, to the physical detriment of the local population. A substantial amount of cocaine found its way into the illicit traffic and was significant in multidrug abuse in countries remote from the area of cultivation. Despite the administrative and other difficulties faced by the countries concerned, the Board felt that much more could have been done to tackle the problem. It hoped that the recommendations put forward by the mission to the Andean region in February 1973 would be speedily implemented.

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(Sir Harry Greenfield)

There appeared to be no improvement in the situation with regard to illicit or uncontrolled poppy cultivation. A decline in production in one area was soon counterbalanced by new or increased production elsewhere and the flow of opium and opium products continued. The volume of illicit traffic in cannabis was also increasing everywhere, both in the former areas of abuse and in completely new areas. A dangerous factor was the appearance of liquid cannabis that was much easier to transport, on the international illicit market. Greater availability of that concentrated form would create more serious risks for those who consumed cannabis.

The Board's report made appreciative reference to the co-operative action of Governments and international bodies in combating the flow of dangerous substances. The Board hoped that all forms of bilateral and multilateral co-operation would be extended, since co-operation was vital if the problem was even to be effectively contained. Public participation was also essential. The wholesome influence of family duty and affection, reinforced by national traditions of dignity and self-respect, must be invoked. The community appreciated the serious implications which drug abuse had for youth today and for future generations. The activities of unofficial groups were therefore to be welcomed, but their activities should be carefully co-ordinated and should be dovetailed with government measures. Duplication of effort could be avoided at the international level if some method of co-ordination could be found between national groups. The combination of official and unofficial effort was effective, and it would be well if a non-governmental organization could be set up to ensure that the public interest was adequately represented in international discussions on the subject.

The Board maintained a continuing correspondence with the contracting parties of the treaties and, at the invitation of the Governments concerned, occasionally sent missions to countries where direct personal discussion might be helpful. He expressed appreciation of Governments' co-operation with such missions, although in the case of Latin America the end result had proved disappointing. In 1973, a mission had visited Hong Kong and Nepal and had held talks with the Government of India regarding opium used for licit manufacture. Such missions served to enrich

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(Sir Harry Greenfield)

the Board's knowledge of world developments in the field of narcotic drugs. The mission to Hong Kong had found that the illicit traffic chain in South-East Asia was no longer as important as it had been, since traffickers could now convert opium into morphine in the country of origin and transport it by air. None the less, the drug-abuse situation in Hong Kong was severe and the authorities deserved every assistance. Perhaps half the known addicts smoked opium, while the remainder smoked heroin. Voluntary bodies were co-operating in a campaign which included extensive treatment and rehabilitation of addicts, and the discouragement of new addicts through education. He had since been informed, however, that the flow of opium products to Hong Kong seemed to have ceased as a result of preventive action in and around Burma and Thailand.

The purpose of the mission to Nepal had been to ask the Government to help reduce the flow of cannabis into India and through India to other countries, since the Indian Government's policy was eventually to abolish all cannabis consumption. In July 1973, the Government of Nepal had decided to ban the production of cannabis and opium and to compensate farmers for their loss of income. Although the promised parliamentary bill had still not been enacted, cultivation of cannabis in the region near the Indian frontier had ceased, cannabis shops had been closed and a firmer attitude had been adopted towards an unwelcome type of tourist. Since many traffickers allegedly came in through India, similar firmness should be displayed there. However, despite those improvements, there still remained the problem of wild cannabis in northern Nepal.

The Board's report gave an assessment of the current availability of opium for licit manufacture as a result of a thorough study made of the persistent increase in demand for codeine and codeine products in medical practice. The Board saw no grounds for apprehension regarding the supply of codeine medicaments and strongly deprecated any suggestion that additional opium-producing areas should be authorized. Systems of control over opium production were costly and the training of staff was a lengthy process.

There were two important additional instruments to supplement those governing international drug control. The 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961, had already been ratified by 29 countries and would soon enter into force. Although it involved no structural change in the current system, it

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(Sir Harry Greenfield)

would reinforce the influence of the Board in promoting the participation of national administrations in the international control system. More important was the 1971 Convention on Psychotropic Substances. There was disquieting evidence of growing misuse of such substances. Most Governments were exercising control in their own territories and supplying the statistics required under the Convention but, until the international movement of psychotropic substances was subject to international controls, there would always be the danger of imports from countries which did not impose controls.

In taking leave of the Council for the last time, he wished to recall that, although the drug problem was not the worst one facing mankind, it was a serious one, and complacency must be resisted. Only through constant vigilance could the problem be overcome.

Mr. Smid (Czechoslovakia) took the Chair.

Mr. POEDJIOETOMO (Indonesia) said that Indonesia was deeply concerned about the problem of drug addiction and illicit trafficking in drugs. The Government had taken stern measures to control those problems on the local level. However, the efforts of police officials and customs authorities were hampered by the fact that Indonesia was an archipelago with long stretches of jagged coastline.

The flow of raw opium and morphine into Indonesia presented a major problem to law enforcement services. The authorities had found evidence that traffickers were making greater use of other ports through which they trans-shipped their drugs to Indonesia. As a result, the border patrols, and customs and police authorities had been required to increase their surveillance of ocean-going vessels and cargoes, a step which had severely taxed their resources. Traffickers continued to smuggle drugs to the ports in Eastern Sumatra and Java. One encouraging sign, however, was that no evidence had been found of illicit traffic being supported by illicit production or manufacture or by diversion from legitimate channels. In some parts of Java and Sumatra, cannabis plants were grown for local illicit markets and there was also evidence of cannabis smuggling from certain ports in Sumatra to

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(Mr. Poedjioetomo, Indonesia)

Singapore and Malaysia. Everything possible was being done to stop such illegal activities. In 1971, the Indonesian Government had seized 2501.95 kilogrammes of cannabis, had destroyed 10,897 cannabis plants and seized 18.33 kilogrammes of opium and 94 grammes of morphine.

Within Indonesia, cultivation of opium and cannabis were prohibited by law and no cases of illicit cultivation of opium had been reported during recent years. However, there had been cultivation of cannabis plants which, when found, were destroyed and the offenders prosecuted. In 1971, there had been 49 offences against the Narcotics Law and 183 persons had been convicted for illegal possession and sale of drugs.

The success of the Indonesian Government's efforts to curb the flow of drugs depended upon the availability of funds and technical expertise. In that connexion, Indonesia had sponsored General Assembly resolutions 3145 (XXVIII) and 3146 (XXVIII). In addition, Indonesia had been one of the sponsors of Economic and Social Council resolution 1662 (LII), which urged Governments to continue to co-operate with one another to eliminate illicit production, consumption and traffic in narcotic drugs and psychotropic substances. He noted that the report of the International Narcotics Control Board (E/5456) also emphasized the importance of co-operation between Governments.

The Indonesian delegation was convinced that efforts should be focused on preventive measures at points close to the areas of supply. The large volume and skilful organization of illicit traffic in drugs called for the same attention and assistance as was given to other aspects of the narcotic drug problem. Illicit traffic, which was the vital link between supply and demand, was a problem which went beyond national jurisdiction and could be solved only through international co-operation. As the report of the International Narcotics Control Board stated, an effective world-wide system for drug control depended upon the early ratification by Governments of the relevant Conventions. Indonesia hoped to ratify shortly the 1961 Single Convention on Narcotic Drugs and the 1972 Protocol amending that Convention. In practice, the Indonesian Government was already fulfilling the obligations set forth in the Convention.

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(Mr. Poedjioetomo, Indonesia)

Another method of developing such a concerted effort was that referred to in draft resolution B in the report of the Commission on Narcotic Drugs (E/5458). His delegation supported that resolution, and in particular the provisions of paragraphs 2 and 3.

He was gratified to note the co-operation between international bodies in drug abuse control, as described in paragraph 15 of document E/5456. His delegation was convinced that measures at the national level were not enough to stop the spread of illicit trafficking and therefore urged all States to contribute to the United Nations Fund for Drug Abuse Control according to their capacity, and to provide technical assistance to the developing countries concerned, in accordance with General Assembly resolutions 3145 (XXVIII) and 3146 (XXVIII).

Mr. ISLAM (Pakistan) said that Pakistan had no large-scale drug addiction problem. Of a population of 65 million, only 40,000 were confirmed addicts. Nevertheless, the Government had recently implemented measures to limit the cultivation of opium. Growers were required to be licensed by the Government. In addition, the Government had a monopoly on the purchase of their product, which it supplied to licensed vendors. The small number of drug addicts in Pakistan might be attributed to the social stigma that was attached to the use of opium.

One of the major problems was to convince opium growers, for whom the cultivation of opium had constituted the main source of income for generations, that what they were doing was wrong. What was therefore needed was a concerted education programme about the dangers of drug abuse. In addition, growers must either be compensated or provided with an alternative crop and guaranteed a fair price and stable market for their produce. The Government of Pakistan would continue to do its utmost to restrict the cultivation of opium and to find alternative crops.

More attention should also be given to identifying the social causes of drug addiction in the developed countries. Unless those problems were identified and remedies found, it would be impossible to eradicate drug addiction.

Furthermore, a double standard appeared to exist with regard to the punishment of offenders against narcotics laws. The developed countries, while insisting that the developing countries impose severe penalties for the illicit cultivation of opium, themselves continued to impose very light penalties on persistent offenders. More severe penalties should therefore be imposed in the developed countries.

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(Mr. Islam, Pakistan)

The Government of Pakistan was contemplating an experiment whereby all known addicts would be registered. Occasional users would be sent to clinics for education and treatment; incurable addicts, after being registered, would be supplied with opium free of charge. The Government hoped that its somewhat radical approach would solve the problem of smuggling of narcotics.

Mr. BUSSE (Federal Republic of Germany) congratulated the International Narcotics Control Board on its very interesting report. That report showed that the Board played a key role in the international control of drug abuse, and everything should be done to strengthen that role. In the Federal Republic of Germany, the 1961 Convention had entered into force and every effort was being made by the Government to complete the necessary preparations for the ratification of the 1971 Convention during the current legislative period.

His delegation hoped that the activities of the Commission on Narcotic Drugs would be supported by the work of the Inter-Agency Advisory Committee for Drug Abuse Control. The work of the Commission was regarded by his delegation as so important that, although it was not opposed to draft resolution F in the Commission's report (E/5458), it would have preferred a decision in favour of more frequent meetings with a corresponding reduction in the length of the sessions from three to two weeks.

Draft resolution D concerning the cultivation and chewing of the coca leaf was of special importance. A tremendous effort was necessary to reduce the cultivation of coca bushes in the Andes to the lowest possible level and, consequently, all necessary assistance must be provided to the Governments concerned.

While supporting draft resolutions B, C and E, he felt that the United Nations Fund for Drug Abuse Control should pay the travelling costs of delegates only in cases of real necessity. The Government of the Federal Republic of Germany intended to contribute DM 500,000 to the Fund in 1974, subject to parliamentary approval. His Government, while prepared to continue to support the Fund on a voluntary basis, was not yet in a position to promise regular annual contributions.

Mr. WILSON (Liberia) said that he sincerely hoped that Member States would be able to pledge the sum of \$10 million to enable the United Nations Fund for Drug Abuse Control to continue its work.

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(Mr. Wilson, Liberia)

The alarming increase in the misuse of narcotic drugs revealed that the drug habit had become an epidemic and that it had had a disastrous effect on youth all over the world. The youth of Liberia were fully aware of that fact, and the President himself had voiced his grave concern about drug addiction in his message to the Liberian legislature in January 1974. The President had called upon the Ministry of Health and Welfare to exercise stringent control over all drugs and had instructed the Ministry of Justice to enforce all laws governing the possession, sale and use of all types of illicit drugs. He had also appealed to the people, the Church and the social organizations to assist the Government in its campaign to eliminate drug abuse.

In Asia, where the use of opium had been a tradition, a number of countries, in particular India and the People's Republic of China, had achieved remarkable results in the control of opium abuse. Over a period of 70 years, annual consumption of opium in India had been reduced from about 500 tons to about 5 tons and, in China, opium addiction had been eradicated.

His delegation would support the draft resolutions in the report of the Commission on Narcotic Drugs (E/5458).

Mr. SAYAR (Iran) recalled that the Iranian representative on the Commission on Narcotic Drugs had described in detail the reasons for the Iranian Government's decision to resume cultivation of the opium poppy. There was no conflict between Iran's international commitments and national production of opium, which was strictly reserved for domestic consumption. The regions where cultivation was permitted were subject to strict supervision by government officials, and a special permit was given for each region. The government decision to reduce cultivation from 20,000 hectares to 2,000 hectares had been implemented in 1973. In addition, the number of provinces in which cultivation was permitted had been reduced from 19 to 14. In its report the International Narcotics Control Board had noted the Iranian Government's willingness to co-operate in the international control of narcotic drugs and its compliance with all the provisions of the 1961 Single Convention, which Iran had ratified in 1972. The Board had also noted that Iran had not shown any trend towards illicit cultivation and production of opium.

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(Mr. Sayar, Iran)

The restrictive measures adopted in Iran often deprived peasants of their only source of income. Measures had been taken within the context of the economic development plan to improve the living conditions in rural areas and diversify agricultural production. The programme was being implemented, and the Government hoped that it could reduce the area used for cultivating opium still further.

Unfortunately, some production was essential. The number of registered opium addicts in Iran had risen to over 120,000 in 1973 and there were many others who were not registered. Preventive measures and measures for the treatment and rehabilitation of addicts had been the main concern of the Iranian Government for the last two decades. Considerable progress had been achieved, but much remained to be done. In 1973 there had been 7,695 drug addicts in hospitals, 3,079 of whom had been treated. There was a special centre with the necessary equipment and specially trained staff near Teheran for treating such cases.

The major problem facing his Government, and also international organizations and the whole international community, was the problem of illicit trafficking in narcotic drugs. The problem existed in his country not because of local production of opium, which was strictly controlled and whose sale was a State monopoly, but because narcotics were brought into Iran secretly from neighbouring countries or in transit by some tourists. Iranian law on drug trafficking was very strict. The 1969 law authorized the death penalty in certain cases. The police authorities were well organized and well equipped and the narcotics intelligence unit, which co-operated with Interpol, worked well. For example, 11,488 persons had been arrested and prosecuted in 1973; 153 of them had been sentenced to life imprisonment and 96 persons to 10 to 15 years' imprisonment. Also in 1973, large quantities of narcotics had been seized; but large quantities had also been brought into Iran illicitly through the eastern frontier with Afghanistan and through the north-western frontier. Illicit trafficking created a very serious danger for his country and other countries where opium was consumed.

His Government had supported the establishment of the United Nations Fund for Drug Abuse Control, and was considering increasing its contribution and making a substantial special contribution to the Fund.

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(Mr. Sayar, Iran)

He stressed the importance which his Government attached to the Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East. It hoped that the Sub-Commission would fulfil its mandate and that measures would be taken at the regional and national levels to prevent illicit trafficking. Iran also supported the establishment of similar bodies for the Far East and Latin America, and would support any other efforts at the regional or international level.

He called for closer co-operation between the various United Nations bodies dealing with narcotics and the specialized agencies. The co-operation between WHO and United Nations bodies should be maintained. International co-operation at all levels would be the most effective means of eliminating drug trafficking.

Mr. WANG Tzu-chuan (China) said that many developing countries had had bitter experience of the poisonous effects of narcotic drugs on their people. China itself had suffered greatly. The imperialists had begun selling opium to China in the 1770s, and in the 1840s they had launched the ignominious Opium War against China. The imperialists had used opium as a most despicable means of ruining the health of the Chinese people and destroying China's social production resources. After the Opium War, the imperialists had controlled the main ports of entry into China and had acquired concessions by force. They had concluded a series of unequal treaties with the Chinese Government making the dumping of opium in China a legal enterprise. China had then become a semi-feudal and semi-colonial country in which the Chinese people had been enslaved and oppressed under imperialism, feudalism and bureaucratic capitalism. However, the indomitable Chinese people had finally overthrown the imperialists, feudalists and bureaucratic capitalists and formed the People's Republic of China. Shortly afterwards, the Government had issued a decree strictly prohibiting opium drugs and illicit cultivation of and traffic in opium and had issued rules and regulations on the control of narcotic drugs. Through strong government leadership, widespread publicity and education, opium smoking had been eradicated in a short period of time in China.

Drug addiction was now quite a serious problem in some countries, and his delegation was deeply concerned over it. The success of the effort to control narcotic drugs and eliminate drug abuse depended on the Governments concerned. His delegation supported appropriate international co-operation to control narcotic

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(Mr. Van Tzu-chuan, China)

drugs on the basis of respect for the sovereignty of all countries. The main emphasis, however, should be placed on the efforts of the Governments and peoples concerned.

His delegation believed that narcotic drugs should be placed under strict control and that explicit provision should be made for restricting narcotic drugs to proper use in medical treatment and scientific research. His Government would continue to control narcotic drugs strictly. Universal concern and joint efforts of all Governments and peoples could reduce and eliminate the poisonous effects of narcotic drugs.

Mr. CHAVANAVIRAJ (Thailand) said that his country's programme to replace opium cultivation by other crops and activities had stimulated other Governments to draw up similar programmes. The Thai programme would not have been possible without close co-operation between the Government and the United Nations Fund for Drug Abuse Control. The Government was still having some difficulty in gaining the support of the hill tribesmen in replacing their accustomed way of earning a living from the cultivation of opium by other cash crops. However, he hoped that further efforts and co-operation with the Fund and other quarters would eliminate the remaining problems. Implementation of the programme was beneficial not only to Thailand but also to other countries. He therefore strongly endorsed the recommendation that developed countries should make greater contributions to the Fund to enable it to implement other worth-while projects for the benefit of all mankind.

With regard to illicit traffic, he said that the recent reorganization of the personnel involved and the establishment of a more efficient co-ordinating body, the Police Narcotics Suppression Centre, and increasing co-operation between Thai officials and other international authorities had resulted in a significant increase in the number of arrests and seizures of opium in the past two years. His Government attached great importance to regional co-operation to suppress drug trafficking, as reflected in its participation in the Ad Hoc Committee on Illicit Traffic in the Far East Region. The study tour of the Ad Hoc Committee to eight countries in the region had resulted in a free and open discussion on how to suppress illicit traffic into, out of and within the region, and how to improve international

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(Mr. Chavanaviraj, Thailand)

co-operation for that purpose. He endorsed the recommendations made by the Ad Hoc Committee, particularly the recommendation that continued emphasis should be placed upon specialist narcotics training at the domestic level and that favourable consideration should be given to applications from countries in the region for assistance in obtaining equipment to make law enforcement more effective.

The Association of South-East Asian Nations had reached preliminary agreement on a unified policy for the control and suppression of illicit traffic at the regional level. The law enforcement officers of the member countries intended to hold periodic meetings with a view to closer and more effective co-operation in the future.

His Government was taking the final steps to become party to the 1971 Convention on Psychotropic Substances and also the 1972 Protocol Amending the 1961 Single Convention on Narcotic Drugs.

Mr. LARSSON (Sweden) recalled that his country was a member of the Commission on Narcotic Drugs, which was performing very important functions, although its work was still only in the initial stages. Illicit traffic in narcotic drugs and psychotropic substances gave cause for serious concern, and the need to cope with those problems had led the Commission to meet every year. It had therefore been suggested that the Commission should hold regular annual instead of biennial sessions. Some delegations, however, had maintained that the current situation was an emergency situation and that in the future it might be possible for the Commission to meet only every two years. He himself was firmly convinced that the Commission had good reason to request a special session in 1976, and he therefore supported draft resolution F recommended by the Commission (E/5458, chapter XIII). In view of the objections that had been raised, however, he suggested that the reference to a special session in 1978 might be deleted from paragraph 4 of the draft resolution.

Commenting on draft resolution E, which his delegation had sponsored in the Commission, he expressed regret that the 1971 Convention on Psychotropic Substances had not yet entered into force and that there was thus no international instrument controlling psychotropic substances. His Government had already ratified the Convention, and he hoped that those States in which psychotropic substances were manufactured and produced would ratify the Convention as soon as possible so as to encourage other States to do likewise.

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(Mr. Larsson, Sweden)

He expressed concern over the use being made of the United Nations Fund for Drug Abuse Control; in 1975, 45 per cent of all funds were to be spent on the Division of Narcotic Drugs and on secretarial costs. The United Nations should now consider including those items in the regular budget, so that the Fund could concentrate on the activities for which it had been established. The question was particularly important at a time when the Fund had to take serious policy decisions, since there was some doubt as to whether the Fund would be able to guarantee adequate financing to country programmes from the outset or would have to finance them piece-meal. In connexion with the question of contributions, he recalled that the Swedish representative on the Commission on Narcotic Drugs had announced at the third special session that the Swedish Government would be prepared to make the same contribution in 1974 as it had made in 1973. He welcomed the fact that 35 per cent of the total money available was being spent on projects to reduce the illicit supply of narcotic drugs and psychotropic substances. Crop substitution schemes were a valuable way of using resources, but it was important that the close co-operation which had been established with FAO should be maintained. Co-operation and co-ordination with the United Nations Development Programme were also of utmost importance. Greater involvement of and financial participation by UNDP and the specialized agencies in the action programmes might be a prerequisite for success, especially in those parts of the world where most of the illicit opium was cultivated. The Governments concerned should bear that in mind when deciding on the priorities for their country programmes.

Sweden supported regional co-operation to prevent illicit traffic in narcotic drugs and psychotropic substances; its participation in the Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East had proved most valuable.

He supported all the draft resolutions recommended by the Commission on Narcotic Drugs for adoption by the Economic and Social Council, contained in chapter XIII of document E/5458.

The meeting rose at 1.05 p.m.

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739th meeting

Friday, 3 May 1974,
at 3.20 p.m.Chairman: Mr. SMID (Czechoslovakia)NARCOTIC DRUGS (concluded):

- (a) REPORT OF THE INTERNATIONAL NARCOTICS CONTROL BOARD (E/5456; E/AC.7/L.667) (concluded)
- (b) REPORT OF THE COMMISSION ON NARCOTIC DRUGS ON ITS SPECIAL SESSION (E/5458 and Corr.1; E/AC.7/L.669) (concluded)

Miss CAO PINNA (Italy) said that her delegation, although not a member of the Commission on Narcotic Drugs, was closely following the Commission's work; at the national level, the Italian Government was making strenuous efforts to combat the spread of drug abuse, and at the international level it was prepared to co-operate with other countries in such activities.

With regard to draft resolution E, she said that if it was put to the vote Italy could not vote in favour of it, because her Government was still studying the question.

With regard to draft resolution F, her delegation shared the doubts expressed by the delegations of Finland and the United Kingdom concerning the desirability of deciding so far in advance to hold a special session of the Commission. Italy had voted in favour of Economic and Social Council resolution 1156 (XLI), which had established the principle of biennial meetings of the functional commissions, and it accordingly felt that special sessions should be authorized only in exceptional circumstances. Furthermore, the system of subsidiary bodies of the Council had developed to such an extent that the need for rationalization was obvious. Her delegation therefore viewed with sympathy the amendments proposed by Finland and the United Kingdom to draft resolution F.

Mr. BYKOV (Union of Soviet Socialist Republics), referring to the report of the International Narcotics Control Board for 1973 (E/5456) and the report of the third special session of the Commission on Narcotic Drugs (E/5458), said that his delegation shared the view of a number of representatives that the problem of drug abuse was first and foremost one of social origin. In his country, that problem

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(Mr. Bykov, USSR)

did not exist - a fact that was reflected in the reports before the Committee - and, furthermore, there was no illicit production of drugs, while the licit production, importation, exportation and distribution of drugs were subject to a strict and effective control which precluded the possibility of abuse.

At the same time, his delegation understood that many countries faced a serious problem of drug abuse, since it affected the people's health and well-being. The effectiveness of the struggle against drug abuse depended upon the measures adopted by each State to that end. As to the functions of the United Nations in that field, they should consist principally in co-ordinating the measures and in the exchange of experience and information on the question. As a party to the 1961 Single Convention on Narcotic Drugs, his country was actively participating in the work of the United Nations in that field.

Reference was made in the report of the International Narcotics Control Board for 1973 to the Governments of certain States that did not submit data to the Council. However, there was no basis for such a reference, since those States were not parties to the international agreements relating to drug control and, consequently, were not required to submit any information.

Among the draft resolutions submitted by the Commission on Narcotic Drugs, draft resolution F, relating to the periodicity of Commission sessions would provide, in addition to the regular sessions, for the convening of special sessions every two years. Under an Economic and Social Council resolution, however, the Commission's sessions must be held every two years. The proposal to convene special sessions ran counter to that resolution and his delegation could not, therefore, support it.

Mr. BERLIS (Canada) said that the views and experiences of the Government of his country in the field of drug abuse control had been amply recorded in the report of the third special session of the Commission on Narcotic Drugs (E/5458).

With regard to draft resolution F, his delegation did not think that it challenged the principle of biennial sessions for subsidiary commissions. The Canadian authorities considered that in the field which was being considered an emergency situation did indeed exist; moreover, since the Commission on Narcotic Drugs acted as the governing body of the United Nations Fund for Drug Abuse Control,

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(Mr. Berlís, Canada)

it would appear to be desirable that the Commission should meet in both 1975 and 1976 to provide guidance for the Fund and give impetus to its development, and his delegation was therefore prepared to support the draft resolution in its original form.

With regard to draft resolution E, concerning the 1971 Convention on Psychotropic Substances, he said that when the draft had been submitted to the Commission the representative of Canada had abstained in the voting and its attitude was explained in paragraph 360 of document E/5458. It still held that position, and if the draft resolution was put to the vote it would abstain for the same reasons which it had set forth at that time. His delegation would vote in favour of all the other proposed draft resolutions.

Mr. LAURENT (Food and Agriculture Organization) said that FAO's contribution to the solution of the drug problem was necessarily limited. A concerted effort to solve the problem must be made, and any attempt to reduce the illicit production of raw materials of vegetal origin from which narcotic drugs were derived should be made within that framework.

The results of the experimental projects seemed increasingly to justify the need to give considerable financial assistance to those sectors of the economy directly involved in the creation of that illicit supply.

Various delegations had mentioned that the resources of the Fund were limited in proportion to existing needs. Given the scarcity of funds, it would become increasingly difficult to choose between activities aimed directly at introducing a new agrarian economy based on crop substitution on the one hand and scientific agronomical and socio-economic research, the effects of which would not be immediately apparent, on the other.

FAO wished to express its appreciation of the considerable efforts of Governments which were carrying out crop substitution projects to guarantee the viability of the new economic structures. On the other hand, the ultimate success of those activities would be jeopardized if, as a result of the large-scale investments which would guarantee greater productivity of the soil and of the equipment of farms, the former crops, which would, moreover, consequently have a much higher yield, were later reintroduced.

FAO was pleased to have signed an administrative and technical co-operation agreement with the Fund and in that connexion it had recourse to the services of qualified advisers to assist the principal technical divisions in their activities.

(Mr. Laurent, FAO)

With the support of the Commission and the Fund, FAO would continue the study of the problems of crop substitution, on the basis of clearly specified requests.

Mr. BADAWI (Egypt) said that the concern of the United Nations and the international community as a whole to control drug abuse was entirely justified, for the problem not only frustrated development efforts but was contrary to human dignity and the well-being of mankind; moreover, it was a disease which transcended national frontiers, so that even if it was not possible to eradicate it efforts must be made to contain it.

With regard to the activities which should be carried out in that field, his delegation wished to stress that special attention should be paid to the developing countries which were most affected by the problem and assistance and encouragement of every kind should be given to them in their efforts to control drug abuse. Also, the United Nations should approach the question of drug abuse from a broad perspective, in other words, not only from the medical standpoint but also from that of the political, social and anthropological aspects of the problem.

In addition, measures to prevent drug abuse should be particularly encouraged. Lastly, the greatest possible amount of financial and technical assistance should be made available to the developing countries so that they would not have to use the resources which they needed to promote their economic development.

In conclusion, his delegation wished to state that Egypt adhered fully to the Single Convention on Narcotic Drugs, 1961, and the Convention on Psychotropic Substances, 1971.

Mr. SPEEKENBRINK (Netherlands) said that his Government was presently re-evaluating its policy with regard to narcotic drugs and for that reason his observations would be of a preliminary nature.

At the outset, his delegation could assure the Committee that the Netherlands intended to comply with its international treaty obligations in the field of narcotic drugs and that, moreover, it recognized that its policy in the matter at the national level was closely linked with international factors and their consequences. At the same time, it considered that its policy should be aimed fundamentally at combating the illicit traffic in drugs entailing unacceptable risks. As far as the chronic use of drugs was concerned, the Government of the Netherlands felt that the problem should be placed in its social context, which meant that efforts should be centred on prevention and cure rather than on applying the

(Mr. Speekenbrink, Netherlands)

traditional criterion of criminal sanctions; the same could be said of possession for personal consumption; however, since the Netherlands had contracted obligations under the Single Convention, 1961, his Government was currently examining the question of the compatibility of such an approach with the provisions of the Convention.

In accordance with the general approach which he had set forward, two fundamental distinctions must be made: firstly, a distinction should be made between drugs entailing unacceptable risks on the one hand and cannabis products on the other. Secondly, a distinction should likewise be made between illicit traffic in drugs and possession for personal use. Consequently his Government, in establishing its drug policy, intended to provide severe penalties for illicit traffic in drugs which entailed unacceptable risks, such as amphetamines, while reducing the penalties for possession of cannabis products for personal use to the level of a minor offence.

His Government also intended to give special attention in its narcotic drugs policy to questions such as information, assistance and rehabilitation.

With respect to the draft resolutions recommended by the Commission on Narcotic Drugs for adoption by the Council, his delegation fully supported draft resolutions A, B, C and D. With regard to draft resolution E, he wished to reiterate that his delegation's vote would be without prejudice to the position which his Government would adopt on the question of its possible accession to the 1971 Convention on Psychotropic Substances. His delegation had certain reservations with regard to draft resolution F because the schedule for sessions proposed in that draft was not in accordance with the provisions of paragraph 16 of Economic and Social Council resolution 1768 (LIV). For that reason his delegation supported the amendment in document E/AC.7/L.669, for although it did not exclude the possibility of holding a special session, it felt that the decision on the matter should depend on the situation existing at a given time and it seemed premature to decide now whether a special session in 1976 would be warranted. Finally, his delegation would also support the draft resolution in document E/AC.7/L.667.

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Mr. VANCE (United States of America), referring to the proposed amendments to draft resolution F contained in document E/AC.7/L.669, said that the United States delegation, while sharing with the sponsors of those amendments the desire to maintain the principle that functional commissions of the Economic and Social Council should meet every other year, felt that the current situation with regard to narcotic drugs constituted a threat to the world community which called for increased vigilance on the part of the Commission on Narcotic Drugs. In the view of the United States delegation, draft resolution F constituted a compromise solution which took account of both positions. He therefore urged the members of the Committee to adopt draft resolution F as it stood. His delegation would vote against the amendments proposed in document E/AC.7/L.669.

The United States delegation supported the Australian proposal that draft resolution C should be amended to indicate that the United Nations Fund for Drug Abuse Control would meet both the travel and subsistence expenses of participants in the regional meetings provided for in the draft, thus permitting the participation of a large number of experts from developing countries.

The United States delegation wished to make it clear that it regarded such a measure as exceptional in nature, given the importance of the regional meetings on drug control and the specific availability of a fund from which it was possible to meet those expenses; consequently, he did not consider that a precedent would be set for other elements of the United Nations system.

Dr. MALAFATOPOULOS (World Health Organization) said that the twenty-sixth World Health Assembly, in its resolution WHA26.52, had expressed its grave concern at the serious public health problems resulting from the self-administration of dependence-producing drugs, had stressed the importance of developing improved programmes, as well as means for the international collection and exchange of data on the prevalence and incidence of drug dependence and associated factors and had accepted, subject to the availability of the necessary funds, the invitation of the Economic and Social Council to work with the Commission by preparing timely reports on the epidemiological patterns of drug abuse.

As a result of that resolution, two working groups had met in 1973, one to establish guidelines to be used by the members of WHO Expert Advisory Panels in preparing, from data already available, descriptive and analytical reviews relevant

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(Dr. Malafatopoulos, WHO)

to the patterns of use of dependence-producing drugs and to the associated individual and socio-cultural factors, and the other to consider means by which WHO might promote the increase of facilities for the acquisition of knowledge and the training of personnel; that group had considered that, as an initial step, it would be helpful for WHO to establish a limited number of drug-dependence research and training centres to undertake research projects on the non-medical use of dependence-producing drugs, including alcohol.

In addition, in October 1973, a WHO Expert Committee on Drug Dependence had assessed various approaches to the prevention of those problems and had concluded that such problems varied according to the characteristics of the users, the social, cultural and economic environment in which drug-taking occurred, the properties of the drugs, the quantity in which they were taken and the frequency of their use. The Committee had also pointed out that, in many parts of the world, problems associated with the use of beverage alcohol far exceeded those associated with the non-medical use of less socially accepted drugs. The Committee had concluded that any approach to the prevention of those problems, if it was to be useful, must take account of the interaction between the individual and the drug, the interaction between the individual and society and the combinations of those and other factors, and that the measures adopted must be co-ordinated with other measures in the fields of education, health and social services. The Committee had also emphasized the need to evaluate the effectiveness of preventive programmes and, in that connexion, had recommended that WHO should give special attention to the prevention of alcohol-related problems.

He noted that the United Nations Fund for Drug Abuse Control, in addition to supporting three WHO projects initiated in 1972, had provided assistance for the execution of a new study in Iran on the effectiveness of various methods of treating narcotic-dependent persons. Work had also begun in Thailand on a treatment and rehabilitation project with the support of the United Nations Fund for Drug Abuse Control.

In conclusion, he assured the Committee that WHO would continue to co-operate with the United Nations Fund for Drug Abuse Control, with the Commission on Narcotic Drugs, and with all the other organs of the United Nations concerned with that field of activity.

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Mr. LOPEZ (Spain) said that his delegation fully supported the draft resolution in document E/AC.7/L.667. It also agreed with the amendments proposed in document E/AC.7/L.669 since, while supporting the principle that the functional commissions of the Economic and Social Council should meet biennially, it recognized that the current situation was exceptional by virtue of the gravity of the problem.

Mr. MARTENS (Acting Executive Director, United Nations Fund for Drug Abuse Control) thanked those delegations which had expressed their support for the Fund, in particular the delegations of the United Kingdom, the Federal Republic of Germany and Sweden, which had pledged contributions to the Fund. He informed the Committee that the total of contributions and pledges to the Fund currently stood at \$US 13.2 million.

Mr. SRINIVASAN (India) said that the amendments proposed to draft resolution F reflected the need felt by some delegations to economize as much as possible.

The Commission on Narcotic Drugs was composed of individuals who were considered to be experts and who were aware of the gravity and extent of the problem. On the basis of their evaluation of the problem, those persons had felt that a special session of the Commission should be convened in 1976. However, they had not lost sight of the need for economy, as shown in paragraph 5 of the draft resolution which referred to the possibility of reducing the following regular session to two weeks instead of the three weeks originally provided.

In approving the draft resolution, the Commission on Narcotic Drugs had taken into account the importance of the problem and the absolute need for economy. Consequently, the Indian delegation considered that the Social Committee should adopt draft resolution F of the Commission on Narcotic Drugs as it stood and without any amendment.

Mr. BURDEKIN (Australia) said that his delegation, while it did not support the amendment submitted by the United Kingdom delegation to draft resolution F, wished to support the United Kingdom's proposed amendment to draft resolution C.

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Mr. ARIM (Turkey) supported draft resolution F and said that the reasons why no amendment to that resolution was necessary had already been explained.

Draft resolution E/AC.7/L.667

Mr. SAYAR (Iran) said that his delegation wished to become a sponsor of draft resolution E/AC.7/L.667.

The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt by consensus draft resolution E/AC.7/L.667, sponsored by Argentina, France, Iran, Japan, Kenya, Thailand, Turkey, the United Kingdom, the United States and Venezuela.

Draft resolution E/AC.7/L.667 was adopted by consensus.

Mr. WANG (China) said that his support for draft resolution E/AC.7/L.667 did not signify any commitment on the part of the Government of China. His delegation was not able to state when his Government would ratify the 1961 Single Convention on Narcotic Drugs and the 1972 Protocol amending that Convention.

Mr. SMIRNOV (Union of Soviet Socialist Republics) asked that the draft resolution recommended by the Commission on Narcotic Drugs should be put to a vote.

Draft resolution B

Mr. WANG (China) said that the recommendation to Governments contained in paragraph 2 of draft resolution B was inappropriate, since Governments could not be compelled to exchange information with ICPO/Interpol. The Chinese Government, for example, had no relations with those bodies. Consequently, his delegation would not participate in the voting on draft resolution B.

Draft resolution B was adopted by 35 votes to none, with 6 abstentions.

Draft resolution C

Mr. WANG (China), referring to paragraph 2 of draft resolution C, said that it was the view of his delegation that the Secretary-General had no authority to convene the regular meetings referred to in that paragraph. Consequently, his delegation would not participate in the voting on the draft resolution.

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The CHAIRMAN recalled that the United Kingdom delegation had submitted an oral amendment proposing the insertion of the words "and subsistence" after the words "travel expenses" in paragraph 3.

If he heard no objection, he would take it that the Committee wished to adopt the oral amendment to paragraph 3 submitted by the United Kingdom delegation.

The oral amendment to paragraph 3 submitted by the United Kingdom delegation was adopted.

Draft resolution C, as amended, was adopted by 38 votes to none, with 5 abstentions.

Draft resolution D

Draft resolution D was adopted by consensus.

Draft resolution E

Mr. WANG (China) said that his delegation was unable to take a position on draft resolution E and he would therefore not participate in the vote.

Draft resolution E was adopted by 34 votes to none, with 9 abstentions.

Mr. ARIM (Turkey) said that he had voted in favour of draft resolution E, although he had some reservations with regard to the first preambular paragraph, which referred to General Assembly resolution 1347 (XXVIII). His Government was unwilling to ratify the Protocol until the 1971 Convention on Psychotropic Substances had entered into force in the major industrialized countries.

Draft resolution F

Mr. VALTASAARI (Finland) introduced the amendments submitted by the United Kingdom and Finnish delegations to draft resolution F (E/AC.7/L.669). The sponsors of the amendments had, in submitting them, borne in mind Economic and Social Council resolution 1768 (LIV) which established the principle that, with the exception of the Commission on Human Rights, its Sub-Commission and the Committee for Programme and Co-ordination, the subsidiary bodies of the Council should meet biennially. The sponsors of the proposed amendments were well aware of the extreme gravity of the problem, but the question was to decide whether the situation had become so serious that it justified the departure from a rule adopted unanimously by the Council.

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Mr. TREVINO (Mexico) recalled the statement made by his delegation at the recent session of the Commission on Narcotic Drugs concerning the periodicity of its sessions. He fully endorsed draft resolution F as it stood.

The CHAIRMAN put the amendments in document E/AC.7/L.669 to the vote.

Amendment No. 1

Amendment No. 1 was adopted by 28 votes to 8, with 9 abstentions.

Amendment No. 2

Amendment No. 2 was adopted by 21 votes to 15, with 10 abstentions.

Amendment No. 3

Amendment No. 3 was adopted by 22 votes to 8, with 14 abstentions.

Amendment No. 4

Amendment No. 4 was adopted by 21 votes to 13, with 9 abstentions.

Draft resolution F, as amended

Draft resolution F, as amended, was adopted by 41 votes to none with 3 abstentions.

Draft resolution A

The CHAIRMAN said that, if he heard no objections, he would take it that the Committee adopted draft resolution A by consensus.

It was so decided.

Mrs. KINYANJUI (Kenya) said that she had not been present when the vote had been taken but that if she had participated in the vote, she would have voted in favour of draft resolutions B and C and abstained in the vote on draft resolution E.

Mr. ISLAM (Pakistan), speaking in explanation of vote, said that he had abstained in the vote on the amendment in paragraph 1 of document E/AC.7/L.669 because he did not feel it was important, but he had voted against the amendment in paragraph 2 of document E/AC.7/L.669, because he felt that a special session should be held in view of the urgency of the problem. His delegation had abstained in the vote on the other two amendments because they related to the amendment in paragraph 2.

SOCIAL QUESTIONS (continued):

- (a) NATIONAL EXPERIENCE IN ACHIEVING FAR-REACHING SOCIAL AND ECONOMIC CHANGES FOR THE PURPOSE OF SOCIAL PROGRESS (E/CN.5/478 and Add.1 and Corr.1, Add.2 and Corr.1, Add.3 and Corr.1, and Add.4; E/AC.7/L.666/Rev.1 and L.668) (continued)
- (b) CHANNELS OF COMMUNICATION WITH YOUTH AND INTERNATIONAL YOUTH ORGANIZATIONS (E/5427, E/AC.7/L.665/Rev.1) (concluded)

The CHAIRMAN, referring to part (b) of the item, drew the attention of members of the Committee to the revised version of draft resolution E/AC.7/L.665 submitted by the sponsors, who had also agreed to delete in paragraph 1 the words "together with the Report of the Ad Hoc Advisory Group".

He said that, if he heard no objections, he would take it that the Committee adopted draft resolution E/AC.7/L.665/Rev.1, as orally amended, by consensus.

It was so decided.

Mr. SMIRNOV (Union of Soviet Socialist Republics) expressed his appreciation to those delegations which had participated in the lengthy consultations leading to draft resolution E/AC.7/L.665/Rev.1, which had just been adopted by consensus. His delegation's position on the draft resolution was the same as on General Assembly resolution 3022 (XXVII). It had opposed the establishment of the Ad Hoc Advisory Group, because the Secretary-General should obtain advice from Member States in order more successfully to fulfil his mandate. It had therefore opposed the continuation of the Ad Hoc Advisory Group. If a vote had been taken, he would have voted against the draft resolution.

Mr. ROPOTEAN (Romania) said that his delegation had accepted the amendments to the original draft resolution because it had been necessary to reach a decision quickly. If a vote had been taken, he would have voted against the proposed deletion because he considered the first report of the Ad Hoc Advisory Group very important.

Mr. SPEEKENBRINK (Netherlands), referring to the latest amendment introduced into the draft resolution, said that his delegation attached great importance to the Ad Hoc Advisory Group and expressed regret that Member States had been requested to give their views on a document prepared by the Secretary-General which was based on the report of the Ad Hoc Advisory Group without having the report itself. If a vote had been taken, he would have voted against the proposed deletion. However, he had accepted it, because he had not wished to oppose the consensus.

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Mr. WASILEWSKI (Poland), speaking on part (a) of the item, said that in his first amendment (E/AC.7/L.668) to the revised draft resolution E/AC.7/L.666/Rev.1, the words "contributing to" should be replaced by the word "promoting". The amendment thus involved replacing, in the second preambular paragraph of the revised draft resolution, the words "of improving human dignity and well-being" by the words "of promoting economic and social progress". The reason for that amendment was that, in the fifth preambular paragraph of the Declaration on Social Progress and Development, the General Assembly had stated that it was convinced that man could achieve complete fulfilment of his aspirations only within a just social order and that it was consequently of cardinal importance to accelerate social and economic progress everywhere, thus contributing to international peace and solidarity. Similar wording was to be found in the International Development Strategy and other United Nations documents. In order to attain the objective of improving human dignity and well-being, it was absolutely essential to reach a certain level of social and economic development.

His delegation also proposed that the fourth preambular paragraph should be replaced by the text in document E/AC.7/L.668. The wording was the same as that of the thirteenth preambular paragraph of the Declaration on Social Progress and Development. The last amendment consisted in replacing paragraphs 2 and 3 by the text in document E/AC.7/L.668. The original text was superfluous and served no useful purpose. That was not the case with the text submitted by his delegation, under which interested Member States would have more information on the experiences of different countries.

Mrs. PICKER (United States of America) said that her delegation could accept the phrase proposed by Poland for the second preambular paragraph, but to supplement, not replace, the original text. Thus, the second preambular paragraph would read: "... of improving human dignity and well-being as well as promoting economic and social progress".

With regard to the paragraphs proposed by Poland to replace the fourth preambular paragraph, she could accept the inclusion of the two paragraphs as the fifth and sixth preambular paragraphs, without deleting the fourth preambular paragraph of the original text.

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(Mrs. Picker, United States)

She could not, however, accept the amendment proposed by Poland to paragraphs 2 and 3. What Poland was proposing was already being carried out under General Assembly resolution 2543 (XXIV), and was also provided for in paragraph 5 of Economic and Social Council resolution 1746 (LIV) which had been adopted at the Council's 1973 session.

The meeting rose at 6 p.m.

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740th meeting

Monday, 6 May 1974,
at 11.30 a.m.Chairman: Mr. SMID (Czechoslovakia)SOCIAL QUESTIONS (concluded):

- (a) NATIONAL EXPERIENCE IN ACHIEVING FAR-REACHING SOCIAL AND ECONOMIC CHANGES FOR THE PURPOSE OF SOCIAL PROGRESS (E/CN.5/478 and Add.1 and Corr.1, Add.2 and Corr.1, Add.3 and Corr.1 and Add.4, E/AC.7/L.666/Rev.1 and L.668) (concluded)

Miss WALTERS (Assistant Director, Centre for Development Planning, Projections and Policies), indicating the activities carried out by the Secretariat to fulfil the request in paragraph 6 of General Assembly resolution 2543 (XXIV), as requested by the United States delegation at a previous meeting, said that because of the time element it had been impossible to include the information requested in the form of annexes to the 1970 Report on the World Social Situation. The Secretariat proposed to include that information in annexes to the 1974 Report and, to that end, the Secretary-General had requested Governments and international organizations concerned to submit relevant information to him. To date, some 45 replies had been received and were being analysed by the Secretariat.

Mrs. PICKER (United States of America) said that she and the representative of Poland had attempted to reach a consensus on draft resolution E/AC.7/L.666/Rev.1 and the amendments to it submitted to the Committee in document E/AC.7/L.668. She had agreed to include, in the second preambular paragraph, the idea suggested by the representative of Poland and the paragraph would be redrafted as follows:

'Bearing in mind that both developed and developing countries have adopted in the International Development Strategy the goal of promoting economic and social progress, thus improving human dignity and well-being.'

With respect to the fourth preambular paragraph, both delegations had agreed that it should remain as it stood and that the alternative text proposed by the delegation of Poland should be submitted to the Committee for its consideration.

The United States could not, however, accept paragraphs 2 and 3 proposed in the Polish text. The clarifications by the Assistant Director showed that the requests in the paragraphs 2 and 3 proposed by Poland had been fulfilled, or were being fulfilled.

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Mr. WASILEWSKI (Poland) said that it had unfortunately not been possible to resolve all the differences with the United States delegation. Actually, Poland would not object to retaining also paragraph 2 of draft resolution E/AC.7/L.666/Rev.1 and even subparagraphs (a) and (b) of paragraph 3. The real problem arose with subparagraph (c) of paragraph 3 because, as he understood it, the matter was still being worked on and was not yet ready for consideration by the General Assembly. For that reason, his delegation wished to delete subparagraph (c) of paragraph 3.

With respect to the two operative paragraphs whose inclusion was proposed in document E/AC.7/L.668, his delegation believed that paragraph 2 would have to be included; as the Assistant Director of the Centre for Development Planning, Projections and Policies had stated, only 45 replies had been received and it would undoubtedly be useful to request those States which had not yet replied to hasten to do so.

On the other hand, in view of the information provided by the Secretariat, his delegation was prepared to withdraw the new paragraph 3 proposed in document E/AC.7/L.668.

Miss WALTERS (Assistant Director, Centre for Development Planning, Projections and Policies) said that the original request for information had been sent in 1972 and that although the time-limit for submitting them had expired in September 1973, the Secretariat intended to include reports which had been received after that date. If Governments which had not done so were now asked to submit information, that information was unlikely to arrive in time to be included in the 1974 Report on the World Social Situation. A new request for information would not necessarily be very useful.

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the Secretariat's explanations had disappointed him. In his opinion, if draft resolution E/AC.7/L.666/Rev.1 were to be considered from a substantive point of view, it would be seen that it merely repeated what had already been said, in particular Council resolution 1748 (LIV). With respect to the amendment by Poland, the question of the addition of a new paragraph remained. The Soviet Union believed that the Secretariat should not be so pessimistic about the

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(Mr. Smirnov, USSR)

intentions of Member States. If they were sent a new request for information, the replies could still be included in addenda to the document. That was the usual practice. In fact, if draft resolution E/AC.7/L.666/Rev.1 and the additional paragraph proposed by Poland were adopted, the Secretariat would have more precise information on the measures taken by States for the implementation of the Declaration on Social Progress and Development. That would provide a firmer base for its work on social indicators. The inclusion of the additional paragraph proposed by Poland would make the text stronger.

The CHAIRMAN asked the representative of Poland where he wished to include the text of his paragraph 2.

Mr. WASILEWSKI (Poland) said that it could be included as subparagraph (a) of paragraph 3. Furthermore, perhaps the text would be clearer if the words "which have not yet done so" were added after the words "Requests Member States".

Mrs. PICKER (United States of America) asked whether the representative of Poland had changed his mind about retaining subparagraphs (a) and (b) of paragraph 3.

Mr. WASILEWSKI (Poland) explained that it would only be a matter of changing the order of the subparagraphs, but that he attached no importance to that.

Mrs. SHUEH (China) said that General Assembly resolution 2542 (XXIV), mentioned in the first preambular paragraph of revised draft resolution E/AC.7/L.666/Rev.1, had been prepared and adopted before the lawful rights of the People's Republic of China had been restored in the United Nations. The Government of China still had to study that resolution and it reserved its right to express its opinion in that regard at the proper time. The same paragraph also mentioned General Assembly resolution 2626 (XXV), which had also been adopted before the restoration of the lawful rights of the People's Republic of China in the United Nations. As soon as those rights had been restored, China had supported some of the provisions of that resolution, even though it still had reservations on the resolution as a whole.

Consequently, her delegation would not participate in the vote on revised draft resolution E/AC.7/L.666/Rev.1 or in the vote on the amendments to it proposed in document E/AC.7/L.668.

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Mr. WASILEWSKI (Poland) said that the text proposed by his delegation for the operative part could most appropriately be included as subparagraph (c) of the present paragraph 3 of revised draft resolution E/AC.7/L.666/Rev.1. For that reason, he proposed that subparagraph (c) of paragraph 3 of the draft resolution be deleted and his text inserted there.

Miss CAO PINNA (Italy) said that, in her opinion, 45 replies received from Governments were quite a few. Indeed, the United Nations was in the habit of taking action on the basis of 20 or 25 replies from Governments. The Declaration on Social Progress and Development had a very broad scope and it was not easy for Governments to reply to requests for information on all its aspects, since they were quite numerous.

She did not regard as acceptable the inclusion in the revised draft resolution submitted by the United States of a new request for information, particularly in the form proposed by the delegation of Poland, entailing the deletion of subparagraph (c) of paragraph 3 of the United States text, which was a fundamental part of the draft.

She appealed to the delegation of Poland not to insist on the deletion of subparagraph (c) and its replacement by a new text.

Mr. CURTIN (Australia) said that the basis for a consensus was emerging. He believed that, although the draft was becoming a "double-natured" one, the Polish amendments could be fitted in with the United States draft. Two new preambular paragraphs could be added and a new subparagraph in operative paragraph 3 could be included. Thus the Committee could avoid having to take a vote.

Mr. WASILEWSKI (Poland) said he would appreciate having more time to hold further consultations with a view to achieving a consensus.

Mrs. PICKER (United States of America) said that she was prepared to reach a consensus and to accept the Polish delegation's proposals for additional preambular paragraphs. In addition, she suggested that the present paragraph 3 with its three subparagraphs should be retained, with the addition of the paragraph 2 proposed by the Polish delegation either as paragraph 4 or as subparagraph (d) of paragraph 3.

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Mr. WASILEWSKI (Poland) said that, although he had some doubts regarding the provisions of paragraph 3 (c) of the revised draft resolution, for the sake of a consensus he was willing to have the paragraph 2 proposed by his delegation appear as paragraph 4 of the revised draft.

Mr. ROUX (Belgium) proposed that the subtitle of the revised draft resolution should be completed by adding the words "and implementation of the Declaration on Social Progress and Development" at the end of the present subtitle.

Mr. ILOY (Congo) said that, since paragraph 3 (c) of the revised draft resolution came at the end of the text, it would be more logical to have the Polish amendment as a new subparagraph (c) and to include the present subparagraph (c) as paragraph 4.

Mr. WASILEWSKI (Poland) agreed to the suggestion put forward by the representative of the Congo.

Mrs. PICKER (United States of America) said that her delegation had no difficulty with the suggestions made; she therefore believed that a consensus had been achieved and there was no need to proceed to a vote on the draft resolution.

Mr. WASILEWSKI (Poland) said that a consensus had been reached on the draft resolution; he did not therefore deem it necessary to put it to the vote.

The CHAIRMAN asked whether the proposal made by the representative of Belgium regarding the subtitle of the draft resolution was acceptable.

Mr. WASILEWSKI (Poland) said he was prepared to accept the Belgian proposal.

Mrs. PICKER (United States of America) said that her delegation had no difficulty in accepting the Belgian proposal. In view of the changes made in the revised draft resolution, the words "this subject" in the second line of paragraph 3 (c) should be replaced by "social indicators".

The CHAIRMAN said that, if there was no objection, he would take it that the revised draft resolution E/AC.7/L.666/Rev.1, as amended by Poland and Belgium, was adopted.

It was so decided.

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REPORT OF THE COMMISSION ON THE STATUS OF WOMEN (E/5451, chap. I; E/AC.7/L.653, L.656, L.670; E/5487) (continued)

Mrs. GEORGE (Trinidad and Tobago) introduced document E/AC.7/L.670 which contained amendments proposed by her delegation to draft resolution III (E/5451, chap. I).

The amendment to paragraph 1 comprised two subamendments - (a) and (b). The purpose of the first subamendment was to give more specific guidance to the Secretary-General. Subamendment (b) was inspired by the hope that the proposed conference could serve to launch an international action programme along the lines indicated in the text. The second amendment consisted in replacing paragraph 2 by the text indicated, the aim of which was to give clearer guidance to the Secretary-General in drawing up the agenda for the conference. The third amendment proposed the addition of three new paragraphs. The proposed new paragraph 3 stressed the importance of balanced representation for men and women in the delegations to the conference. The purpose of paragraph 4 was obvious and there was no need to expatiate on it. The new paragraph 5 was entirely warranted inasmuch as the General Assembly would have to approve the conclusions and recommendations of the conference.

Mr. DUMAS (France) said he had only one objection to the amendments proposed by Trinidad and Tobago, namely, the use of the word "equal" in the proposed new paragraph 3. That matter had already been discussed by the Committee, and he proposed that it should resort to the solution that had been worked out at the time and replace the word "equal" by "equitable".

Mrs. GEORGE (Trinidad and Tobago) agreed to the French proposal.

Mr. BROAD (United Kingdom) said that, in his delegation's view, the amendments proposed by the delegation of Trinidad and Tobago were indeed welcome, in particular the replacement of paragraph 2; they therefore had his delegation's support.

Mr. BADAWI (Egypt) said that the amendments proposed by the delegation of Trinidad and Tobago were very appropriate but wondered whether it might not be better to have the entire International Women's Year, instead of just the conference, as a separate item at the thirtieth session of the General Assembly.

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Mr. SRINIVASAN (India) recalled that, when the proposal to hold an international conference had been made at the last session of the Commission on the Status of Women, his delegation had asked whether the Secretariat could provide the necessary documentation; the reply had been in the affirmative.

The amendments proposed by Trinidad and Tobago were acceptable but he felt that both paragraphs 2 (a) and 2 (b) should be included as items in the agenda.

Mr. SMIRNOV (Union of Soviet Socialist Republics), referring to the amendments proposed by Trinidad and Tobago, said that any international conference had to be prepared very carefully and drew attention in that regard to General Assembly resolution 2609 (XXIV) which laid down general guidelines for the holding of special conferences and in which it had been decided that, as a general rule, not more than one major special conference should be scheduled in any one year. He drew attention in particular to the second preambular paragraph of that resolution, which stressed the desirability of fewer and better-prepared meetings.

Five major conferences were scheduled for 1975 and a sixth conference would overburden the Secretariat, to the detriment of the conference preparations.

As to the financial implications, it should be borne in mind that the budget for 1975 had already been approved and could not be changed. Despite the assertions of the Secretary-General in document E/5487, it would not appear to be feasible to prepare the documentation without recruiting additional staff. Accordingly, his delegation had serious objections to the text proposed by the delegation of Trinidad and Tobago: the concluding phrase of the new paragraph 4, beginning with the words "as indicated", should be deleted. In addition, if a conference was to be held, a manageable and well-defined agenda should be adhered to in that respect the Trinidad and Tobago proposals with regard to paragraphs 1 and 2 were unsatisfactory. As for paragraph 5, his delegation concurred with Egypt.

To recapitulate, his delegation could not endorse the idea of convening a special conference in 1975, which as things stood would be prepared with excessive haste. Moreover, the purposes of the conference could be achieved just as well within the framework of national and regional activities.

Mr. LASCARRO (Colombia) said that for more than 40 years his country

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(Mr. Lascarro, Colombia)

had been in the vanguard in Latin America as regards women's rights. The Government of Colombia had offered to act as host for the conference envisaged in draft resolution III and therefore requested the addition of a new paragraph 3 to read:

"Requests the Secretary-General to accept the invitation of the Government of Colombia to host the international conference to be held during the International Women's Year."

The meeting rose at 1.05 p.m.

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741st meeting

Tuesday, 7 May 1974,
at 11 a.m.Chairman: Mr. SMID (Czechoslovakia)

REPORT OF THE COMMISSION ON THE STATUS OF WOMEN (E/5451, chapter I, E/5487;
E/AC.7/L.653, L.656, L.670, L.671) (continued)

Draft resolution III

Mrs. GEORGE (Trinidad and Tobago) said, with reference to the proposed amendments to draft resolution III contained in document E/AC.7/L.670, that her delegation agreed with the suggestion made by the representative of Colombia that a new paragraph should be added to the operative part which would read: "Accepts with appreciation the invitation by the Government of Colombia to host the international conference of women during the International Women's Year in 1975."

Similarly, it supported the suggestion made by the representative of Egypt that operative paragraph 5 should be amended to read: "Further recommends that a separate item entitled International Women's Year, including the proposal and the recommendations of the Conference, be examined at the thirtieth session of the General Assembly in 1975."

She also accepted the suggestion of the representative of India that items (a) and (b) mentioned in paragraph 2 as it appeared in the second amendment should be treated as items of the agenda of the Conference.

Mrs. MAIR (Jamaica) said that draft resolution III with the amendments proposed by the delegation of Trinidad and Tobago offered clear guidelines within which the Secretariat could proceed with the preparations for the Conference, the agenda for which was already beginning to take shape. The reasons for holding the conference had been clearly identified by the Commission on the Status of Women, the Economic and Social Council and the General Assembly, as was shown by General Assembly resolution 3010 (XXVII), which proclaimed the year 1975 International Women's Year.

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(Mrs. Mair, Jamaica)

The United Nations had traditionally adopted the instrumentality of the international conference as a key element in the development of its work and the advancement of the aims and purposes of the Organization.

There were apparently no objections in the Committee to the principle of holding the conference, specifically the principle of a high-level international forum for the purpose of analysing, co-ordinating and projecting global strategies designed to equalize the status of women with that of men in the essential spheres of national and international life.

The reservations and objections expressed in the Committee by the delegation of the Soviet Union related specifically to the possible lack of resources made available to the conference planners. That had naturally been a matter of general concern in so far as the financial and administrative resources made available did not reflect the significance of International Women's Year and of the conference. However, the available resources should be used to the full. In document E/5487, the Secretary-General suggested practical and feasible procedures for holding the conference with existing budgetary and personnel resources. The guidelines provided in the amendment submitted by the representative of Trinidad and Tobago would permit the Secretariat to make preparations for the conference with economy and precision.

Mr. BERLIS (Canada) said that his delegation supported the amendment submitted by the representatives of Colombia, Kenya and the United States (E/AC.7/L.653) and would unreservedly support draft resolution III.

Mr. VALTASAARI (Finland) said that when the proposal to hold an international conference during International Women's Year had been put forward, his delegation had had some reservations regarding the substantive, financial and procedural aspects of such a conference. Having studied the amendments proposed by the delegation of Trinidad and Tobago, however, it no longer had reservations on the substantive aspects of the conference. As to the financial aspects, the Secretariat had already made a statement in that respect. The third amendment submitted by the delegation of Trinidad and Tobago presented some difficulties, especially with regard to the word "preparation". In preparing for previous conferences, both men and women, as well as States of the Organization, Members had always taken part. In the proposed amendment, preparations for the conference

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(Mr. Valtasaari, Finland)

would be made; it was merely said that the Secretariat would be responsible for them. He would like some elucidation on that point, and when he had received it he would support the draft resolution as amended.

Mrs. GEORGE (Trinidad and Tobago) said that her delegation could not accept the suggestion made by the representative of the Soviet Union that, in the proposed text of paragraph 4, the words "as indicated in the note by the Secretary-General (E/5487)" should be deleted, since she regarded that clause as essential to the resolution.

Mrs. HUTAR (United States of America) said that the sponsors of the amendment in document E/AC.7/L.653 would withdraw it and could also accept the suggestions accepted by the representative of Trinidad and Tobago.

Mr. LASCARRO (Colombia) said that thanks to the excellent work done by the representative of Trinidad and Tobago his delegation no longer had reservations with regard to draft resolution III. Also, he urged that the acceptance of his Government's offer to host the international conference should be added to it.

The CHAIRMAN reminded the representative of Colombia that the representative of Trinidad and Tobago, when submitting her amendments, had suggested including a paragraph to that effect.

Mrs. GEORGE (Trinidad and Tobago), replying to the representative of Finland, said that the intention of the proposed paragraph 3 was that, at the national level, Governments should use the services of competent men and women for the preparation of the conference.

She asked whether the Committee could adopt the amendments without a vote, in which case the summary records could reflect any objections that delegations might have.

Mr. ROUX (Belgium) said that once the amendments had been accepted, his delegation would be able to vote in favour of convening the international conference, especially taking into account the suggestion made by the representative of India that the agenda should be restricted to two items.

Mr. SMIRNOV (Union of Soviet Socialist Republics) regretted that the amendments proposed by his delegation had not been accepted by the delegation of

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(Mr. Smirnov USSR)

Trinidad and Tobago. In his opinion, the recommendation which appeared in the proposed paragraph 3 exceeded the powers of the Economic and Social Council, since it concerned measures on which each State and each body of the United Nations must decide.

With reference to the text of the proposed paragraph 4, he had understood that there would be no additional expenditure involved in holding the conference. However, there was now mention of additional costs, which his delegation could not accept.

He proposed that the version of paragraph 1 suggested by his delegation should be included in the programme of the conference. It was not necessary to state what agenda would be considered by the General Assembly at its next session.

His delegation could not agree to the third amendment in document E/AC.7/L.670, and proposed that the new paragraphs 3, 4 and 5 of the draft resolution as they appeared in that third amendment should be put to the vote.

Mr. ILOY (Congo) said that subamendment (b) to paragraph 1 of draft resolution III proposed by the delegation of Trinidad and Tobago involved deleting almost two thirds of the original paragraph 1. The part to be deleted was very important, since the organizations in the United Nations system had a role of paramount importance to play in improving the status of women. Therefore it would be preferable to insert the text proposed by the delegation of Trinidad and Tobago after the words "since its establishment", while the rest of the paragraph could be deleted.

Mrs. GEORGE (Trinidad and Tobago) accepted the proposal made by the representative of the Congo.

Mr. LASCARRO (Colombia) said that his delegation was waiting for draft resolution III to be adopted so that he could then make contact with the United Nations Secretariat in order to determine what additional costs would be involved in holding the conference in his country.

Mr. LUBIK (Poland) said that his delegation supported the proposal of the representative of the Congo.

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Mr. LOPEZ AGUILAR (Spain) said that his delegation had warmly welcomed the idea of holding the conference in Colombia. Furthermore, he would support the amendments proposed by the delegation of Trinidad and Tobago.

The CHAIRMAN invited the Committee to vote on the various amendments to draft resolution III submitted by Trinidad and Tobago in document E/AC.7/L.670, with the modifications made.

Mr. SMIRNOV (Union of Soviet Socialist Republics) asked that a separate vote be taken on paragraphs 3, 4 and 5, which constituted the third amendment proposed by Trinidad and Tobago.

Amendment No. 1

Amendment No. 1 was adopted by 42 votes to none, with 5 abstentions.

Amendment No. 2

Amendment No. 2 was adopted by 42 votes to none, with 5 abstentions.

The CHAIRMAN asked the representative of Trinidad and Tobago if she agreed to the inclusion of the new paragraph referring to the invitation of Colombia as the last operative paragraph of the draft resolution.

Mrs. GEORGE (Trinidad and Tobago) said that she would prefer the new paragraph to be included as paragraph 3, with the remaining paragraphs being renumbered accordingly.

The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt by consensus the addition to draft resolution III of a new paragraph 3, referring to the invitation of Colombia.

It was so decided.

The CHAIRMAN invited the Committee to vote on the paragraphs renumbered 4, 5 and 6, the addition of which constituted the third amendment proposed by Trinidad and Tobago.

Paragraph 4

Paragraph 4 was adopted by 43 votes to 4, with 1 abstention.

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Paragraph 5

Paragraph 5 was adopted by 43 votes to 4, with 1 abstention.

Paragraph 6

Paragraph 6 was adopted by 44 votes to 4.

Draft resolution III as a whole, as amended, was adopted by 44 votes to none, with 5 abstentions.

Mr. SMIRNOV (Union of Soviet Socialist Republics) asked that the record should show that the intention of the Soviet Union had been to vote against the new paragraph 5 of draft resolution III and not to abstain.

Miss JAUREGUIBERRY (Argentina) said that she had voted in favour of the draft resolution because she considered that the holding of an international conference could help effectively to arouse greater interest in the problems of women and, consequently, to improve the situation of women. She also expressed the hope that, in spite of the short time available, the preparations for the Conference could be undertaken in such a way as to ensure its success.

Argentina supported the Colombian initiative offering Bogota as the venue for the Conference, since it had felt from the outset that the Conference should be held in a developing country.

Argentina was convinced of the value of the measures which could be taken at the regional level to improve the status of women and, consequently, had officially offered Buenos Aires as the venue for a regional seminar to be held in 1975 to consider the participation of women in economic, political and social development and the obstacles to their integration. She considered that question to be of vital importance, particularly for the developing countries, which, by not fully integrating women into active productive life, were depriving themselves of half of their potential.

Mr. JACHEK (Czechoslovakia) said that his country, while not opposed to the holding of a world conference on the status of women, was unable to accept a number of the proposals in document E/AC.7/L.670, in particular the new paragraphs 3, 4 and 5. His delegation felt that the imposition of guidelines concerning the composition of delegations was tantamount to interference in the

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(Mr. Jachek, Czechoslovakia)

internal affairs of States. Furthermore, the programme of conferences for 1975 was already very heavy and the resources of the United Nations were limited.

Mrs. HUTAR (United States of America) welcomed the adoption of the draft resolution, which constituted another forward step in the field of human rights and a reaffirmation of faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, as proclaimed in the Preamble to the Charter.

Miss CAO PINNA (Italy) also welcomed the adoption by the Committee of draft resolution III.

Draft resolution I

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that, in the Commission on the Status of Women, the Soviet Union had voted in favour of draft resolution I. However, his delegation had a number of reservations with regard to the Programme in annex V of the report of the Commission (E/5451), and consequently had submitted for consideration by the Committee document E/AC.7/L.656 containing a number of amendments to that Programme.

Those amendments were, in effect, very minor and, if agreed to, would bring the Programme into line with the provisions of draft resolution III, which had been adopted by the Committee. Amendment 2 (a) should be deleted, since it was no longer meaningful in the light of another decision taken by the Committee.

The addition to paragraph 32 would enable the General Assembly at its thirtieth session to consider the whole range of problems related to the status of women. The amendments to paragraph 34 were simply drafting changes, the purpose of which was to avoid dictating to regional organizations and commissions the form which the appropriate programmes established by them should take.

A further change which could be made to the Programme for the International Women's Year was the transfer of paragraph 8 (w) from section C of part II to section B, where it would be more logical, and the transfer of paragraph 8 (q) from section B to section C.

Mr. THOMPSON FLORES (Brazil) suggested that paragraph 8 (m) of the Programme should be deleted in the light of the Committee's decision on draft resolution VI of the Commission on the Status of Women. Furthermore, in view of

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(Mr. Thompson Flores, Brazil)

the new wording of draft resolution III, which had been adopted by the Committee, concerning the title of the item to be considered by the General Assembly, paragraph 32 of the Programme was redundant and could be deleted.

Miss JAUREGUIBERRY (Argentina), Mr. LOPEZ AGUILAR (Spain) and Mr. LEHTIHET (Algeria) supported the Brazilian suggestion.

Mrs. HUTAR (United States of America) felt it was very important to retain paragraph 8 (m) of the Programme. The report of the Special Rapporteur, which was based on very sound research, could make a valuable contribution to the International Women's Year.

Mr. VALTASAARI (Finland) supported the view expressed by the representative of the United States.

Mrs. HUTAR (United States of America), referring to amendment 2 (c) proposed by the Soviet delegation in document E/AC.7/L.656, said that her delegation preferred to retain the original text of paragraph 34 of the Programme for the International Women's Year, since the Economic Commission for Africa had carried out very important work.

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that, if some delegations found it difficult to accept the Soviet amendment to paragraph 34 of the Programme because it did not contain a reference to the Economic Commission for Africa, the Soviet delegation would agree to retain the words shown in parentheses and to add them at the end of the proposed paragraph.

Mrs. MAIR (Jamaica) said that it would be regrettable if paragraph 8 (m) of section B was deleted, since the report of the Special Rapporteur was valuable in that it emphasized those aspects of the question of the status of women which were related to human rights.

Mrs. SHUEH (China) said that the purpose of the International Women's Year must be to promote the struggle by women against imperialism, colonialism and exploitation and to advance democracy and women's rights. China had already indicated that it believed that women should participate in all activities in conditions of equality.

The list in the Programme was extensive but not complete, as was perhaps inevitable. China's position on the question of disarmament was well known, and

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(Mrs. Shueh, China)

it therefore opposed the inclusion of that concept in the Programme. Consequently, China would not take part in the vote on the document under consideration.

USSR amendments (E/AC.7/L.656)

Amendment No. 1

Amendment No. 1 was adopted by consensus.

Amendment No. 2 (b)

Mr. THOMPSON FLORES (Brazil) asked whether the adoption of the amendment which appeared in paragraph 2 (b) of document E/AC.7/L.656 would mean that there would be two agenda items on the question of the status of women at the thirtieth session of the General Assembly, since draft resolution III also requested the inclusion of an item relating to the question of the status of women.

The CHAIRMAN said that the two items on the question would probably be merged into a single item.

Miss CAO PINNA (Italy) pointed out that the original wording of paragraph 32 spoke of "items" in the plural. Her delegation would prefer the deletion of that paragraph in order to have one single item on the status of women on the agenda of the General Assembly, possibly with subitems.

The CHAIRMAN, replying to the United States representative, said that the Brazilian representative had requested the deletion of paragraph 32 of the Programme for the International Women's Year.

Mr. THOMPSON FLORES (Brazil) said that his delegation would have no difficulty in voting for the amendment in paragraph 2 (b) of document E/AC.7/L.656 or voting for paragraph 32 of the Programme for the International Women's Year. However, if both were adopted, there would be two items on the same question, which was not logical.

Amendment No. 2 (b) was adopted by 15 votes to none, with 31 abstentions.

Amendment No. 2 (c), as orally revised

Amendment No. 2 (c), as orally revised, was adopted by 30 votes to none, with 13 abstentions.

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Brazilian amendment to delete paragraph 8 (m) of the Programme for the International Women's Year

The Brazilian amendment to delete paragraph 8 (m) of the Programme for the International Woman's Year was adopted by 19 votes to 6, with 20 sbstentions.

The CHAIRMAN said that, if there were no objections, he would take it that the Committee adopted by consensus the Soviet proposal that in annex V, part II, paragraph 8 (w) should be transferred from section C to section B, and that paragraph 8 (q) should be transferred from section B to section C.

It was so decided.

The CHAIRMAN put to the vote draft resolution I as a whole and annex V, as amended.

Draft resolution I was adopted unanimously, together with annex V.

Mr. SMIRNOV (Union of Soviet Socialist Republics) expressed satisfaction at the unanimous adoption of draft resolution I. He hoped that the United Nations Secretariat would transmit the draft resolution to the General Assembly in the form in which it had been adopted by the Economic and Social Council.

Mr. CURTIN (Australia) said that his delegation had abstained in the vote on paragraph 2 (b) of the amendment proposed by the Soviet Union, since it had found nothing objectionable in the original version of paragraph 32.

Mrs. HUTAR (United States of America) explained that her delegation had abstained in the vote on paragraph 2 (b) of the amendment proposed by the Soviet Union (E/AC.7/L.656), because it believed that the item had already been taken sufficiently into account in the Programme of the International Women's Year.

Mr. von KYAW (Federal Republic of Germany) said that his delegation had abstained in the vote on the amendment to paragraph 8 (m) of section B, since it felt that neither the text proposed for that paragraph nor its deletion were consonant with the decision adopted by the Committee with regard to draft resolution VI.

Miss CAO PINNA (Italy) said that her delegation's vote on draft resolutions I and III was indicative of her country's interest in the International

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(Miss Cao Pinna, Italy)

Women's Year and the proposed conference. Preparations for the International Women's Year were already well-advanced in Italy; an interministerial meeting had already taken place in connexion with it and another would be held shortly.

With regard to the amendment proposed by the Brazilian delegation, her delegation had abstained for the same reasons which had led it to abstain in the vote on draft resolution VI, namely, because her Government had not yet concluded its consideration of the report of the Special Rapporteur.

The meeting rose at 1 p.m.

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742nd meeting

Wednesday, 8 May 1974,
at 11 a.m.

Chairman: Mrs. MAIR (Jamaica)

REPORT OF THE COMMISSION ON THE STATUS OF WOMEN (E/5451, chap. I; E/AC.7/L.671)
(continued)

Mr. SPIEKENBRINK (Netherlands) requested the Secretariat to explain what was the present procedure for dealing with communications concerning the status of women, how the Commission on the Status of Women dealt with communications addressed to it for information, and how many and what kinds of communications had been received and dealt with.

Mr. SCHREIBER (Director, Division of Human Rights), replying to the representative of the Netherlands, gave some basic information concerning the procedures followed in dealing with communications.

Generally speaking, the basic resolution was Economic and Social Council resolution 728 F (XXVIII), in which the Council requested the Secretary-General to compile and distribute to members of the Commission on Human Rights before each session a non-confidential list containing a brief indication of the substance of each communication, however addressed, which dealt with the principles involved in the promotion of universal respect for, and observance of, human rights, and to compile a confidential list containing a brief indication of the substance of other communications concerning human rights and to furnish that list to members of the Commission.

In recent years, the Economic and Social Council had approved new procedures for considering communications which appeared to reveal a consistent pattern of gross violations of human rights and fundamental freedoms, such as apartheid. Those procedures had earlier been given thorough study by the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities. In its resolution 1235 (XLII), the Economic and Social Council had authorized the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to apply the new procedures. In its resolution 1503 (XLVIII), the Council had spelt out the procedure in more detail and had laid down a number of stages for dealing with communications. At the first

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(Mr. Schreiber)

stage, a working group appointed by the Sub-Commission considered all communications and transmitted to the Sub-Commission any which appeared to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms. At the second stage, the Sub-Commission considered the communications transmitted to it by the working group and decided whether to refer them to the Commission on Human Rights.. At the next stage, the Commission on Human Rights considered those particular situations which appeared to reveal a consistent pattern of gross and reliably attested violations of human rights referred to it by the Sub-Commission and determined whether they required a thorough study, or an investigation with the consent of the State concerned. The Commission might then submit a report to the Economic and Social Council. Until that time, the whole procedure was confidential.

There were two Council resolutions relating especially to communications concerning the status of women, namely, resolution 76 (V) and resolution 304 I (XI) amending it. The latter resolution provided for the preparation of two lists, one confidential and the other non-confidential, somewhat along the same lines as those provided for in resolution 728 F (XXVIII). The problem now before the Committee arose out of the decision taken by the Commission on the Status of Women that, in future, communications relating to the status of women should be considered in accordance with resolution 1503 (XLVIII) and that that question should be deleted from the Commission's work programme.

As for the procedures followed by the Commission on the Status of Women in dealing with communications, that was a question that could be better answered by the Deputy Director of the Centre for Social Development and Humanitarian Affairs.

Mrs. BRUCE (Deputy Director, Centre for Social Development and Humanitarian Affairs) said that the Commission on the Status of Women received two lists of communications, in accordance with resolutions 76 (V) and 304 I (XI), one consisting of communications which dealt with the principles relating to the promotion of women's rights and one indicating the substance of other communications. In recent years, the number of communications concerning principles had declined considerably. As for other communications, approximately 60 had been considered at the last session. The communications were considered in closed meetings, and

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(Mrs. Bruce)

the criterion applied was possible violation of the Declaration on the Elimination of Discrimination against Women.

Mr. SPEEKENBRINK (Netherlands) said that the decision taken by the Commission on the Status of Women at its 626th meeting on the question of communications concerning the status of women involved two issues.

The first was whether the decision of the Commission that communications should henceforth be considered in accordance with Economic and Social Council resolution 1503 (XLVIII) required the endorsement of the Council.

The second was whether the procedure provided for in resolution 1503 (XLVIII) could be regarded as an adequate substitute for the procedures followed until now by the Commission.

With regard to the first of those issues, it was the view of his delegation that the basis for dealing with communications concerning the status of women was to be found in Economic and Social Council resolution 76 (V), paragraph 3.

That view was borne out by the statement contained in document A/CONF.32/6, prepared by the Secretary-General for the International Conference on Human Rights in 1968. Paragraph 481 of that document read: "As far as communications concerning the status of women are concerned, Economic and Social Council resolution 76 (V) has remained the governing resolution. Its provisions are essentially similar to those of resolution 728 F (XXVIII)." The latter resolution related to the manner in which the Commission on Human Rights dealt with communications concerning human rights and therefore should be seen in conjunction with Council resolution 75 (V). Those two resolutions were the basic decisions on that subject and were distinct from resolution 76 (V), which was specifically directed to communications concerning the status of women. His delegation was not aware that the Council had taken any decision altering that resolution, though the decision had been subsequently refined by resolution 304 (XI). Thus, the Council should not only be informed of, but indeed should express itself specifically on, any change in the procedure.

With regard to the second issue, his delegation believed that the procedure established by resolution 1503 (XLVIII) was essentially of a different nature than the procedures of resolution 75 (V), as developed by resolution 728 F (XXVIII), and

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(Mr. Speekenbrink, Netherlands)

those of resolution 76 (V). The procedure of resolution 1503 (XLVIII) involved a process of selection, and thus the elimination of communications which did not reveal a consistent pattern of violations of human rights. It would seem, therefore, that communications concerning the status of women could only be considered by the Sub-Commission in so far as they revealed a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms, were the Council to endorse the decision of the Commission on the Status of Women. The communications on the status of women which were submitted to the Commission were, however, of a wide variety and included communications on two lists prepared by the Secretary-General. One list contained those communications which involved Member States and were of a confidential nature. The second was a listing of the communications of a more general character and was non-confidential.

His delegation submitted that to delete the consideration of communications on the status of women from the agenda of the Commission on the Status of Women would deprive the Commission of a valuable source of information needed for the proper execution of its mandate.

In view of all those considerations, his delegation's conclusion was that the procedure provided for in resolution 1503 (XLVIII) could not be regarded as a substitute for the procedures followed until now by the Commission and, moreover, that the change suggested to the Council would seriously affect the responsiveness of the United Nations to communications concerning the status of women.

His delegation was therefore submitting for the consideration of the Committee the following draft decision:

"The Economic and Social Council, having considered the report of the discussions of the 626th meeting of the Commission on the Status of Women, held on 31 January 1974, relating to the consideration by the Commission of communications concerning the status of women, invites the Commission to continue dealing with these on the basis of resolution 76 (V) and its subsequently established practice."

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the representative of the Netherlands had disinterred resolutions dating back to 1947. However, Council resolution 1503 (XLVIII), to which the Director of the Division of Human Rights had referred, established a new procedure for the consideration

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(Mr. Smirnov, USSR)

of communications concerning violations of human rights, which should be applied to all communications received by the United Nations. The Working Group established under that resolution had already held two sessions and would be meeting again in July. The Working Group received all communications and submitted its conclusions to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which in turn reported to the Commission on Human Rights.

Consequently, the situation envisaged by the representative of the Netherlands - namely, a failure to consider the communications in question - would not arise. Those communications were considered and would continue to be considered. The procedure laid down in resolution 1503 (XLVIII) had proved to be effective in practice, and two years' experience had already been acquired. While it was true that the procedure was confidential, it was a fact that that approach had made it possible for all communications to be studied fully and in detail, in connexion with the implementation of the Universal Declaration of Human Rights. There was nothing to be gained by trying to sort out communications by subject-matter. The decision taken by the Commission on the Status of Women had been correct, and in adopting it the Commission had acted within its field of competence. The purpose of paragraph 4 of the report (E/5451) was to inform the Council of the decision taken by the Commission, which had rightly been considered to be of interest to the Council. All that the Council had to do was to take note of the Commission's decision.

Mr. CURTIN (Australia) pointed out that in the Commission on the Status of Women there had been much discussion on the question of communications. There were many Council resolutions on the question, and it was not clear from the wording of the latest one, resolution 1503 (XLVIII), that it referred to all communications. That resolution specifically cited resolution 728 F (XXVIII). Consequently, it could be argued that communications concerning the status of women would have to be considered in accordance with the provisions of resolution 76 (V).

Moreover, if the draft decision of the Commission on the Status of Women was approved, it would be tantamount to deciding that communications concerning violations of the rights of women would have to reveal a consistent pattern of gross violations of human rights. However, it was not clear that the Commission

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(Mr. Curtin, Australia)

agreed to use such terminology. Resolution 76 (V) also mentioned communications on "basic principles", a category which there was no reason to eliminate.

Finally, it might well be that the organs entrusted with implementing resolution 1503 (XLVIII) were already very busy and it did not seem appropriate that they should have to consider a new group of communications. In the Commission itself some representatives had stated that it might be premature to take a decision before having more information from the Secretariat.

Mr. ROUX (Belgium) asked the Director of the Division of Human Rights whether the parallel procedure laid down in Council resolutions 728 F (XXVIII) and 1503 (XLVIII) was maintained in practice, i.e. whether meetings were held for the consideration of both lists, the list of confidential communications and the list of non-confidential communications.

Mr. SCHREIBER (Director, Division of Human Rights) said that it was a very complex question and that in dealing with it the Secretariat sought to comply strictly with what had been laid down in the resolutions adopted. All the communications were considered firstly under the procedure laid down in Council resolution 728 F (XXVIII). The lists prepared for the Commission on Human Rights included communications dealing with the status of women which were duly brought to the attention of the Commission on the Status of Women.

Mr. ROUX (Belgium) wished to know how the provisions of resolution 728 F (XXVIII) were applied in practice. Were meetings held to consider those communications? Or were the lists sent directly to members of the Commission on Human Rights?

Mr. SCHREIBER (Director, Division of Human Rights) said that in the provisional agenda of the Commission on Human Rights there was an item relating to communications.

Mr. THOMPSON FLORES (Brazil) asked whether the list submitted to the Commission on Human Rights included communications dealing with the status of women which in turn were transmitted to the Commission on the Status of Women. He would also like to know what measures the Commission on the Status of Women had taken with regard to the communications transmitted to it.

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Mr. SCHREIBER (Director, Division of Human Rights) said that, indeed, the communications relating specifically to the status of women were also included in the general list submitted to the Commission on Human Rights.

Mrs. BRUCE (Deputy Director of the Centre for Social Development and Humanitarian Affairs) pointed out, in reply to the second question of the representative of Brazil, that in the Commission on the Status of Women both lists, the one relating to principles and the confidential one, were circulated at closed meetings and that the Commission merely took note of them.

Mr. ROUX (Belgium) said he concluded from the explanations given by the Secretariat that the two procedures not only were embodied in the texts but also were applied in practice. The Netherlands proposal was thus absolutely pertinent.

Mr. THOMPSON FLORES (Brazil) said he would like to know the measures which the Commission on the Status of Women was empowered to take with regard to the communications it received.

Mrs. BRUCE (Deputy Director of the Centre for Social Development and Humanitarian Affairs) said that the procedure for the consideration of communications relating to women was governed by Council resolution 76 (V), amended by resolution 304 (XI). The Council might perhaps decide on the form in which those resolutions should be interpreted.

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the explanations given by the Secretariat made it clear that all the communications received were sent to the Commission on Human Rights and some of them, those relating to the status of women, to the pertinent Commission. Experience of the Working Group confirmed that conclusion. The Group received all the communications without any exception. Subsequently, the procedure laid down in Council resolution 1503 (XLVIII) was followed with a view to the adoption of concrete measures with respect to the communications.

The Deputy Director of the Centre for Social Development and Humanitarian Affairs had rightly pointed out that the function of the Commission on the Status of Women was to take note of the lists of communications sent to it. Such duplication of work should cease. Moreover, the Commission on the Status of Women had adopted a decision on the matter and the Council should merely take note of it.

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Miss CAO PINNA (Italy) said that one of the questions raised by the Netherlands representative was whether or not the decision taken by the Commission on the Status of Women required endorsement by the Council. To that question her delegation replied in the affirmative. The decisions of the Commission on the Status of Women should be considered as substantive questions which should be approved or not.

Similarly, the Netherlands representative had asked whether communications relating to the status of women should be dealt with by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in conformity with Council resolution 1503 (XLVIII). In paragraph 182 of the report of the Commission on Human Rights it was stated that the Secretary-General distributed to the members of the Commission confidential lists of communications, replies of Governments and a confidential document of a statistical nature. A non-confidential list of communications containing a brief indication of the substance of each communication which dealt with principles involved in the promotion of universal respect for and observance of human rights was also distributed. The communications not selected by the Sub-Commission as revealing a consistent pattern of gross violations of human rights were considered by the Commission on Human Rights. The same procedure should be followed in the Commission on the Status of Women.

There were two procedures for dealing with communications on human rights. One of them, the more general procedure, was laid down in Economic and Social Council resolution 728 F (XXVIII). In resolution 1503 (XLVIII) the Economic and Social Council dealt only with communications relating to gross violations of human rights.

She did not understand why the Commission on the Status of Women had taken the decision on communications relating to the status of women.

She felt that the draft decision submitted by the Netherlands (E/AC.7/L.671) was worthy of merit and she was ready to support it.

Mr. WIGGINS (United States of America) said that the decision concerning communications relating to the status of women had been adopted in the Commission on the Status of Women because the proposal made by the Soviet Union then appeared attractive to the members of the Commission since it advocated a single procedure

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(Mr. Wiggins, United States)

for dealing with communications. However, in the light of the subsequent debates and the clarifications made, it could be seen that the decision had been unfortunate.

Nevertheless, the communications relating to the status of women provided the Commission with an indication of the discrimination which existed against women and supplied it with useful information. To send those communications to the Secretariat for consideration under Council resolution 1503 (XLVIII) would be to deprive the Commission on the Status of Women of that information.

Consequently, his delegation supported the draft decision submitted by the Netherlands delegation in document E/AC.7/L.671.

Mr. SPEEKENBRINK (Netherlands) stressed that the text of Council resolution 1503 (XLVIII) was not an amendment to Council resolution 728 F (XXVIII); nor did it replace that resolution. On the contrary, it was an addition, as was clearly indicated in paragraph 1 of resolution 1503 (XLVIII).

The Economic and Social Council was duty bound to take a decision on the question. The decision of the Commission on the Status of Women raised the question of deletion. Under rule 10 of the rules of procedure of the functional commissions of the Economic and Social Council, the Commission could adopt such a decision. According to rule 6, the provisional agenda for each session of the functional commissions was based on decisions of the Economic and Social Council. Hence, the item on communications on the status of women should be included in the Commission's agenda. The decision of the Commission could not be considered as merely informative. On the contrary, it was necessary either to approve it or not to approve it.

None of the resolutions mentioned provided that the non-confidential lists of communications on human rights should be sent to any other body but the Commission on Human Rights and the Commission on the Status of Women. If the communications on the status of women were not considered in the Commission on the Status of Women, they would not be considered in any other organ of the United Nations. The decision adopted by the Commission did not favour the interests of women.

Mr. MACRAE (United Kingdom) said that in the Commission on the Status of

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(Mr. Macrae, United Kingdom)

Women the United Kingdom delegation had voted in favour of the decision to delete from the Commission's work programme the item on communications relating to the status of women. Nevertheless, on the basis of what had been said during the meeting, his delegation now recognized that such a decision was premature and was ready to support the Netherlands draft.

Perhaps it was not enough to invite the Commission to continue dealing with the communications on the status of women. It might be better to invite the Commission to consider the matter at its next session and submit a report. It might be useful for the Commission to have before it a background document which included the discussion which had taken place in the Social Committee. He therefore proposed that the following text should be added at the end of the draft decision in document E/AC.7/L.671: "and to submit to the Economic and Social Council at its sixtieth session such observations and proposals as it may deem appropriate after considering an explanatory report from the Secretary-General on all the relevant resolutions and procedures dealing with communications concerning human rights".

Mr. MAUERSBERGER (German Democratic Republic) said that the problem should be considered from the point of view of unifying the procedures and making them more efficient. It was unnecessary to take a decision because in resolution 1503 (XLVIII) the Council had included all the directives necessary for the Commission on the Status of Women to consider all communications. The Commission should continue its activities in conformity with that resolution.

Mr. LUBIK (Poland) proposed that in the draft decision contained in document E/AC.7/L.671 the words "invites the Commission to continue dealing with these on the basis of resolution 76 (V), as amended by resolution 304 I (XI), and its subsequently established practice" should be replaced by the following words: "takes note of the decision of the Commission on the Status of Women on this question".

Mr. THOMPSON FLORES (Brazil) said it might be advisable to take note of what had happened in the Commission on the Status of Women and defer the adoption of a decision on the question until the Secretariat had provided more information. For example, in paragraph 120 of the Commission's report it was stated that

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(Mr. Thompson Flores, Brazil)

Economic and Social Council resolution 1503 (XLVIII) had not taken into account the implications of the recent modifications concerning human rights communication introduced under that resolution. It was not clear what those implications were. Moreover, resolutions 76 (V) and 304 (XI) did not indicate what the Commission on the Status of Women should do with communications concerning the status of women.

It might be preferable to continue pondering the question, request information on the applicability of the relevant resolutions and take up the item again at a later stage, perhaps at another session.

Mr. SPEEKENBRINK (Netherlands) said his delegation accepted the text proposed by the United Kingdom representative for addition at the end of draft decision E/AC.7/L.671. He also proposed that the words "and the status of women" should be added at the end of the United Kingdom text.

On the other hand, his delegation could not accept the amendment proposed by the representative of Poland, since it was not so much an amendment as a new draft decision.

Mrs. BRUCE (Deputy Director, Centre for Social Development and Humanitarian Affairs), replying to the question by the representative of Brazil, said that the procedure for the consideration of communications concerning human rights was laid down in resolution 728 F (XXVIII), which was similar to resolutions 76 (V) and 304 I (XI), which laid down the procedure for communications concerning women.

In adopting resolution 1503 (XLVIII), the Economic and Social Council had mentioned resolution 728 F (XXVIII) and other resolutions on human rights, but had not taken into account resolution 76 (V) or resolution 304 I (XI), a fact that was mentioned in paragraph 120.

It was true that none of those resolutions gave instructions to the Commission on the Status of Women concerning the procedure to be followed with regard to communications. However, it had been felt that those communications had an informative value which should not be overlooked.

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that in adopting resolution 1503 (XLVIII) the Economic and Social Council had taken into account the fact that the Commission on Human Rights had considered the question in depth. Both the Commission on Human Rights and the Economic and Social Council had taken into consideration all previous United Nations resolutions on the question of communications, both those concerning human rights and those concerning the status

(Mr. Smirnov, USSR)

of women. It would thus be artificial to establish a dividing line between communications concerning human rights and communications concerning the status of women; the procedure provided for in resolution 1503 (XLVIII) should apply to both.

Consequently, his delegation supported the amendment proposed by Poland, and also considered the observation by Brazil to be very relevant. All the Committee could do for the time being was to take note and defer consideration of the question until a later stage, when the report of the Commission on Human Rights would be available.

Mr. SRINIVASAN (India) proposed that the phrase "and to submit to the Council at its sixtieth session a report on that matter" should be added at the end of the decision proposed by the Netherlands.

Mr. CURTIN (Australia) said it might be preferable to request the Secretary-General to prepare his report for the fifty-eighth session of the Council.

Mr. THOMPSON FLORES (Brazil) formally proposed that the following phrase should be inserted at the end of the text proposed by Poland for the last part of draft decision E/AC.7/L.671: "and requests the Secretary-General to prepare, for the fifty-eighth session of the Council, an explanatory report on all the relevant resolutions and procedures dealing with communications concerning human rights".

Mr. CURTIN (Australia) supported the Brazilian proposal and proposed that the words "with a view to allowing the Council to take a decision on the matter" should be added at the end of the Brazilian text. He also considered it would be preferable to say "bearing in mind the decision of the Commission on the Status of Women" rather than "takes note of the decision ...".

Mr. SPEEKENBRINK (Netherlands) asked whether it would be possible to add to the Brazilian text the words "and the status of women".

Mr. THOMPSON FLORES (Brazil) said he saw no objection to that proposal.

Mr. SPEEKENBRINK (Netherlands) asked whether Poland would object if the text submitted by Brazil, with the Australian addition, which he found acceptable in principle, were amended so that the words "status of women" were followed by

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(Mr. Speekenbrink, Netherlands)

"requests the Secretary-General to prepare, ...". In that way, the Council would take no measures pending receipt of the information it had requested. In any case, the Commission on the Status of Women would not meet in 1975 and there would be time to revert to the item with better preparation.

Mr. ILOY (Congo) said that, as the representative of the Soviet Union had observed, resolution 1503 (XLVIII) established a clear and specific procedure for dealing with communications. Adoption of the Netherlands amendment would perpetuate a situation involving duplication, which the Polish amendment sought to avoid.

If the Council wanted more information on procedural questions, it could add the text proposed by Brazil to the Polish amendment. It was unnecessary to perpetuate the division between communications concerning violations of human rights and communications concerning the status of women. Both cases involved violations of human rights.

He urged the Netherlands representative not to insist on that division and to withdraw his request to the representative of Brazil to add a specific reference to communications concerning the status of women to the Brazilian text.

Mr. LUBIK (Poland) said he could accept the text proposed by Brazil but not the amendment to that text suggested by Australia.

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that in his view the best course would be to accept the original Brazilian text. He felt that the addition proposed by Australia was not very appropriate, since it would mean that the Council would have to reconsider the question of communications as a whole. The report by the Secretariat would give a complete picture of the procedure followed with regard to communications, which would be very useful for the purpose of a better understanding and application of that procedure. However, the report should not be used for the purpose of changing the existing procedure.

Mr. CURTIN (Australia) said that he had submitted his suggestion with a view to reaching a better understanding in the Committee, and would not press it. He had no objections to the Polish text, but would have preferred it to read "bearing in mind the decision of the Commission ...".

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Mr. SPEEKENBRINK (Netherlands) said he was prepared to accept the text of Brazil and Australia, provided that the words "takes note" were replaced by "bearing in mind" or that the words "and the decision of the Commission on the Status of Women on this question" were inserted after the words "status of women".

In his view, there were three important questions: firstly, the Council should decide the question; secondly, it should do so on the basis of appropriate information; and thirdly, it should be made clear that there were three separate and distinct procedures, which might overlap but could not replace each other. One was the procedure laid down in resolution 1503 (XLVIII); the second, that laid down in resolutions 75 (V) and 728 (XXVIII) and the third, that laid down in resolutions 76 (V) and 304 I (XI).

Otherwise, he would find it impossible to accept the proposed texts.

Mr. ILOY (Congo) said that the Netherlands should not press its proposal, which complicated the debate even further. The Polish amendment seemed acceptable. As for the Australian suggestion, the sponsor seemed prepared to withdraw it.

Mr. THOMPSON FLORES (Brazil) suggested that the Committee should proceed to the vote and that the Brazilian text should be given priority.

Mr. MACRAE (United Kingdom) said that, in order to reach a consensus, the words "to permit further examination of this matter" could be added to the Brazilian text.

Mr. SPEEKENBRINK (Netherlands) supported the United Kingdom suggestion.

Mr. SMIRNOV (Union of Soviet Socialist Republics) said his delegation accepted the Brazilian representative's proposal and considered that the United Kingdom proposal represented an unnecessary addition which would complicate the consideration of the item and add nothing substantial to the original text. He proposed that a vote should be taken on the text submitted by the representative of Brazil.

Mr. CURTIN (Australia), speaking on a point of order, said that his delegation withdrew the amendment it had proposed earlier on the understanding that the matter would be fully discussed at the fifty-eighth session of the Economic and Social Council.

Mr. SPEEKENBRINK (Netherlands) requested a separate vote on the Polish

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(Mr. Speekenbrink, Netherlands)

subamendment involving the addition of the words "takes note of the decision of the Commission on the Status of Women on this question".

The subamendment proposed by the Polish delegation was adopted by 25 votes to 11, with 10 abstentions.

The draft decision in document E/AC.7/L.671, as orally amended, was adopted by consensus.

The CHAIRMAN suggested that the Committee should adopt the decision that the Economic and Social Council should take note of the report of the Commission on the Status of Women (E/5451).

Mr. THOMPSON FLORES (Brazil) said his delegation wished to express its reservations concerning paragraph 5 of the report of the Commission on the Status of Women, which stated that the Commission decided to request the Secretary-General to bring to the attention of the Population Commission at its forthcoming session draft resolution VI and other documents. The final form of draft resolution VI as approved differed somewhat from the original draft prepared by the Commission, and consequently the action which the Secretary-General was requested to take was inappropriate.

The CHAIRMAN said that approval of the report of the Commission on the Status of Women would be deferred until the next meeting.

The meeting rose at 1.20 p.m.

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743rd meeting

Thursday, 9 May 1974,
at 11 a.m.Chairman: Mr. SMID (Czechoslovakia)REPORT OF THE COMMISSION ON THE STATUS OF WOMEN (E/5451) (concluded)

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the Secretariat had acted too hastily in communicating the programme for the International Women's Year to States before it had received the approval of the Council. The programme had been annexed to a draft resolution submitted for the consideration of the Council by the Commission. Before adopting the draft resolution, the Committee had made a number of amendments to the programme. He hoped that those amendments would be brought to the attention of all States which had already received the Programme.

In the Secretary-General's note (SO 244 (29)) transmitting the programme, States were asked to appoint a liaison officer to deal with the tasks relating to the Year. Of course, the Secretariat would have to maintain contacts with States in that regard, but the manner in which the liaison would be carried out should be left to the discretion of States.

The United Nations Secretariat would have to exercise care when preparing the annotated agenda. It would be wrong for it to make any comments which exceeded the scope of the decisions of the Commission on the Status of Women considered by the Committee at the preceding meeting.

With respect to the statement by the representative of Brazil at the 742nd meeting, the Soviet Union agreed that it would not be appropriate to refer to other bodies draft resolutions adopted by the Commission on the Status of Women for submission to the Council. That could be done only after a draft resolution had been endorsed by the Council.

He agreed that the Council should take note of the Commission's report.

The CHAIRMAN said that, if there was no objection, he would take it that the Committee agreed to adopt the following text:

"The Economic and Social Council

"Takes note of the report of the Commission on the Status of Women on its twenty-fifth session (E/5451)."

It was so decided.

Mrs. BRUCE (Deputy Director, Centre for Social Development and Humanitarian Affairs) said that the only reason why the draft resolution on the programme for the International Women's Year had been sent to Governments with a request that they should consider the desirability of appointing a liaison officer had been that there was very little time in which to organize the activities of the Year. As soon as the Council confirmed, in plenary meeting, the decision taken by the Social Committee, the Secretariat would send a further letter to States indicating the changes that had been made in the programme.

HUMAN RIGHTS QUESTIONS

- (a) DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION (E/5474, E/5475, E/AC.7/L.652 and Add.1)

Mr. SCHREIBER (Director, Division of Human Rights) said that the Decade for Action to Combat Racism and Racial Discrimination, which had been solemnly inaugurated by the General Assembly on 10 December 1973 on the occasion of the twenty-fifth anniversary of the Universal Declaration of Human Rights, constituted mankind's most comprehensive response to the continuing challenge represented, despite all the efforts that had been made, by the persistence of racial discrimination, which was an affront to humanity.

In both its objectives and the means at its disposal, the Decade was an undertaking without precedent in that field, as was indicated by the programme adopted by the General Assembly in the annex to resolution 3057 (XXVIII). In order to implement a programme of such scope, concerted action at the national, regional and international levels and proper co-ordination among the various sectors involved were necessary.

In the same resolution, the General Assembly had decided to entrust the Economic and Social Council with responsibility for co-ordinating the Programme and evaluating activities during the Decade. Paragraph 18 of the Programme detailed the various tasks entrusted to the Council, which were summarized in paragraphs 3-6 of the report of the Secretary-General (E/5474).

The fifty-sixth session was the first at which the Council was to perform those tasks. However, the Decade had been inaugurated only a few months previously, and more time would no doubt be needed before those activities could be defined and developed. It would, however, be desirable for the Council to deal

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(Mr. Schreiber)

with the questions set out in document E/AC.7/L.652/Add.1 at the current session.

The Programme called on the Secretary-General to provide the Council with such assistance as might be necessary for the implementation of its resolutions relating to the Decade. The Secretary-General was, inter alia, to submit to the Council an annual report containing information on six points enumerated in paragraph 18 (f) of the Programme.

The first report of the Secretary-General produced in accordance with that provision was document E/5474, which had been prepared with the information available up to 27 March, so that it could not be very substantial. The Secretary-General would of course provide the Council with any further information which became available.

Under paragraph 18 (b) of the Programme, the Council was to submit an annual report to the General Assembly during the Decade. In that connexion, the Council had to decide whether, in the future, it would prefer the Secretary-General to prepare the enumeration of activities referred to in paragraph 18 (b) (i). Pending such a decision by the Council, the Secretary-General had thought it appropriate to submit to it, in document E/5475, a summary of available information concerning activities of Governments and international organizations. If the Council so desired, the Secretary-General could include any additional information he received in a report to the General Assembly under the provisions of paragraph 18 (h). In that connexion, it should be pointed out that, if the Council continued to deal with the Decade under the item "Human rights questions", which it usually considered at its spring session, its report to the General Assembly on the Decade would be prepared some months before the regular session of the Assembly and, consequently, it would be useful to update that report.

Another question was how the Council would wish to submit its evaluation of activities during the Decade and its suggestions and recommendations. If it decided that it could be done in the form of a compilation of the views expressed in the debate, one alternative would be to refer to the summary records of the meetings; another possibility would be to include in the Council's report a summary of the main topics of the debate. Of course, the Council could always make other suggestions and recommendations in draft resolutions which it would submit to the General Assembly.

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(Mr. Schreiber)

The Programme for the Decade also provided for the convening of a world conference on combating racism and racial discrimination as a major feature during the Decade. The conference was to be held not later than 1978. Since the Assembly had entrusted the Council with the preparation of the conference, the Council might consider it desirable to make preliminary arrangements in that connexion, since an event of such magnitude required careful preparation.

Mr. OSMAN (Egypt) said that on 2 November 1973 the General Assembly had proclaimed the Decade for Action to Combat Racism and Racial Discrimination because of the fact that, in spite of the provisions of the United Nations Charter, the Universal Declaration of Human Rights, the international instruments condemning racial discrimination and numerous United Nations resolutions, racism had not been eliminated and millions of people were still subjected to apartheid, which was the most abhorrent form of racial discrimination. Unfortunately, the régimes which practised apartheid continued to receive support from their allies, and it was therefore more and more urgently necessary to mobilize and intensify the efforts of the international community to put an end to racist policies. The success or failure of the Decade would be a significant indicator of the future which awaited mankind. It would show whether the world was on the threshold of anarchy or whether there would be peace based on justice.

General Assembly resolution 3057 (XXVIII) entrusted the Economic and Social Council, in co-operation with the Secretary-General, with the responsibility for co-ordinating the programme for the Decade, evaluating activities undertaken in connexion with it and making preparations for holding a conference. The resolution also recommended that the Council should perform those functions in plenary meetings. At the present session, the Bureau of the Council had decided to allocate item 10 (a) to the Social Committee. His delegation, which would have preferred to see the General Assembly's recommendation followed, did not object to the Bureau's suggestion since the Council's work had been complicated in 1974 by the fact that its session had coincided with the sixth special session of the General Assembly.

Nevertheless, it had to be remembered that the original proposal had been to set up a special General Assembly committee to co-ordinate the programme for the

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(Mr. Osman, Egypt)

Decade and to evaluate the activities carried out in connexion with it. As a compromise, the task had been given to the Council; the Council should therefore devote sufficient time at the present session to consideration of the Social Committee's recommendation on the item which he hoped would be discussed in plenary meetings in the future.

To guide it in performing its task, the Council had the Secretary-General's report (E/5474) prepared in accordance with paragraph 18 (f) of the programme.

His delegation appreciated the fact that the period covered by the report was very short and that the report was based on information available up to 27 March 1974. In addition to information that might be useful for generating momentum in implementing the measures envisaged for the Decade, the document enumerated the activities referred to in paragraph 18 (b) (i) of the programme. The Secretary-General should submit to the General Assembly, at its twenty-ninth session, an addendum to his report with new information covering the period after 27 March and should make some reference to the contents of paragraph 18 (b) (ii) and (iii). As to the manner in which the Council's report should be prepared, the job could perhaps be given to a small open-ended working group, after taking into account the various points of view which had been expressed. In brief, the Council must carry out fully the responsibilities given to it by General Assembly resolution 3057 (XXVIII).

Paragraph 18 (d) of the programme provided that a report prepared on the basis of a questionnaire circulated by the Secretary-General should be sent by Governments every two years. He hoped that the Secretary-General would send out the questionnaire as soon as possible. He also hoped that the questionnaire would be drafted in such a manner that Member States would be able to reply quickly and that it would cover the concrete aspects of activities connected with the Decade.

Paragraph 13 (a) of the programme provided for the holding of a world conference on combating racial discrimination. The Council could prepare a draft agenda for the conference and decide on its timing or else ask Member States to comment on those subjects.

Turning to the substantive aspects of the Secretary-General's report (E/5474), he noted that at its twenty-eighth session the General Assembly had adopted a number of resolutions on colonialism, apartheid and racial discrimination which must be

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(Mr. Osman, Egypt)

implemented. In addition, the adoption of the International Convention on the Suppression and Punishment of the Crime of Apartheid was an important achievement in the fight against racism and racial discrimination. Member States which had not yet done so should be urged to ratify and accede to the various related conventions, particularly the International Convention on the Elimination of All Forms of Racial Discrimination.

As had been expected, the Committee of 24, the Special Committee on Apartheid, the Council for Namibia and the Trusteeship Council had taken the Decade into account in the course of their work. At the eighth session of the Committee on the Elimination of Racial Discrimination, several members had favoured an active involvement of the Committee in the implementation of the programme. The dialogue with that Committee should be continued, and its expertise in the matter of eliminating racial discrimination should be drawn upon. The Council might wish to express its appreciation of the work of the Committee and encourage it to continue its contribution to the work of the Decade within its terms of reference.

It was heartening to see that both the Commission on Human Rights and the Commission on the Status of Women were actively engaged in the effort to combat racism and racial discrimination.

At the thirtieth session of the Commission on Human Rights, the representative of the International Confederation of Free Trade Unions, speaking on item 13 (the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the colonial and racist régimes in southern Africa), had referred to the steadily growing white immigration to Rhodesia in the past two years and had pointed out that one of the aims of the campaign to recruit white workers was to reinforce Rhodesia's military manpower in order to counter the activities of the liberation movements. The representative of ICFTU had stressed the dangerous dimensions of settler colonialism. In the occupied Arab territories, Israel was pursuing the same policy of settling a foreign population in violation of the Fourth Geneva Convention relative to the protection of civilian persons in time of war and in violation of United Nations resolutions. That policy totally negated the human rights and fundamental freedoms of the population of the occupied territories, including the Palestinian people.

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(Mr. Osman, Egypt)

He pointed out that paragraph 13 (f) of the programme for the Decade for Action to Combat Racism and Racial Discrimination stated that "States should adopt measures to prevent the activities of persons and groups which incite sectarian and racial passions that would provoke people to leave their land and settle in lands belonging to others in accordance with policies designed to consolidate settler-colonialism or to settle natives in reservations, thus condemning them to a miserable existence".

Speaking of Egypt's activities in combating racism and racial discrimination, he said that the Government of the Arab Republic of Egypt, upholding the purposes and principles of the United Nations Charter and prompted by the deeply rooted convictions of the Egyptian people, had unremittently supported the struggle to promote and encourage respect for the human rights and fundamental freedoms for all, without distinction as to race, colour, sex, language or religion. The Egyptian people's deep belief in the dignity and worth of the human person found expression in an unequivocal denunciation of all theories and doctrines of racial superiority and of the policies and practices of racial discrimination and racism in whatever form or place.

Egypt had always strictly implemented the decisions of the Security Council and General Assembly concerning the policies of apartheid of the racist régime in South Africa, the question of Rhodesia and the situation in Namibia and the Portuguese colonies. His Government did not recognize the racist régime in Southern Rhodesia and had no relations with the racist régime in the Republic of South Africa or with Portugal.

Together with its African brethren, both directly and through the OAU Liberation Committee, Egypt supported the liberation movements, which were engaged in a legitimate struggle to free their peoples from colonialism and racism.

The Egyptian people's attitude towards racial discrimination showed a clear understanding of the real significance of such policies. The true essence of imperialism was to permit foreigners to exploit the wealth and efforts of indigenous peoples. Racial discrimination was simply a form of such exploitation. Slavery had been the first form of imperialism, and those who still pursued the methods of imperialism were committing a crime whose effects were not limited to their immediate victims but damaged the human conscience and impaired its victories.

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(Mr. Osman, Egypt)

What was at issue was not a compromise with racism and racial discrimination but the total eradication of racism, colonialism, foreign domination and racial discrimination. The implementation of the purposes and principles of the United Nations and of its resolutions required all possible moral and material support for those who were fighting against racism and racial discrimination not only to liberate their peoples but also to liberate all humanity from the total negation of its very nature and to pave the way for an international community based on justice.

Mr. SAARIO (Finland) said that in the 25 years that had elapsed since the adoption of the Universal Declaration of Human Rights peoples everywhere had become conscious of their rights and fundamental freedoms. The recognition and protection of those rights had been encouraged by the appropriate organs of the United Nations and precise standards had been adopted as a yardstick against which to measure domestic legislation and practices.

Despite such progress, many practices denying human rights still persisted and were matters of grave concern to the international community. Obviously, the most flagrant form of those practices was racial discrimination and apartheid, which deprived men and women of equal opportunities in society and destroyed their human dignity. It was, therefore, imperative that the major efforts of the United Nations and its bodies should be directed against racial discrimination.

The proclamation of the Decade for Action to Combat Racism and Racial Discrimination had been the result of the will to intensify and expand efforts to ensure the rapid eradication of racism and racial discrimination. In accordance with the Programme for the Decade approved by the General Assembly in resolution 3057 (XXVIII), the Secretary-General had submitted a report on the Decade for Action to Combat Racism and Racial Discrimination (E/5474). Given the short period which had elapsed since the launching of the Decade, it was understandable that the report dealt with activities contemplated with a view to achieving the objectives of the Decade. That also explained why so little substantive information concerning the activities of Governments, the specialized agencies and other intergovernmental organizations, and non-governmental organizations, had been transmitted to the Secretary-General and, through him, to the Council.

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(Mr. Saario, Finland)

However, it was encouraging to note that a vast machinery had been assembled and put into operation, and there could be no doubt that the Decade would represent a decisive turning-point in the struggle against racism and racial discrimination.

As for de jure discrimination, only Governments were able to put into effect the legislative and other measures and adopt the national and local policies required to eliminate such discrimination. It was, therefore, of the utmost importance that the laws and regulations of each State should be thoroughly reviewed so that any statute which might be discriminatory could be amended. In addition, whenever necessary, legislative measures had to be taken to eliminate the socio-economic causes of racial discrimination and to protect the rights of ethnic minorities.

Much of the racial discrimination, however, was de facto discrimination which might be based on prejudices, historical development, certain social and economic circumstances or even on completely irrational factors. While much attention had been paid to the legislative and administrative measures which Governments were required to take in order to combat racial discrimination at the de jure level, the root causes of de facto discrimination had been studied to a lesser extent. Yet that was the level at which racial discrimination manifested itself, even today, in many parts of the world. The struggle against it was most difficult and required a thorough analysis of the structure of each society in which it appeared in order to determine its basic causes.

In that respect it was extremely interesting to read the draft outline programme for UNESCO's participation in the Decade, contained in the report of the Secretary-General, which indicated ways of determining the basic causes of racial discrimination, which differed from society to society. Each country had to seek its own solution to the problem and ascertain the methods which were best suited to the actual circumstances of the particular society.

His Government had not yet adopted a detailed programme for the Decade, but he could safely predict that a major part of that programme would consist of educational activities at all levels, public information and research. It was the firm belief of his Government that through such measures it would be possible to create in all societies the atmosphere necessary to enable all individuals, regardless of race, colour or national or ethnic origin, to enjoy the same human rights and equal opportunities.

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Mr. WANG (China) said that racial discrimination still persisted in some of the self-styled 'civilized' countries. However, the situation in that regard in southern Africa was even more intolerable. In recent years, the colonialist authorities and racist régimes in southern Africa had intensified their bloody repression of the indigenous people. The Portuguese authorities had increased their military budget and had committed appalling massacres. The fascist régime of Southern Rhodesia had designated areas which no African could enter without incurring the penalty of imprisonment or death. It had drawn up a plan to encourage the immigration of whites in an attempt to strengthen its forces for the suppression of the African inhabitants. The racist colonialist Vorster régime was frenziedly building up its military power. It had continued to arrest the patriots of Namibia and had turned that country into a dark concentration camp. His delegation expressed its strongest indignation at those fascist acts and condemned them unreservedly.

However, the heroic people of southern Africa were making great strides in their struggle for liberation. The people of Mozambique had launched continuous attacks on many regions occupied by the Portuguese colonialist régime, dealing heavy blows at the Portuguese colonialist troops. The patriots of Angola had attacked the Portuguese in various sectors of Angola, where they had won some victories. The patriots of Zimbabwe had also won new victories in their armed struggles. The struggle begun eight years earlier by the Namibian patriots was mounting. Those facts showed that the will for freedom of the southern African people was unshakable and that no reactionary force could stop them.

The victories won by the people of southern Africa were an encouragement to the people of the whole world. But colonialism, racism and all reactionary forces would be bound to put up desperate struggles and make counter-attacks before their final collapse. Consequently, the people of southern Africa would have to carry on their arduous struggle and be prepared to smash any conspiracies by the enemy. At present, the imperialists were abiding and abetting the racist Smith régime in an attempt to arrive at a so-called settlement of the question of Southern Rhodesia. They were also trying to apply that intended solution to Angola and Mozambique. The aim was to preserve the colonial system so as to wipe out the liberation struggle throughout southern Africa and to maintain their "colonialist paradise" for ever.

(Mr. Wang, China)

Some people were currently advocating "quiet diplomacy" for the settlement of the question of southern Africa. What did "quiet diplomacy" really mean? Did it mean establishing secret contacts with the colonialist authorities of South Africa, Southern Rhodesia and Portugal, bypassing the United Nations General Assembly, the Security Council and the Economic and Social Council? The only way to free southern Africa was to respect the indigenous peoples' right to self-determination and to give vigorous political, moral and material support to them in their just struggle to overthrow the colonialist authorities and racist régimes and to win liberation, without any interference from imperialist forces. His delegation was firmly opposed to anything that ran counter to that principle.

Racial discrimination and apartheid in southern Africa were not an isolated phenomenon, but were closely connected with the imperialist policies of aggression and colonization. The colonialist authorities and racist régimes in southern Africa had dared to act as they had simply because they had the support of world imperialism, which urged them to form the most reactionary and iniquitous military-political alliances. It was, therefore, imperative for the people in southern Africa to combine their national liberation struggle with the struggle against imperialism, colonialism and neo-colonialism.

The people in the dependent regions of southern Africa were the victims of oppression by the colonialist racist régimes, but in a broader sense the victims also included the broad masses of the labouring people in those countries which pursued an imperialist, colonialist or neo-colonialist policy. A people which oppressed another people could not emancipate itself. The struggle of the people in the dependent regions of southern Africa against colonialism and racism was not merely a struggle for their own liberation but a struggle for the liberation of all oppressed and exploited people in the world, including the broad masses of the labouring and justice-loving people in western Europe and North America. The people of the world must therefore unite, support the just struggle of the people in the Portuguese colonies and wage a concerted struggle for the complete elimination of the colonialism and racism still existing in southern Africa and other areas.

His delegation supported the Decade for Action to Combat Racism and Racial

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(Mr. Wang, China)

Discrimination and was ready to discuss with other delegations measures to be adopted in order to implement the Programme for the Decade. The Chinese Government and people sympathized with the people of southern Africa in their sufferings and would firmly support their just struggles until they won complete victory.

Mr. VON KYAW (Federal Republic of Germany) said that his country condemned racism and apartheid and supported the aims of the Decade for Action to Combat Racism and Racial Discrimination. The Federal Republic of Germany was a party to the International Convention on the Elimination of All Forms of Racial Discrimination and had accordingly set forth in its reports to the Committee established under that Convention the legislative, administrative and other measures taken to give effect, de jure and de facto, to the principles of racial equality. In his country those principles also applied to resident aliens.

It was true that at present there were certain priorities in the struggle against racial discrimination, but it must be borne in mind that the main goal was to establish world-wide harmony between all races and peoples.

In that respect his Government's policy was in accord with the Charter of the United Nations. The Federal Republic of Germany was contributing to three United Nations funds to assist the victims of the situation in southern Africa and it had recently made another special contribution, on the occasion of the International Day for the Elimination of Racial Discrimination, to the United Nations Educational and Training Programme for Southern Africa. His Government would take further action during the Decade, which would be announced in due time.

Mr. BYKOV (Union of Soviet Socialist Republics) said that the proclamation of the Decade for Action to Combat Racism and Racial Discrimination and the approval of the Programme for the Decade, were an important contribution to the struggle for the elimination of colonialism and racial discrimination.

The Programme consisted of a set of measures, at the international, regional and national levels, against racism and racial discrimination, which were nothing more than instruments for economic exploitation in many countries of the world, whose Governments were surviving with the support of other countries and openly defying the resolutions of the United Nations. The elimination of those practices was one of the main objectives of the Decade.

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(Mr. Bykov, USSR)

In the course of the Decade all those types of racial discrimination must be declared illegal, and compulsory principles must be established for States.

The Soviet Union had from the outset taken part in the struggle against colonialism, racial discrimination and apartheid, and had, at an early stage, enacted laws guaranteeing equal rights for all peoples of the Soviet Union. The USSR had ratified all the international conventions on social and cultural rights, which reflected its desire to participate in international co-operation.

Faithful to the basic principle of supporting national liberation struggles, the Soviet Union would adopt all necessary measures to that end. In connexion with the Decade it had carried out various activities to show the solidarity of the Soviet people with the peoples struggling against colonialism and apartheid. Moreover, the Soviet Union was a signatory of the International Convention on the Elimination of All Forms of Racial Discrimination.

Miss CAO PINNA (Italy) remarked that the Declaration on the Establishment of a New International Economic Order, which had been adopted at the sixth special session of the General Assembly, stated that racial discrimination and apartheid, together with other evils, continued to be among the greatest obstacles to the full emancipation and progress of the developing countries.

That indicated that there was no sphere of activity in which order could be achieved without the full equality of human beings regardless of race. The Decade for Action to Combat Racism and Racial Discrimination was aimed at establishing order in the relations of human beings not only in developing countries but in all countries where racial discrimination still existed.

The Italian delegation considered that the report of the Secretary-General on the Decade (E/5474) showed the interest with which all organizations of the United Nations system, as well as a large number of non-governmental organizations, had started to plan their participation in the Decade. Special mention in that connexion should be made of the contribution announced by the ILO and UNESCO. The report contained scant information on action taken by Governments, but that was because the Decade had only just begun. In Italy, all the ministries concerned had been invited to consider the Programme for the Decade and plan their contribution. Consequently, her delegation hoped in the near future to be able to provide the Secretary-General with information on the activities to be carried out in Italy.

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(Miss Cao Pinna, Italy)

She also informed the Committee that one branch of the Italian Parliament had already approved a bill providing for Italy's ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, and Italy expected to be able to deposit its instrument of ratification shortly.

Mr. SULLIVAN (Canada) said that Canada would do all it could, both in maintaining vigilance domestically and co-operating at the international level, to achieve the objectives of the Decade. To that end, a variety of programmes were being planned.

The Government of Canada had organized several meetings with representatives of provincial Governments and non-governmental organizations at which a series of recommendations had been made, including a recommendation concerning the possibility of establishing a National Human Rights Council. The Federal Government had initiated a public information programme, and it might be noted in that connexion that the Decade had received prominent attention at the various meetings organized in Canada on the occasion of the twenty-fifth anniversary of the Universal Declaration of Human Rights.

Mrs. BAZARKHAND (Mongolia) said that the Secretary-General's report described a set of far-reaching measures to combat racism and racial discrimination, one of the more important of which was the Programme for the Decade. In that context it would be necessary to intensify activities to achieve the maximum exchange of information.

Mongolia was a party to the International Convention on the Elimination of All Forms of Racial Discrimination and was determined to co-operate with other States in an uncompromising struggle against colonialism, racism and racial discrimination, in the interests of all peoples of the world.

Her delegation had supported resolution 3057 (XXVIII) proclaiming the Decade for Action to Combat Racism and Racial Discrimination, and in her country campaigns had been organized to facilitate the implementation of the Programme for the Decade.

Lastly, she reiterated that all progressive countries should speak out against all forms and manifestations of racial discrimination and apply the United Nations resolutions calling for sanctions against the racist régimes of southern Africa. Her Government was resolved to adopt all necessary measures to put an end to those deplorable practices.

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Mr. VAN BOVEN (Netherlands) said that, in his country, various ministries were holding consultations with a view to deciding how the Decade could best be observed. In addition, the Programme for the Decade was being translated so that it could be disseminated as widely as possible.

The Council had an essential role to play in the implementation of the Decade and, in paragraph 18 of the Programme, various tasks entrusted to it were enumerated. The Decade had, of course, only just begun and the Secretariat was just recruiting staff to deal with the various activities, which explained why the two reports submitted, in documents E/5474 and E/5475, constituted only a preliminary and rudimentary compilation of material. However, the Council should not delay action any longer as it risked loss of momentum and loss of the interest generated by the twenty-fifth anniversary of the Universal Declaration of Human Rights.

At future sessions of the Council the activities of the Decade would have to be considered systematically, point by point. That process might be facilitated by the use, for the purpose of guidance, of the questionnaire referred to in paragraph 18 (e). The Secretary-General's reports could be prepared on the basis of the paragraphs and subparagraphs of the Programme, to facilitate the Council's task.

It was well known that the Netherlands enthusiastically supported the objectives of the Decade. Therefore, instead of dwelling on that fact he wished to make some constructive suggestions for the future, particularly with relation to education and information. There would be a need to disseminate more information on United Nations activities aimed at eliminating racial discrimination as well as on practices and problems at the national level. It was true that some units of the Secretariat were already engaged in providing information but the Office of Public Information could probably broaden its activities along those lines. The Programme of Activities was intended to be world-wide in scope. Therefore, more information could be published on the work of the Committee on the Elimination of Racial Discrimination, about which little was known outside the United Nations, and an analysis and evaluation of the effect which the application of the relevant Convention had had on national legislation and practice could be made. In the periodic reports submitted by States to that Committee there was

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(Mr. van Boven, Netherlands)

much interesting material and it was his understanding that in the future the distribution of those reports would no longer be restricted.

With reference to what was stated in paragraph 15 (a) of the Programme, members should bear in mind the study on racial discrimination prepared by Mr. Santa Cruz, which could be considered the basic United Nations document on the subject; it would be very useful to bring that document up to date. The Programme undertaken pursuant to resolution VII of the Teheran Conference of 1968 should also be borne in mind. The material on that programme had not been widely distributed and better use should be made of it.

It should not be forgotten that the purpose of the Decade was active struggle against racial discrimination; in that connexion, it was essential to secure the whole-hearted co-operation of Governments, United Nations bodies and non-governmental organizations.

Mr. BROAD (United Kingdom) said that although the Programme for the Decade for Action to Combat Racism and Racial Discrimination was the result of a compromise, his delegation's over-all attitude towards it was one of firm support.

For historical reasons, the United Kingdom had been actively concerned with the question of racial harmony, both internally and in its relations with other countries. In the Third Committee, the representative of the United Kingdom had noted that racial discrimination was a world-wide problem which could not be eliminated overnight. It was associated particularly with Africa but the fact was that it existed in many parts of the world in different guises. It might be said that racial discrimination was a product of racial prejudice, a complex phenomenon which had not yet been properly studied. However, it could be stated with some certainty that that prejudice had its roots in fear and ignorance. There was no sure prescription for eradicating it, but it was obvious that among the means of doing away with it were education and conciliation.

The national measures listed in paragraph 12 of the Programme were concerned mainly with fostering racial harmony; the recommendations in subparagraphs (a) (iii) and (iv) were particularly pertinent. The reports submitted by States to the Committee on the elimination of Racial Discrimination could form the basis for a study of the administrative, legislative and other measures needed for the eradication of discrimination and the formulation of recommendations to that effect.

(Mr. Broad, United Kingdom)

The United Kingdom supported in particular the constructive proposals in paragraph 15 of the Programme. If the various studies and research projects recommended in that paragraph were carried out, they could make a real contribution to the sound analysis of the phenomenon of racism, and only on such an analysis could constructive action be based.

Although paragraph 13 proposed some measures which, in the view of the United Kingdom, could perpetuate the sterile practice of denouncing situations which everyone deplored but where there was also a need for analysis and understanding, others were entirely constructive, such as that appearing in subparagraph (d), which the United Kingdom as a major contributor to the United Nations Education and Training Programme for Southern Africa, whole-heartedly endorsed, and subparagraph (i) calling for the full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination.

With regard to the functions entrusted by the Assembly to the Economic and Social Council, which appeared in paragraph 18 of the Programme, the United Kingdom thought that the Council in its annual report to the General Assembly should not limit itself to enumerating and appraising the activities undertaken but should formulate the appropriate suggestions and recommendations. That would be a formidable task and the United Kingdom felt that the Social Committee was the body that was competent to undertake it. There was no need to set up any special machinery for that purpose; it would suffice if each year the Social Committee devoted a certain number of meetings to discussing the Programme in the context of other items concerning racial discrimination and, in particular, the problem of racial discrimination in southern Africa. Although it was still early in the Decade, the Council, guided by the exchanges of ideas which took place, should set up at the current session effective machinery to implement the purposes of the Decade.

Mr. MAUERSBERGER (German Democratic Republic) said that at the twenty-eighth session of the General Assembly his delegation had co-operated actively in the preparation and adoption of resolution 3057 (XXVIII) by means of which the Programme for the Decade to Combat Racism and Racial Discrimination, which constituted an appropriate instrument for achieving progress in the elimination of racial discrimination, had been adopted.

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(Mr. Mauersberger, German
Democratic Republic)

Despite many decisions by the United Nations, the racist régimes in southern Africa had been able to maintain and even consolidate their rule. The causes of that situation were revealed in many reports which were well known to the members of the Committee.

Some Western States were ignoring the resolutions of the Security Council and the General Assembly and were giving political, economic and military support to the colonial and racist régimes in southern Africa. Of the total of foreign investments in South Africa, 80 per cent was continuing to come from the countries of the European Economic Community and those countries, together with other Western countries, accounted for more than 50 per cent of South Africa's foreign trade. Those facts and others corroborated the frequently repeated observation that the racist régimes could exist and maintain their policies of racial discrimination only because they had the support of certain States, including the members of NATO.

The German Democratic Republic had no relations of any kind with South Africa or the Salisbury régime and supported the national liberation movements and the anti-imperialist forces which were fighting against racial repression, colonial exploitation and fascist terror. Similarly, it condemned the policy of the States which were aiding the racist régimes by disregarding the resolutions of the United Nations.

With the construction of socialism in the German Democratic Republic the principal social and economic causes of racism, namely, capitalist exploitation and imperialism, had been eliminated and conditions which excluded the possibility of racism and racial discrimination had been established. Moreover, many activities had been undertaken in support of the Decade for Action to Combat Racism and Racial Discrimination, beginning with a celebration of the twenty-fifth anniversary of the Declaration of Human Rights. The President of the People's Chamber of the German Democratic Republic had stated that his country would give full support to the Decade for Action to Combat Racism and Racial Discrimination and would continue its policy of solidarity with the peoples who were struggling for freedom and self-determination with a view to carrying out all the measures called for by the United Nations to promote human rights.

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(Mr. Mauersberger, German
Democratic Republic)

Within a short time a Committee for the Decade for Action to Combat Racism and Racial Discrimination would be established at Berlin, the capital of the German Democratic Republic; it would draw up a programme of activities in support of the struggle against racism and racial discrimination.

His delegation hoped that the combined efforts of States to give effect to the principles of the United Nations Charter would produce concrete and positive results that would further the struggle against racism and racial discrimination. His country would co-operate actively in those efforts.

The Government of the German Democratic Republic had decided to accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid and had just ratified it. In addition, it took satisfaction in being host to the Special Committee on Apartheid which was to meet at Berlin in May 1974.

Within the framework of the Decade for Action to Combat Racism and Racial Discrimination the people of the German Democratic Republic would participate in specific activities in support of the struggle of peoples for their liberation from colonialism and racism.

The meeting rose at 1.05 p.m.

744th meeting

Thursday, 9 May 1974,
at 3.25 p.m.

Chairman: Mr. SAYAR (Iran)

HUMAN RIGHTS QUESTIONS (continued):

(a) DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION
(E/5474, E/5475) (continued)

Mr. ALI (International Labour Organisation) said that ILO's contribution to the Decade for Action to Combat Racism and Racial Discrimination was described in the Secretary-General's report (E/5474). He wished to stress one problem which was likely to be of significance during the Decade, namely that of migrant workers, linking it with the question of the exploitation of labour through illicit and clandestine trafficking, dealt with in chapter XI of the report of the Commission on Human Rights. The migration problem was enormous; in Europe alone, there were some 11 million migrant workers of various nationalities, and migration also affected the United States, Canada, Latin America and Africa. Illicit trafficking was widespread, with Mexicans reportedly paying up to \$300 to cross into the United States illegally, and Mauriticians paying up to 5,000 French francs to gain illegal entry into France.

The forthcoming International Labour Conference would deal with migration in abusive conditions, equality of opportunity and treatment and possibilities of international action. It would consider a report which showed that the number of clandestine migrants recruited by third parties varied with the period and the stringency of the laws and regulations governing the departure of migrant workers in the country of origin, and those governing their entry into the receiving country. The stricter the rules imposed, it seemed, the higher the proportion of illicit trafficking. Action by the Conference might lead to the adoption of three international instruments in 1975: a convention on migration in abusive conditions, a convention on equality of opportunity and treatment and a recommendation seeking to establish a coherent migration policy and provide guidance relating to family reunion, health protection and other social factors. In the next two years, the problem of illicit migration would be particularly examined,

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(Mr. Ali, ILO)

following the Fourth African Regional Conference held at the end of 1973 and the Second European Regional Conference held at the beginning of 1974. The former had concluded that African States should have a concerted migration policy to facilitate freedom of movement on a continent-wide basis for migrant and other workers with the nationality of one of the countries in the region, ensuring equality of treatment in respect of employment with nationals of the host country. The European Regional Conference had examined the question of migration as an element of employment policy and decided that there should be a new concept of co-operative development giving more consideration to increasing employment in developing countries and improving arrangements for the transfer of capital as a way of obviating emigration for reasons of economic need and demographic pressure. Of course, the problems confronting migrants in immigration countries were not only economic but also social and human. ILO had the responsibility of making Governments aware of the abuses involved in illegal migration and trafficking in labour.

ILO was collaborating in the study on the exploitation of labour through illicit and clandestine trafficking referred to in paragraph 155 of the report of the Commission on Human Rights (E/5464). In response to the appeals of the Commission on the Status of Women at its twenty-fifth session and of the Expert Group Meeting on Aging held the day before, he assured the Committee that ILO would not neglect the particularly vulnerable groups such as women and older migrant workers.

Mr. LARSSON (Sweden) said that the elimination of apartheid and racial discrimination was one of the most important aims of the United Nations. The systematic and massive violation of human rights which characterized the policy of apartheid could be overcome if the recommendations and decisions adopted by the United Nations were supported by the majority of Member States. His country fully supported General Assembly resolution 3057 (XXVIII), although it was too early to evaluate what had been done to implement that resolution.

The Swedish position regarding the item had been stated in document E/CN.4/1093/Add.7. Moreover, Sweden had ratified the International Convention on the Elimination of All Forms of Racial Discrimination, enacted the legislation

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(Mr. Larsson, Sweden)

required to implement that Convention and accepted the right of the individual to petition the Committee set up in accordance with that Convention. His Government gave direct assistance to refugees and liberation movements in southern Africa and worked actively within the specialized agencies to support such liberation movements.

Efforts to combat racism and racial discrimination must be co-ordinated at the national, regional and international levels, and his delegation had therefore noted with satisfaction that the General Assembly had entrusted the Economic and Social Council, in co-operation with the Secretary-General, with the responsibility of co-ordinating the programmes and evaluating the activities undertaken in connexion with the Decade.

The United Nations should continue to keep racial discrimination, in particular the apartheid policies practised in southern Africa, under careful review and should help to educate public opinion about the fundamental causes of racial discrimination and provide a basis for effective action against it.

The CHAIRMAN said that the Committee on Non-Governmental Organizations had suggested that the representative of the International Confederation of Free Trade Unions (ICFTU), which had consultative status with the Economic and Social Council, should address the Committee. If he heard no objection, he would invite the representative of ICFTU to address the Committee.

Miss von ROEMER (International Confederation of Free Trade Unions) said that her organization was currently engaged in a campaign to bring maximum support to the African workers in their fight for human and trade union rights. In South Africa, the works and liaison committees instituted by the Government had been rejected by the African workers, who regarded them as principally intended to prevent the development of effective trade unionism. ICFTU was also conducting an inquiry into foreign investments in South Africa and had compiled a list of companies based mainly in the United Kingdom, the United States and the Federal Republic of Germany. It would shortly publish a more comprehensive list, showing the South African subsidiaries of those companies, as well as statistics on wages paid to different racial categories. The aim of the research was to ensure that those companies conformed to internationally recognized labour standards.

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(Miss von Roemer, ICFTU)

White immigration was the corner-stone of the apartheid principle of job reservation in South Africa. A decree had been passed debarring Africans from various skilled and semi-skilled occupations and recently, despite unemployment among African workers, advertisements had appeared in European newspapers to fill such occupations. If the inflow of white immigrants ceased, employers would be forced to look to the black labour market and, as a result, the wage gap would be eroded and discrimination in education would have to end. ICFTU had appealed to its affiliates in industrialized countries to investigate the location and operation of South African recruitment agencies and, at the same time, it was intensifying the educational campaign to make workers fully aware of the implications of emigration to South Africa.

The illegal Government of Rhodesia similarly used white immigration from western Europe, New Zealand, Australia and the United States to consolidate its position. Yet Security Council resolution 253 (1968) had called upon Member States to prevent activities by their nationals and persons in their territories promoting, assisting or encouraging emigration to Southern Rhodesia, with a view to stopping such emigration.

In 1973, ICFTU had welcomed the proclamation of the independent State of Guinea-Bissau. The General Secretary of ICFTU, together with officials of trade unions affiliated to ICFTU, were currently visiting Portugal in order to express to the new Government the wish of the international free trade union movement to see a democratic Portugal guarantee the independence of the Overseas Territories. It was to be hoped that the Decade for Action to Combat Racism and Racial Discrimination would see the accession to freedom of all peoples still under colonial domination.

Mr. TRAVERTE (France) said that his country's repugnance for the policy and philosophy or apartheid was well known. His delegation had taken part in discussions on the Programme for the Decade and, as a result, his Government had in 1972 adopted legislation to combat racism and racial discrimination. Further action was indeed necessary, but first public opinion must be informed of the causes and dangers of racism.

Mr. TREVIÑO (Mexico) said that the Government and people of his country

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(Mr. Treviño, Mexico)

welcomed the Decade for Action to Combat Racism and Racial Discrimination as a means of achieving good relations between States and between peoples. His delegation had supported General Assembly resolution 3057 (XXVIII) and the celebration of the twenty-fifth anniversary of the Universal Declaration of Human Rights. Furthermore, the Mexican Constitution expressly condemned any form of racial discrimination.

His delegation was gratified to note the measures taken by the Secretariat within the Programme for the Decade and the initiatives taken by the specialized agencies and other United Nations bodies to make the problem widely known among the general public. While supporting the idea of the Decade, he deplored the need to draw up such a long-term programme for the eradication of racism and racial discrimination.

Mr. WIGGINS (United States of America) said that the Programme for the Decade annexed to General Assembly resolution 3057 (XXVIII) provided for broad action to deal with a widespread social problem. His Government had promulgated the Civil Rights Act, thus intensifying its efforts to combat racism and racial discrimination which, however, still persisted. While seeking progress at the national level, his Government supported the international Programme and considered that the work of the Secretariat must be supported by the necessary financial resources.

His delegation favoured increased co-operation among all races and was disappointed that, at the initiative of the representative of the Soviet Union, the concept of racial harmony, introduced by the representative of the United Kingdom, had been deleted from paragraph 5 of the Programme. Paragraph 15 of the Programme offered useful guidelines to any country confronted with a race problem. He supported the idea of studying more deeply the causes of racial discrimination and prejudice, but said that the success of the Decade would be measured by the action that was taken.

He welcomed the co-ordinating role entrusted to the Economic and Social Council by the General Assembly.

Mrs. DIALLO (Guinea) supported the Decade for Action to Combat Racism and Racial Discrimination and the participation of non-governmental organizations in the Programme. She hoped that the Decade would serve to liberate all peoples under racist and colonial régimes, and that many countries would accede to the International Convention on the Elimination of All Forms of Racial Discrimination.

(Mrs. Diallo, Guinea)

More than 20 years had elapsed since apartheid had been condemned as a crime against humanity but, despite the resolutions adopted by the United Nations and the Organization of African Unity, apartheid was still practised in South Africa, and was tacitly supported by its trading partners. Those countries, which valued money more than people, bore a major responsibility for the continuance of the abominable practice. However, her country continued to strive for the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and for the abolition of colonialism, racial discrimination and apartheid.

Mr. BUNE (Fiji) said that his delegation was encouraged by the Secretary-General's report on the activities to be undertaken by the United Nations bodies during the Decade for Action to Combat Racism and Racial Discrimination (E/5474). His Government fully supported the aims of the Decade but had not as yet drawn up its own programme, although it believed that every Government must seek its own solution based on its own need.

The problem of racial discrimination persisted, despite United Nations resolutions, and some countries pursued or supported discriminatory policies which threatened international peace. However, such policies must yield to public opinion and the resentment of the oppressed peoples. The problems of persecution were rooted in the inability of men to tolerate differences. Legislation was not enough to overcome intolerance: the goodwill of people living in society had to be promoted so that they would work in partnership. As a beginning, positive measures could be taken, within the Programme for the Decade, to achieve equality of opportunity and treatment for peoples of all ethnic origins.

Mr. SYED NAJIULLAH (Pakistan) said that Islam forbade discrimination of any kind. Pakistan was traditionally opposed to racism and racial discrimination and there were penalties for any such violation of human rights. His country therefore supported all those countries of Asia and Africa which opposed any manifestation of racism.

The Programme for the Decade was a means to increase world awareness of the problem, but he did not expect any major results from it, since those who blatantly practised or permitted racial discrimination would scarcely be deterred by exposure. None the less, the Programme was a token of the international community's concern for oppressed peoples and his Government would do everything to observe it.

(Mr. Syed Najiullah, Pakistan)

At the previous meeting, the representative of Egypt had mentioned white immigration into Rhodesia requiring the connivance of the countries of origin, even those countries which professed to support the ideals of the United Nations. Similarly, the continued immigration of Zionists into occupied Arab territories was a matter of concern to the civilized world.

Mr. BYKOV (Union of Soviet Socialist Republics), speaking in exercise of his right of reply, said that the expression "racial harmony" had been deleted from paragraph 5 of the Programme for the Decade by an overwhelming majority in the General Assembly. There were two possible approaches to the elimination of racism and racial discrimination: the one promoted by the United States and the one approved by the majority of Member States at the twenty-eighth session of the General Assembly. The majority of Members considered that the main objective of the Decade was to eliminate racism and racial discrimination, concentrating first of all on the elimination of its most flagrant and criminal manifestation, apartheid.

The General Assembly had adopted the International Convention on the Suppression and Punishment of the Crime of Apartheid at its twenty-eighth session, and the United States had voted against it. The United States representative had referred to the problems of racial discrimination in America; if the United States implemented the major international instruments on the elimination of racial discrimination, that would be one step towards eliminating such discrimination everywhere.

Mr. WIGGINS (United States of America), speaking in exercise of his right of reply, recalled that the original version of paragraph 5 of the Programme for the Decade had referred to the concept of racial harmony as the basic goal of the Decade. The Soviet amendment to that paragraph had eliminated the reference to racial harmony. With regard to the situation in his country, it was because American society was multiracial that the problem arose; efforts to improve the situation would be intensified during the Decade. If the Soviet Union did not have such problems, it should consider itself fortunate.

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Mr. BYKOV (Union of Soviet Socialist Republics) stressed that the overwhelming majority of Member States had voted in favour of the Programme for the Decade, as amended. The United States, along with Portugal, South Africa and Israel, had voted against the Convention on the Suppression and Punishment of the Crime of Apartheid.

Mr. WIGGINS (United States of America) said that the United States representative in the General Assembly, a person with extensive experience of civil rights legislation in the United States, had explained that he was voting against the Convention on the Suppression and Punishment of the Crime of Apartheid because it could be used to violate rather than to protect human rights. The vote against the Convention did not in any way imply any support of apartheid.

Mrs. MAIR (Jamaica) spoke of the responsibilities of the Economic and Social Council for co-ordinating the Programme for the Decade, as described in paragraphs 3 to 6 of the report of the Secretary-General (E/5474). The Council was responsible for co-ordinating and reporting on the implementation of the Programme, evaluating, reviewing and appraising activities and making suggestions and recommendations, and also, most importantly, for ensuring that the Decade fulfilled its objectives.

Racism and racial discrimination involved the attitudes of individuals and countries; it was not easy to understand those attitudes, and she therefore welcomed the research being carried out by such bodies as UNESCO and the Office of Public Information. Such work should be continued and expanded.

The role of the mass media was particularly important to the fulfilment of the objectives of the Decade. The Programme should include a comprehensive and critical review of the mass media's approach to ethnic groups, because the media had a very important role to play in forming attitudes. The mass media were currently dominated by the developed countries. Care should be taken to ensure that the media would not frustrate the aims of the Decade but would actively promote its objectives.

The root cause of racial discrimination, however, was colonialism which had been identified as the chief breeding-ground for discrimination. In that connexion, she expressed appreciation of the role played by the various United

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(Mrs. Mair, Jamaica)

Nations bodies dealing with the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, apartheid, Namibia, and in particular the Ad Hoc Working Group of Experts established by the Commission on Human Rights. The Economic and Social Council should use its official relationships with those bodies to focus on the economic structures which were the basis of colonialism and served to perpetuate the poverty of some and the wealth of others and thus fostered racial discrimination. The Council, in particular its economic arm, should concentrate on establishing a new economic order which was essential to the success of the Decade. An integrated approach to the Programme was necessary, reflecting the view that racial discrimination was social and political in its manifestations, but economic in its foundations.

Mrs. KINYANJUI (Kenya) said her delegation had been gratified at the unanimous approval of General Assembly resolution 3057 (XXVIII), adopted on the twenty-fifth anniversary of the Universal Declaration of Human Rights. The results already achieved, as outlined in the report of the Secretary-General (E/5474), were encouraging. Her country had in the past suffered from racism and racial exploitation by the colonialists, and was now committed to eliminating racial discrimination. The Kenyan people could not feel free while millions of their brothers were oppressed under the apartheid system. The racist régimes in southern Africa should realize that they could not win the colonialist wars in Azania, Namibia, Zimbabwe, Angola, Mozambique and Guinea-Bissau. Portugal should now give its colonies independence, but there must be no independence without majority rule. Her Government supported the liberation struggle morally and materially, and it accepted refugees. It also contributed to the Liberation Committee of the Organization of African Unity and to the United Nations Educational and Training Programme for Southern Africa.

(b) REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/5464)

Mr. SCHREIBER (Director, Division of Human Rights) introduced the report of the Commission on Human Rights on its thirtieth session (E/5464). The report had been prepared in accordance with the guidelines laid down by the Economic and Social Council in resolution 1623 (LI) for reports by its functional commissions.

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(Mr. Schreiber)

Chapter I contained the text of draft resolutions requiring action by the Economic and Social Council, chapter II to XVIII summarized the debate on the various agenda items, chapter XIX contained the text of resolutions and decisions adopted by the Commission, and chapter XX dealt with the organization of the thirtieth session. There were four annexes, the third of which gave the financial implications of resolutions and decisions adopted by the Commission.

The Commission on Human Rights had given priority, in accordance with General Assembly resolution 3149 (XXVIII), to the item on human rights and scientific and technological developments, dealt with in chapter II of the report. It had adopted resolution 2 (XXX) requesting the Secretary-General to bring the studies before it to the attention of Governments for preliminary study and possible comment, and to seek the views of Governments and the specialized agencies concerned on the use to which science and technology could be put (to strengthen international peace and security and the fundamental rights of peoples, to promote and ensure general respect for the human rights proclaimed in the Universal Declaration of Human Rights and in the International Covenants of Human Rights and to facilitate and protect the enjoyment by all peoples of their right to employment, education, food, health and economic, social and cultural well-being), and deciding to continue the consideration of the item at future sessions with a view to taking further action and considering possible guidelines on standards which could be included in appropriate international instruments.

The Commission had also given priority to the question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East, covered in chapter III of the report. It had adopted resolution 1 (XXX), in which it requested the Secretary-General to give the resolution the widest possible publicity by bringing it to the attention of all Governments, the specialized agencies, regional intergovernmental organizations and the competent United Nations organs.

The item on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa, dealt with in chapter IV of the report,

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(Mr. Schreiber)

had been included in the agenda at the request of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The Sub-Commission had also recommended that the Commission direct the Sub-Commission to appoint a special rapporteur to evaluate the situation. The Commission had done so, and had submitted draft resolution I to the Economic and Social Council for confirmation of the authorization to appoint a special rapporteur; draft resolution I also recommended that the General Assembly should include the topic in the agenda of its thirtieth session.

Chapter V of the report dealt with the Commission's work on the draft Declaration on the elimination of all forms of religious intolerance, which the General Assembly had requested in resolution 3069 (XXVIII). The Commission, after a general debate on the item, had decided to establish an informal Working Group to draft the Declaration. The Group had not completed its work. The Commission was therefore requesting the Council to inform the General Assembly that it had not yet completed its work on the draft Declaration but would give priority to it at its next session.

In connexion with the item dealt with in chapter VI of the report, the Commission had adopted two resolutions concerning the appointment of two special rapporteurs, which required action by the Economic and Social Council. The first special rapporteur would deal with the historical and current development of the right of peoples to self-determination, with particular reference to the promotion and protection of human rights and fundamental freedoms. The Sub-Commission, which was studying that matter, had requested the Commission to authorize it to appoint a special rapporteur; the General Assembly had welcomed that move in resolution 3070 (XXVIII), and in resolution 4 (XXX) the Commission had recommended that a special rapporteur should be appointed to carry out a study. The other resolution dealt with the question of the implementation of United Nations resolutions on the right of peoples under colonial and alien domination to self-determination. In resolution 5 (XXX), the Commission had invited the Sub-Commission to appoint a special rapporteur to study the question and make recommendations to the Commission at its thirty-second session.

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(Mr. Schreiber)

In connexion with the question of the realization of economic, social and cultural rights, dealt with in chapter VII of the report, he recalled that the Economic and Social Council in resolution 1792 (LIV) had requested the Special Rapporteur appointed to study the question to complete his study so that the Commission could take a decision at its thirtieth session. The Commission had had before it at its thirtieth session the complete study prepared by the Special Rapporteur, Professor Manouchehr Ganji of Iran, and his revised observations, conclusions and recommendations; the Commission had unanimously appreciated the value and usefulness of the study and requested that it be widely publicized. The Commission had also suggested that the study should be updated in five years' time. A draft resolution to that effect, draft resolution IV, had been submitted for action by the Economic and Social Council.

Chapter VIII dealt with the violation of human rights and fundamental freedoms, including the policies of racial discrimination and segregation and of apartheid in all countries, with particular reference to colonial and also dependent countries and territories. The Commission had submitted draft resolution V, requiring action by the Economic and Social Council, in which the Council would invite the Ad Hoc Working Group of Experts to continue its activities, and draw the attention of the General Assembly to its mandate and activities. Draft resolution VI, also submitted for action by the Council, contained provisions aimed at halting the serious violations of human rights resulting from the persistence of colonialism, racial discrimination and apartheid in southern Africa.

Several closed meetings had been devoted to the flagrant and systematic violations of human rights, in accordance with resolution 8 (XXIII) and Council resolutions 1235 (XLII) and 1503 (XLVIII), and the Commission had then taken a decision establishing a working group which would meet one week before the next session of the Commission to consider the documentation submitted by the Sub-Commission under Economic and Social Council resolution 1503 (XLVIII).

The Commission had also considered the final report of the Working Group which it had established at its twenty-seventh session to draw up model rules of procedure for United Nations bodies dealing with violations of human rights.

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(Mr. Schreiber)

In that connexion, the Commission had submitted draft resolution VII, which required action by the Council, requesting the Council to take note of the reports of the Working Group on model rules of procedure and bring them to the attention of all United Nations bodies concerned.

Chapter IX reported on the Commission's consideration of the need for the further promotion and encouragement of respect for human rights and fundamental freedoms, a question which it had not studied since 1963. The Commission had had two draft resolutions before it on that question and had adopted one of them, resolution 10 (XXX), deciding that at its next session it should consider the long-term programme of work of the Commission taking account of the proposals and views expressed by Member States.

Chapter X dealt with the question of international legal protection of the human rights of individuals who were not citizens of the country in which they lived. The Sub-Commission had not yet completed its work on the matter, and that was why the Commission had recommended draft resolution VIII for action, in which the Council would request the Sub-Commission to give high priority at its next session to the question and submit recommendations to the Commission on Human Rights at its thirty-first session.

Referring to the exploitation of labour through illicit and clandestine trafficking, he said that, in accordance with Council resolution 1789 (LIV), the Sub-Commission had adopted a resolution at its twenty-sixth session entrusting to one of its members the task of preparing a study on the question to be submitted to the Sub-Commission at its twenty-seventh session. Since the matter was currently under consideration by the Sub-Commission and was to be considered by the Commission in the light of the results of that study, the Council might wish to defer its own consideration of the question until the Sub-Commission and the Commission had completed their work.

In respect of the question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism, the Commission had endorsed the recommendation of the Sub-Commission to the Council contained in Sub-Commission resolution 7 (XXVI), details of which could be found in paragraph 168 of the report. The Council would therefore be required to pronounce on that question.

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(Mr. Schreiber)

The Commission had also adopted resolution 12 (XXX) concerning the additional reports on civil and political rights, and had decided to postpone until its next session consideration of a number of items on its agenda which it had not had time to consider at its thirtieth session.

Turning to the question of advisory services in the field of human rights, he said that implementation of the programme had continued in 1973. Two seminars had been organized. The first had been held in San Remo at the invitation of the Italian Government, to discuss the theme of youth and human rights. That had been the second seminar held on that theme, in accordance with the wishes expressed by both the General Assembly and the Commission on Human Rights. The General Assembly, in resolution 3140 (XXVIII), had noted with interest the conclusions of that seminar, which were contained in document ST/TAO/HR/47. The second seminar, which had been of a regional character, had taken place in Dar es Salaam at the invitation of the Government of the United Republic of Tanzania. It had considered the question of new ways and means for promoting human rights with special attention to the problems and needs of Africa, which had been one of the topics recommended as part of the programme of activities approved by the General Assembly on the occasion of the twenty-fifth anniversary of the Universal Declaration of Human Rights. The report of that seminar had been published as document ST/TAO/HR/48 and, in accordance with the wish expressed by the participants, had been transmitted to Member States, specialized agencies, regional intergovernmental organizations and interested non-governmental organizations in consultative status, and had also been brought to the attention of the competent United Nations organs. At the invitation of the Government of Yugoslavia, an international seminar on the promotion and protection of national, ethnic and other minorities was to be held at Ohrid in June and July 1974. Other Governments had declared their intention to host seminars, and consultations were currently being held with those Governments.

In accordance with Commission resolution 17 (XXIII), a second training course had been held in Cairo in June and July 1973. The main purpose of that course had been to enable senior officials responsible for administering penal justice to exchange ideas and information on laws and practices relating to the promotion of

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(Mr. Schreiber)

human rights in the field of penal law in both African and non-African Arabic-speaking countries. Eighteen people and participated in that training course.

Although the financial resources available for 1973 had been somewhat limited, it had been possible to award 12 training fellowships to applicants from 12 countries for the study of topics of interest to the United Nations in the field of human rights. The Secretary-General would continue to award such fellowships within the limits of available resources.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that the Commission on Human Rights, at its thirtieth session, had adopted a series of very significant decisions concerning the respect of human rights. Of particular importance was the Commission's resolution concerning the political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa. In spite of the provisions of the Charter reaffirming faith in fundamental human rights and the dignity and worth of the human person, many peoples continued to suffer under policies of apartheid and racism. Such policies constituted crimes against humanity and were the weapons of colonialism and imperialism. One of the basic reasons for the perpetuation of the criminal régimes in southern Africa was the assistance of all kinds provided to them by certain countries, in defiance of the resolutions of the General Assembly and the condemnation of the Commission on Human Rights. The Soviet Union, which had whole-heartedly supported the resolution in question in the Commission on Human Rights, felt that the adoption of that resolution by the Council would be a significant step towards the elimination of racism and colonialism. The Commission had strongly condemned the South African and Southern Rhodesian régimes for their defiance of United Nations resolutions on human rights and self-determination and independence, and had appealed to all States to refrain from granting any aid to those régimes and to sign the Convention on the Suppression and Punishment of the Crime of Apartheid. The Soviet Union had demonstrated its opposition to all forms of racial discrimination by being one of the first signatories of that Convention.

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(Mr. S. N. Smirnov, USSR)

Another important draft resolution concerned the violations of human rights in the Middle East. Israel continued its systematic violations of human rights in occupied Arab territories by persecuting the populations, expropriating land and plundering natural resources. The Soviet Union had continually expressed its opposition to and condemnation of all aggression in the occupied Arab territories.

The Commission had also devoted much time to consideration of the important problem of the violations of human rights currently being perpetrated in Chile. Mrs. Allende, the widow of the former President of Chile, had described the horrifying crimes committed by the military junta. Details of those crimes had also been published in the international press. Individuals had been subjected to shock treatment, deprived of food and water, and had been forced to witness atrocities committed against fellow prisoners; opponents of the régime had been herded into concentration camps without any specific charges having been made against them. It was estimated that 2,500 people had died at the hands of the military junta. The junta had also banned trade unions and instituted censorship of the press; thousands of students and university professors had been persecuted for their Marxist sympathies. Civilians and military personnel had been tortured and threatened with death or life imprisonment for their opposition to the régime. Trials had been held in secret and many individuals, mainly of socialist sympathies, had disappeared without trace. The methods used by the Chilean military régime could be compared only to those employed by the Nazi régime of Adolf Hitler. Religious bodies and prominent public figures had condemned the junta's acts of terrorism, which had aroused the indignation and wrath of peoples throughout the world.

Six months after the military coup, thousands of Chileans were still in prison. Their only crime had been patriotism, love of democracy and belief in progress. Many of these imprisoned were leaders of socialist and radical parties. The Commission had sent a telegram to the Government of Chile expressing its concern at the gross and massive violations of human rights in Chile and stressing that political leaders and other Chilean citizens and foreigners in prison should not be prevented from leaving the country if they wished to do so. Appeals had also been sent by the Secretary-General and the President of the General Assembly.

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(Mr. S. N. Smirnov, USSR)

Two months later, however, the reign of terror continued and political parties and public organizations were still prohibited. The Warsaw Treaty countries had issued a statement (A/5596) condemning the acts of the military junta, calling for the immediate release of all political prisoners and appealing to all States to rally to the defence of human rights and human values in Chile. His delegation was convinced that the Chilean people would triumph in their struggle to restore democracy and true independence. In that struggle they could count on the full support of all progressive peoples. The United Nations must implement measures to put an end to the lawlessness currently prevailing in Chile.

Mr. CARRASCO (Chile) said that his delegation, as a member of the Commission on Human Rights, has listened with great interest to the discussion of the question of human rights in the Committee. His delegation welcomed the genuine concern expressed by certain delegations with regard to the situation in Chile, a concern which was shared by all Chilean people. However, it was obvious that the statements of other delegations were motivated by evil intentions. It was pointless to reply to the false accusations which had just been made against the Government of Chile, since they bore no relation to the truth. The delegation of the Soviet Union, with its usual cynicism, had referred to alleged violations of human rights perpetrated in Chile. It was well known that the Soviet Union was better versed in the theory than in the practice of human rights. The Commission on Human Rights had been informed, for example of the suffering of the Solzhenitsyn family.

He wished categorically to deny the false allegations made against his Government.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that the representative of the military junta was clearly unable to refute any of the facts which his delegation had reported. The Soviet delegation had raised the question simply to draw the attention of other members of the Committee to the situation existing in Chile. The conscience of mankind could not remain tranquil while such violations of human rights continued.

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Mr. CARRASCO (Chile) thanked the representative of the Soviet Union for referring to him as the representative of the junta, since it was precisely the military junta which was working for the restoration of democracy in Chile. He reserved the right to reply in more detail to the Soviet allegations later.

The CHAIRMAN said that the request of the representative of Chile to be allowed to exercise his right of reply later had been duly noted and would be reflected in the record of the meeting.

(c) QUESTION OF SLAVERY AND THE SLAVE TRADE IN ALL THEIR PRACTICES AND MANIFESTATIONS, INCLUDING THE SLAVERY-LIKE PRACTICES OF APARTHEID AND COLONIALISM (E/5446)

Mr. SCHREIBER (Director, Division of Human Rights) said that the question had been under consideration by the Economic and Social Council since 1949 and had been the subject of five special studies. In accordance with Economic and Social Council resolution 1695 (LII), the Secretary-General had submitted a report (E/5446), which gave a detailed account of the measures taken to give effect to each of the paragraphs of that resolution. He drew the attention of the Committee to the recommendation made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities that the Commission on Human Rights request the Council to authorize the Sub-Commission to appoint a group from among its membership to review developments in the field of slavery and slavery-like practices, traffick in persons and the exploitation of the prostitution of others. At its thirtieth session, the Commission had endorsed the recommendation of the Sub-Commission. It now remained for the Council to give the necessary authorization.

(d) ALLEGATIONS REGARDING INFRINGEMENTS OF TRADE UNION RIGHTS (E/5445)

Mr. SCHREIBER (Director, Division of Human Rights) said that the note by the Secretary-General (E/5445) concerned allegations brought by the Lesotho General Workers' Union against the Government of South Africa. The allegations had been originally addressed to the International Labour Organisation but, since the Government of the Republic of South Africa was no longer a member of ILO, the ILO Governing Body had decided to refer the matter to the Economic and Social Council.

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(Mr. Schreiber)

The Secretary-General, in accordance with the provisions of Economic and Social Council resolution 277 (X), had sent a note to the Government of South Africa asking for its permission to refer the allegations to the Fact-Finding and Conciliation Commission of ILO. No reply had been received from the South African Government. It was therefore for the Council to decide what further action should be taken on the matter. He recalled that, in a similar case, the Economic and Social Council had decided, in resolution 1216 (XLII), to transmit the relevant communication to the Ad Hoc Working Group of Experts of the Commission on Human Rights and had requested the Group to submit its findings and recommendations to the Council.

The meeting rose at 6 p.m.

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745th meeting

Friday, 10 May 1974,
at 11.05 a.m.Chairman: Mr. SMID (Czechoslovakia)HUMAN RIGHTS QUESTIONS (continued):

- (a) DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION (E/5474, E/5475) (continued);
- (b) REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/5464) (continued);
- (c) QUESTION OF SLAVERY AND THE SLAVE TRADE IN ALL THEIR PRACTICES AND MANIFESTATIONS, INCLUDING THE SLAVERY-LIKE PRACTICES OF APARTHEID AND COLONIALISM (E/5446) (continued)

Mr. CHIRILA (Romania) said that his country was particularly concerned about international co-operation to promote enjoyment of and respect for human rights and fundamental freedoms without discrimination. It thus contributed to the establishment of friendly relations between peoples, to the development of co-operation among States and to the maintenance and strengthening of international peace and security. For that reason, the Romanian delegations in the Commission on Human Rights and the General Assembly had been most interested to participate in the discussion on the proclamation of the Decade for Action to Combat Racism and Racial Discrimination, and in the formulation of the Programme for the Decade.

In the opinion of the Romanian delegation, the Decade proclaimed by the General Assembly at its twenty-eighth session should provide an important opportunity for uniting the efforts of the international community to end racial discrimination and apartheid wherever they still existed. An awareness of the obstacles to the attainment of that goal was needed, as well as firm and specific action.

That was the background to paragraph 5 of General Assembly resolution 3057 (XXVIII), which requested the Economic and Social Council to assume, with the assistance of the Secretary-General, responsibility for co-ordinating the Programme and evaluating activities undertaken during the Decade as provided in the Programme.

The task thus entrusted to the Economic and Social Council was not only social and humanitarian in character; it was, above all, profoundly political and therefore placed a duty and a responsibility on all members of the Council.

Romania shared the view that the struggle against racial discrimination should be waged at all levels and by all means, including international co-operation.

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(Mr. Chirila, Romania)

Romania's support for international measures to combat racism, racial discrimination and apartheid was motivated by humanitarian, political, economic and legal considerations. As the President of Romania had stated in a message to the International Conference of Experts for the Support of Victims of Colonialism and Apartheid in Southern Africa, Romania deeply sympathized with the struggle of peoples against imperialism, colonialism, neo-colonialism, racist policies and apartheid, and against all forms of domination and oppression.

The radical changes which had occurred in Romania in the past three decades had created favourable conditions for the fulfilment of the people's desire to achieve and consolidate their independence, freedom and social justice. All State activity was currently devoted to the construction of a society which guaranteed the exercise of fundamental rights and freedoms for all in conditions of equality and without any discrimination. Particular attention was given to the education of youth in the spirit of understanding between all peoples and respect for human rights without discrimination on grounds of race, nationality or ethnic origin.

Romania shared the widespread concern about the intensification of repressive measures against the Coloured population resulting from the policy of apartheid and racial discrimination. At the same time, it supported the resolutions adopted by the General Assembly and the Security Council condemning the policy of apartheid and racial discrimination, as well as the measures adopted by the United Nations to combat that policy.

In conformity with the resolutions of the General Assembly and the Security Council, Romania had no relations of any kind with the racist and colonialist régimes in southern Africa. It also supported the efforts of the newly independent States in Africa to eliminate the consequences of colonial and racial exploitation and under-development as rapidly as possible.

In Romania, the Programme for the Decade for Action to Combat Racism and Racial Discrimination had been given wide publicity, addressed both to government organs and to the public. The International Day for the Elimination of Racial Discrimination had been celebrated on 21 March 1974. The Day's importance was derived from the fact that it had been the first important activity giving the Romanian public an opportunity to take note of the Programme for the Decade and to

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(Mr. Chirila, Romania)

confirm its solidarity with the struggling peoples who were suffering under the yoke of colonialism, racial discrimination and apartheid. The Decade should be considered as a long-term activity to be undertaken at all levels by peoples and Governments, international governmental and non-governmental organizations and world public opinion as a whole.

The Secretary-General's report in document E/5474 gave a preliminary picture of what had been done and what could be done to achieve the objectives of the Decade. His delegation agreed with the suggestion made by Mr. Schreiber that the report should be supplemented and updated for submission to the General Assembly. Mr. Schreiber's statement had been useful, in that it had highlighted important matters and aspects which the Council should study.

The Economic and Social Council should fully perform the functions entrusted to it. It would be very important to evolve methods which would give the Council and other competent United Nations bodies a broad picture of the specific measures to be adopted. As the organ responsible for the world conference, the Economic and Social Council should take time to make all the necessary preparations. The Conference should provide an opportunity for an in-depth analysis of the situation all over the world, and especially in southern Africa, with a view to the adoption of specific and effective measures for action by the entire international community.

Some delegations had emphasized the need for a study of the phenomenon of racism and for information and education activities. Although those were important aspects, the crux of the matter was real political willingness by all States to take effective action in order to achieve decisive results in the struggle against racism and racial discrimination. The political, economic and ideological reasons for racial discrimination were well known and should determine the action to be taken. It was obvious that the promotion and universal respect of human rights could not be viewed in the abstract, in isolation from the over-all national and international conditions in the modern world. Until the prerequisites were established for the economic and social advancement of all peoples, the promotion of universal respect for human rights would continue to encounter obstacles.

Mr. SAYAR (Iran) said that his Government's position on the question of racism and racial discrimination was quite clear and had been stated on many occasions and in all international bodies, particularly the Commission on Human

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(Mr. Sayar, Iran)

Rights and the General Assembly. The Government of Iran had always condemned all forms of racial discrimination and it was fulfilling the international obligations which it had assumed as a party to the International Convention on the Elimination of All Forms of Racial Discrimination. The report recently submitted by Iran under article 9 of that Convention concerning the measures adopted by States parties to give effect to its provisions had not only been approved by the Committee responsible for the enforcement of the provisions of that international instrument, but had also been considered one of the best reports submitted. That illustrated the importance which the delegation and Government of Iran attached to the Decade for Action to Combat Racism and Racial Discrimination. His delegation had taken an active part in the discussions which had led to the formulation of the Programme for the Decade and the adoption of General Assembly resolution 3057 (XXVIII). On that occasion, it had stated that the co-ordination of the Programme and the evaluation of the activities to be undertaken during the Decade should be entrusted to the Economic and Social Council, which should assume responsibility in the matter, with the assistance of the Secretary-General. That view had prevailed, and had been incorporated as paragraph 5 of the resolution in question. Although paragraph 6 of the resolution recommended that the Economic and Social Council should perform those functions in plenary meetings, his delegation considered that the Social Committee was better qualified than the plenary Council to examine that problem, and in any case the officers of the Economic and Social Council could entrust the consideration of that question to its sessional committee which dealt with social and human rights questions.

In endorsing the Programme for the Decade, the Iranian delegation accepted the idea that a world conference should be held during the Decade to mark the international community's desire solemnly to condemn racism and racial discrimination.

Following the guidelines in the Programme for the Decade, the Government of Iran had drawn up a national programme to be carried out over the next 10 years. The commission which had formulated the programme, consisting of representatives of governmental organizations and of some non-governmental organizations, had met several times and he himself had personally attended the meetings in his capacity as representative of the Ministry of Foreign Affairs of his country. The commission had drawn up a detailed programme, which provided for activities and events of

(Mr. Sayar, Iran)

various kinds, in accordance with the relevant United Nations resolutions. It had not been necessary in Iran to adopt legislative measures, because the existing laws and the 1906 Constitution with its various revisions already referred to racial discrimination and racism and also guaranteed the rights of minorities.

His delegation was thus prepared to support the draft resolution concerning the Decade, and his Government would do everything possible to implement the Programme formulated for the Decade.

Miss ILIC (Yugoslavia) said that her delegation attached great importance to the item under consideration and that the promptness with which the various organizations of the United Nations system had replied to the Secretary-General's letter of 20 December 1973 was further proof of the international community's determination to do away with racism, racial discrimination and apartheid. UNESCO and the ILO deserved special mention in that regard for their activities on behalf of migrant workers and their families. Also noteworthy was the decision of the Committee on the Elimination of Racial Discrimination to keep the item on its agenda throughout the Decade and the willingness of its members to contribute to the latter's success.

However, all those activities would be insufficient to put an end to the pernicious practices in question unless they were coupled with the halting of assistance of all kinds to the racist régimes, support for the liberation movements, the adoption of educational measures and intensive publicity efforts. Any suggestion for increasing contacts and assisting the liberation movements would be welcomed. Her delegation felt that the suggestion in document E/AC.7/L.652/Add.1 that the Secretary-General should update and include in his report to the General Assembly any additional information that he thought appropriate would be very useful to the preparations for the Conference.

Her Government had not had time to reply to the Secretary-General's letter, but it intended to establish a body to handle the national planning; mention might also be made in that connexion of the holding of a seminar in co-operation with the United Nations. In addition, her Government was considering the possibility of signing and ratifying the International Convention on the Suppression and Punishment of the Crime of Apartheid.

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Mr. DIAKITE (Mali) said that his delegation was giving favourable consideration to the various measures adopted or envisaged by the United Nations and its organs and specialized agencies and by the various committees set up in connexion with the struggle against apartheid and racial discrimination.

The Decade for Action to Combat Racism and Racial Discrimination was in keeping with the fundamental aims of Malian policy, which were those set out in the United Nations Charter. It was deplorable to find that a practice as absurd as racial discrimination continued to exist 25 years after the proclamation of the Universal Declaration of Human Rights.

His delegation would support any measure which promoted the success of the Decade. However, he wished to stress the need for completely isolating the minority racist régimes in southern Africa; to that end, all States Members of the United Nations must observe the Charter and implement all relevant General Assembly and Security Council resolutions, and aid to the victims of apartheid and racial discrimination must be increased. It was also essential to take concrete action against the countries which, in violation of the General Assembly resolutions, had maintained relations with those régimes.

Mr. SRINIVASAN (India) said that the item under consideration was the most important of those with which the Committee would be dealing at the present session.

A number of resolutions had already been adopted in the General Assembly and the Security Council concerning the programme for the Decade for Action to Combat Racism and Racial Discrimination. India, which had been in the forefront of the struggle against racism and racial discrimination, had consistently supported those resolutions and was deeply distressed at the fact that a number of them had for the most part remained unimplemented.

Measures which were decided upon must be effectively implemented, and the competent United Nations organs must co-ordinate their efforts to mobilize world opinion against racial discrimination.

He hoped that the recommendation in the programme for a campaign of information to enlighten the world public opinion would receive the whole-hearted support of the Committee and the full co-operation of Member States.

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(Mr. Srinivasan, India)

His delegation particularly welcomed the recommendation in the programme concerning pilot studies of racism and racial discrimination in various fields. It also supported the suggestion for enlisting the co-operation of various international scientific organizations in the analysis and study during the Decade of all aspects of racial discrimination within their competence.

India had been active in the struggle against apartheid and had severed relations with South Africa at the very start. It hoped that all members of the world community would follow its example and break off relations with all Governments or régimes which practised racial discrimination. India had also been providing assistance to the United Nations Educational and Training Programme for Southern Africa and the United Nations Trust Fund for South Africa. His delegation hoped that full implementation of the programme for the Decade would make it possible to attain the proposed objectives.

Mr. LUBIK (Poland) said that Polish law provided severe penalties for acts of racism and racial discrimination and that the Polish People's Republic had consistently supported all United Nations measures designed to combat those evils.

Although the practices in question did not exist in Poland, measures had been taken to mobilize public opinion; social organizations and trade unions had been particularly active in that regard. In addition, the struggle against racism and racial discrimination had been supported with economic and material aid as well as scholarships and financial assistance for students from developing countries.

As a contribution to the world-wide struggle against racism and racial discrimination during the Decade, his Government planned such other activities as the organization of special lectures in the schools on the problems of racism, an increased number of publications and essays on the subject, and the dissemination of information on the Decade and on the relevant rules of international law.

At the international level, Poland supported the objectives of the International Decade for Action to Combat Racism and Racial Discrimination and the just struggle of peoples against racism, racial discrimination and, in particular, colonial and neo-colonial domination.

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Mr. LEHTIHET (Algeria) said that at its thirtieth session the Commission on Human Rights had adopted important resolutions once again condemning racial discrimination, apartheid, the denial of the trade-union rights of African workers, the adverse consequences of the assistance provided by the developed countries to the racist, colonialist régimes in southern Africa, the colonial wars in Angola and Mozambique, the violation of the territorial integrity of the independent State of Guinea-Bissau and, finally, the violation of the rights of Palestinians in the occupied territories.

In its resolution 3 (XXVI), the Sub-Commission on Prevention of Discrimination and Protection of Minorities called attention to the urgent need to appoint a Special Rapporteur to evaluate the adverse consequences of assistance given to the racist régimes in southern Africa.

The countries of Africa had consistently condemned the serious consequences of providing economic and military assistance to those régimes and had deplored the numerous violations of General Assembly and Security Council resolutions in that regard. The report on the matter to be prepared by the Special Rapporteur should stress the need to make the international community aware of the collusion which existed between major business enterprises and the practitioners of racial discrimination and apartheid.

The countries of Africa, and especially Algeria, had constantly emphasized the fundamental importance of the right of self-determination of the peoples of Angola, Mozambique, southern Africa and Palestine. Respect for that fundamental rights was the essential pre-condition for the maintenance of peace in Africa.

His country hoped that the new authorities in Portugal would heed the appeal of the leaders of the liberation movements and of world public opinion and put an end to an unjust colonial war.

In conclusion, he wished to express his country's support for the Decade for Action to Combat Racism and Racial Discrimination.

Mr. NEUGEBAUER (German Democratic Republic) said that the thirtieth session of the Commission on Human Rights had been an extremely important one; that was particularly true of the statement made in draft resolution IV concerning the

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(Mr. Neugebauer, German
Democratic Republic)

connexion between the policy of détente, peaceful coexistence and co-operation among States, on the one hand, and the safeguarding of basic human rights, on the other.

At its session, the Commission had also dealt with the continued existence of colonialism, racism, racial discrimination and the policy of apartheid of the Government of South Africa. The session had been the first since the proclamation of the Decade for Action to Combat Racism and Racial Discrimination, and his delegation therefore fully supported draft resolutions I and VI.

The report of the Commission on Human Rights quite rightly emphasized that Israel's practices in the occupied Arab territories constituted a violation of human rights. His Government had repeatedly expressed its conviction that a settlement of the Middle East conflict on the basis of Security Council resolutions 242 (1967) and 340 (1973) was imperative in the interests both of world peace and of the protection of human rights. His delegation fully supported Commission resolution 1 (XX), which urged Israel to refrain from carrying out demographic changes in the occupied territories.

The fascist terror in Chile had been extensively discussed at the thirtieth session of the Commission on Human Rights. Mrs. Hortensia Allende, speaking as representative of the Women's International Democratic Federation, had clearly shown the extent to which human rights were being violated in Chile. Those practices were continuing, and The New York Times had only recently reported a declaration by the Chilean Catholic Church accusing the Junta of creating a climate of insecurity and fear in the country. The assertion that those who made such charges, including the Catholic Church, were "vehicles for Marxism" was an exercise in futility.

The German Democratic Republic urged that the large-scale violations of human rights in Chile should be brought to an end. On 18 April the Political Consultative Committee of the States Parties to the Warsaw Pact expressed its grave concern at the situation prevailing in Chile since the overthrow of the constitutional Government. The report of the international commission which had met to investigate the crimes in Chile, published at Helsinki a few weeks earlier, likewise stressed the urgency of achieving international solidarity in restoring the exercise of human rights in Chile and ensuring respect for human dignity and the human personality in that country.

(Mr. Neugebauer, German
Democratic Republic)

For all those reasons, the German Democratic Republic welcomed the way in which the Commission on Human Rights had responded to the demands of world public opinion and had protested against the continuing violation of human rights in Chile, which was incompatible with the principles of the Charter and of the International Covenant on Human Rights. Chile's reply to that demand was unsatisfactory and, what was more, revealed that those violations were continuing. The United Nations had come into being in reaction against the fascism of Hitler, which had been characterized by its violation of human rights, and the Organization had the duty to demand that the fascist terror in Chile should cease.

The German Democratic Republic believed that international peace and security were essential for the creation of conditions favourable to social progress and the exercise of human rights. Accordingly, it endorsed in particular the passages in the report of the Commission on Human Rights which reflected that position.

Mr. SAARIO (Finland) said that while the most recent session of the Commission on Human Rights had been successful in many respects it was to be regretted that once again consideration of several items had been deferred for lack of time. That had become a regular practice. Was the Commission's agenda too heavy or did the organization of its work need to be improved? In the view of his delegation, all items included in the agenda warranted consideration and an effort must be made to find a solution for the future.

Finland particularly welcomed the Commission's decision to authorize the Sub-Commission on Prevention of Discrimination and Protection of Minorities to include in the agenda of its next session an item entitled "Question of the human rights of persons subjected to any form of detention or imprisonment". The timeliness of the inclusion of such an item was indicated by General Assembly resolution 3059 (XXVIII), in which the Assembly, inter alia, had rejected any form of torture and other cruel, inhuman or degrading treatment or punishment. That resolution reflected the feeling of the world community that there was a need for a consolidation of efforts to promote respect for human rights and fundamental freedoms in that field, a problem which was becoming increasingly urgent. The complete eradication of all forms of torture would be in the interest of all peoples and nations, regardless of political systems.

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(Mr. Saario, Finland)

Unfortunately, it was a fact that torture in different forms was still practised in many parts of the world. In recent years world public opinion had become aware of the use of torture in a most abhorrent way in connexion with armed conflicts and certain internal political conflicts. The Sub-Commission might consider the possibility of drafting a code which would contain, inter alia, a general prohibition against torture and a definition of the methods which should be prohibited. That code could also provide for safeguards against the use of such methods, including international control.

That would be a very important and at the same time a difficult task and the Sub-Commission should be given the maximum support so that it could obtain results which would benefit all mankind.

Another important item dealt with by the Commission on Human Rights had been the study of situations which revealed a consistent pattern of gross violations of human rights. Under that item the Commission had decided, inter alia, to establish a working group which would meet one week before the next session of the Commission to examine the documents transmitted by the Sub-Commission under Economic and Social Council resolution 1503 (XLVIII) together with the observations of Governments.

That item had caused considerable difficulties in the past as well as disappointment among those who had expected the United Nations to adopt positive measures to safeguard the exercise of human rights. Indeed, where that question was concerned the reputation of the United Nations was at stake. The Commission's decision represented a modest step forward towards a procedure which would make it possible for the United Nations to deal more systematically with cases of violations of human rights. Finland hoped that that machinery would help to fill the gap until the system provided for by the International Covenants on Human Rights, particularly the Covenant on Civil and Political Rights, began to function.

Finland also considered the Commission's examination of item 7 of its agenda to be of particular interest. The study by the Special Rapporteur was very comprehensive and his observations, conclusions and recommendations would be very useful in the formulation of standards and as instruments of policy and planning for the development of economic, social and cultural rights. Intensive efforts for the realization of those rights were needed at the national, regional and

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(Mr. Saario, Finland)

international levels, and it should not be forgotten that there was an interdependence between those rights and civil and political rights.

The CHAIRMAN noted that in document E/5482 the Committee on Non-Governmental Organizations recommended that a representative of the International Student Movement for the United Nations should be heard on item 10 (b) which dealt with the report of the Commission on Human Rights. If there were no objections, he would invite the representative of that organization to participate in the debate.

At the invitation of the Chairman, Mr. Newman (International Student Movement for the United Nations) took a place at the Committee table.

Mr. NEWMAN (International Student Movement for the United Nations) said that he would refer specifically to chapter VIII of the Commission's report. At the 677th meeting of the Sub-Commission on Prevention of Discrimination and Protection of Minorities the representative of the Movement had indicated the concern of various non-governmental organizations at the unceasing disregard of the dignity of the human person and other violations of human rights which were still being perpetrated without the United Nations being able to put a stop to them. At its thirtieth session the Commission on Human Rights had reacted appropriately to the violations of human rights in one State Member of the United Nations by sending a forthright cable which appeared on pages 56-57 of its report, following a very detailed debate which was summarized in paragraphs 94 to 97 of the report. In the reply to that cable, which had been circulated in document E/CN.4/1153 and had been received only after considerable delay, it had been admitted that "the right to liberty had been restricted", but it had been asserted that no arbitrary action had been taken against any persons, that their rights had been respected and that the life of no person in the country was threatened.

In that reply it had been insinuated that the Commission on Human Rights was ill-informed and even that the Commission had perhaps not acted entirely in good faith. In that connexion, it should be recalled that during the debate in the Commission on Human Rights 29 Member States had specifically supported the cable or had expressed their concern at the activities of the Government in question. Ten non-governmental organizations had likewise expressed their concern

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(Mr. Newman)

at what was happening. The problem had been dramatized at the preceding meeting of the Committee, when the State in question had categorically denied the denunciations.

The Council was faced with the crucial question of deciding what measures to take in that connexion. The Movement thought that the Council should obtain information establishing the facts. A reliable report would provide a solution that would be reassuring for all and would constitute the best means of establishing who was right.

The meetings of the Sub-Commission on Prevention of Discrimination and Protection of Minorities were scheduled for August and since the Sub-Commission, by virtue of various resolutions and particularly paragraph 2 of the Commission's resolution 8 (XXIII), had ample opportunity to prepare a report, the Movement requested that it should be instructed to do so. That would demonstrate that the United Nations was not powerless in situations of crisis relating to human rights.

Mr. Newman withdrew.

Mr. WILSON (Liberia) said that his delegation welcomed the proclamation of the Decade for Action to Combat Racism and Racial Discrimination. In 1960 some 15 African States had attained political independence, and they had subsequently been followed by others. In the brief period between that date and 1974, the African States had made important contributions and had stressed universal humanitarian principles as guidelines for international action. Racial discrimination was an obstacle to human relations and international co-operation and was a source of material benefit to those who practised it. Ways of eliminating those benefits must be found.

Mr. KALONJI (Zaire) said that subitem (c), concerning the question of slavery, was the most important aspect of item 10 and constituted a synthesis, as it were, of the debates on that item. The Secretary-General's report on the question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism (E/5446), reflected the will of the majority of the States Members of the United Nations to apply the relevant resolutions and recommendations. At the twenty-eighth session of the General Assembly resolution 3057 (XXVIII), proclaiming the Decade for Action

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(Mr. Kalonji, Zaire)

to Combat Racism and Racial Discrimination, had been adopted. On that occasion, Zaire had condemned the colonialist and racist practices currently prevailing in southern Africa. Zaire wished to contribute in every possible way to the implementation of the programme to wipe out that scourge.

The system existing in Zaire ruled out the possibility of practices violating the principles established in the Universal Declaration of Human Rights. His delegation would like the elimination of racial discrimination to be a constant concern of Member States which were dedicated to peace and justice and it was prepared to support any measure directed toward that end.

The meeting rose at 12.40 p.m.

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746th meeting

Friday, 10 May 1974,
at 3.30 p.m.Chairman: Mr. SAYAK (Iran)HUMAN RIGHTS QUESTIONS (continued)(a) DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION (E/5474, E/5475)
(continued)

Mr. ILOY (Congo) said that, despite numerous instruments and resolutions adopted by the United Nations and the Organization of African Unity concerning the right of colonial and other oppressed peoples to self-determination and independence, colonialist, neo-colonialist, zionist and imperialist régimes continued to oppress and exploit thousands of human beings, thus constantly and deliberately violating their human rights and fundamental freedoms. The most glaring example was in southern Africa, where Governments had institutionalized racism and racial discrimination. In Angola, Mozambique and Guinea-Bissau, the fascist régime of Lisbon had for more than a century been implementing a policy which was universally condemned. The Portuguese authorities were murdering, pillaging and imprisoning village populations; they had increased their military budget and were building new prisons. They had also adopted the odious tactic of using Africans to fight Africans. By establishing "aldeamentos", Portugal was forcibly isolating local populations from revolutionary ideas and activities. It was thus engaged in a desperate struggle to perpetuate its colonial régime with the support of the NATO Powers and of the régimes of Salisbury and Pretoria. Yet the criminal acts of the Portuguese authorities could never subjugate the heroic peoples of Angola and Mozambique or curb the national liberation movements. The colonial peoples would be victorious.

In Rhodesia, the unilateral declaration of independence by a handful of white rebels had aroused universal indignation and had excluded 5 million Africans from participating in the political life of the country, in flagrant violation of General Assembly resolution 1514 (XV) and Article 73 of the Charter. In spite of the sanctions imposed on Rhodesia by the Security Council, the rebel régime continued to oppress the African population and had openly embarked on a policy

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(Mr. Iloy, Congo)

of systematic genocide. It had instituted a policy for the resettlement of Africans in black residential areas similar to those set up under the apartheid system in South Africa. Collusion between the régimes of Salisbury, South Africa and Portugal was being strengthened daily, and the Salisbury régime had stated that its armed forces would take the offensive, thus openly threatening neighbouring independent African countries. The sanctions against Southern Rhodesia had been continually violated, not only by the United Kingdom, which had increased its investments in Southern Rhodesia, but also by other NATO countries, including the United States.

The United Nations must continue vigorously to condemn the illegal régime of Salisbury and to call for the unconditional release of the political leaders who were being tortured in Rhodesian prisons. It should condemn the repression by the Salisbury-Pretoria-Lisbon axis of the liberation movements in Zimbabwe in particular and in southern Africa in general and call for the immediate withdrawal of South African troops from Zimbabwe.

In South Africa, the criminal system of apartheid had reduced man to his most pitiful state. Many Africans were tortured and died in prisons in South Africa without having been provided with food or medical attention. Others lived in concentration camps and their families were arbitrarily divided by the odious system of homelands. The useless shedding of African blood continued. The same situation prevailed in Namibia, where the apartheid system had been solidly entrenched. Public floggings had been carried out.

Zionism was a further manifestation of the violation of human rights and freedoms. Israel was able to continue its war of aggression because of the aid of all kinds received from the United States and other Western countries. The United Nations had adopted an almost passive role in the Middle East.

All Member States should co-operate in order to achieve the objectives of the Second Development Decade by ratifying the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and other international instruments relating to human rights and by implementing General Assembly resolution 1514 (XV). Those Member States which continued to aid the colonial and

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(Mr. Iloy, Congo)

racist régimes should cease such aid forthwith. Member States must provide all forms of aid to the liberation movements recognized by the Organization of African Unity, and all peace-loving and progressive countries must denounce the odious systems of racism and racial discrimination by naming those countries which continued to provide aid to such régimes. His delegation reaffirmed its support for the legitimate struggle of the liberation movements and for the programme of the Decade for Action to Combat Racism and Racial Discrimination, and was ready to participate in any decisions to be taken by the Council in that connexion.

(b) REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/5464) (continued)

Mr. LARSSON (Sweden) expressed the appreciation of his Government for the work of the Commission during its thirtieth session. He regretted, however, that because of the late distribution of the report his Government had not had sufficient time to study it. Discussion of the item might be more fruitful if Governments not represented on the Commission could be given more time to study its reports before they were considered by the Economic and Social Council.

It was vital to strengthen the United Nations machinery for dealing with reports of consistent patterns of gross violations of human rights, such as those in southern Africa, South Viet-Nam and Chile. Full implementation of the Convention on the Elimination of All Forms of Racial Discrimination and of the Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights would help to safeguard basic human rights and fundamental freedoms. In addition, the establishment of a post of United Nations High Commissioner for Human Rights would be of particular assistance. Those objectives were, however, of a long-term nature and in the meantime other means must be found, in particular to strengthen the machinery at the disposal of the Commission on Human Rights on the basis of the procedure laid down in Council resolution 1235 (XLII) and 1503 (XLVIII).

Although at the current stage it was realistic simply to aim at the adoption of a Declaration on the Elimination of All Forms of Religious Intolerance, such a Declaration should constitute only the first step towards

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(Mr. Larsson, Sweden)

the adoption of an instrument that was legally binding upon States. The Declaration should be concise and should reflect only the main elements of the protection against religious intolerance to be afforded by States to individuals. It was disappointing that the Commission had not even been able to consider the substantive clauses of such a draft Declaration.

Another subject of grave concern was the continued use of torture and degrading punishment and the harsh methods of execution practised in various parts of the world. In spite of numerous General Assembly and Economic and Social Council resolutions condemning such practices, little real progress had been achieved. The Swedish Government was convinced that due attention should be paid to the implementation of General Assembly resolution 3059 (XXVIII) with a view to establishing international machinery to prevent the use of torture. In view of the discouraging trend towards the wider use of the death penalty and towards harsher methods of execution, the United Nations should play an active part in efforts to restrict the use of capital punishment. The General Assembly, in its resolution 2857 (XXVI), had requested the Secretary-General to prepare a separate report regarding practices and statutory rules which might govern the right of a person sentenced to capital punishment to petition for pardon, commutation or reprieve. Document E/5242, submitted to the Council at its fifty-fourth session, did not seem to comply with that request. Such a report would be of considerable value for the continued consideration of the question of capital punishment and he hoped that it would soon be forthcoming.

Turning to the question of the realization of economic, social and cultural rights, with special reference to the problem of the developing countries, he said that the study on that subject prepared by the Special Rapporteur of the Commission on Human Rights would be of considerable value to the United Nations in evaluating the problems faced by the developing countries. The Swedish Government shared the view of the Special Rapporteur that the primary objective of the Commission, in dealing with those problems, should be to ensure a minimum of dignity and standard of living. For its future work on the question, the Commission should draw up a list of topics on which it could concentrate, with a view to avoiding duplication of work within the various organs of the United Nations. His delegation, while recognizing

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(Mr. Larsson, Sweden)

that each country must choose its own form of development, noted with satisfaction the attention drawn to the study of the Special Rapporteur by the Commission in draft resolution IV.

Considerable attention should be given to the question of education. The ability to read enabled an individual to be informed of contemporary problems and of the rights which governed his liberty and was therefore essential to all human rights concepts. Education should not only be regarded as a means for promoting understanding of and respect for human rights, but should also be directed towards the full development of the human individual.

Mr. MACRAE (United Kingdom) said that his Government had repeatedly stressed the importance which it attached to the preservation of human rights and fundamental freedoms and had reiterated its support for strengthening the role of the United Nations in promoting human rights. It believed that the United Nations had a universal responsibility for the preservation of human rights and, as a Member of the United Nations, was committed to sharing in that responsibility.

The United Kingdom Government had made clear its opposition to the doctrine of apartheid and had expressed its concern regarding the policy of the Chilean Government towards human rights. In particular, it deplored the restrictions on the rights of trade unions, the banning of political parties, the ill-treatment of political prisoners and the death sentences already passed or demanded in Chilean courts. His Government had made representations to the Chilean Government on those questions and viewed with regret the reports of continued violations of human rights in that country. His delegation would be prepared to take part in any United Nations representations or negotiations which seemed likely to result in a thorough and objective study of the situation and to benefit the victims of such violations. Chile was not, however, the only country in which such violations occurred. His delegation felt obligated, under the United Nations Charter and the Universal Declaration of Human Rights, to ensure that the United Nations took a stand whenever necessary.

Referring to the report of the Commission on Human Rights (E/5464), he said that his delegation was not entirely satisfied with the achievements of the Commission at its thirtieth session. Nevertheless, he welcomed the generally

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(Mr. Macrae, United Kingdom)

constructive tone of the Commission's discussions and expressed the hope that, at its next session, the Commission would be able to consider all the items on its agenda. His delegation, while attaching importance to issues such as those concerning southern Africa, self-determination and economic and social rights, felt that the Commission should not neglect other important items, some of which had been on its agenda for some years without having received adequate attention. The Commission must pay more attention to the grouping of items and must recognize that the consideration of some items on a biennial basis did not diminish their importance. Furthermore, since it did not have the time to deal in depth with every item, it must be prepared to delegate detailed studies to subsidiary bodies.

He regretted the almost total lack of progress achieved by the Commission with regard to the draft Declaration on the Elimination of All Forms of Religious Intolerance. He noted that the Commission intended to continue its consideration of the question at its next session, but if the same rate of progress was maintained it would certainly be some considerable time before the Declaration was completed. The Council should therefore consider ways of expediting work on the Declaration.

His delegation was also disappointed that the Commission had not considered any of the individual cases of gross violations of human rights brought to its attention by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. One of those cases had concerned the United Kingdom and his delegation had hoped to have the opportunity to answer fully the allegations made against his Government. However, he recognized the need for caution in such a delicate matter and welcomed the proposal to establish a working group of the Commission to examine the confidential documents transmitted to it. He presumed that the working group would operate by voting rather than by consensus since, in some circumstances, the use of what was tantamount to a veto was neither desirable nor permissible. His delegation attached great importance to the full, impartial, objective and confidential discussion of individual cases.

His delegation also attached importance to the subject of the rights of non-citizens dealt with in the Commission's draft resolution VIII. He hoped that the Council would adopt the resolution unanimously and that the Sub-Commission would then be able to apply itself to the task entrusted to it.

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(Mr. Macrae, United Kingdom)

Referring to draft decision 3 of the Commission, he said that the establishment of such a working group was the least that could be done to ensure continuing progress in the eradication of slavery, a practice which had been the cause of so much human suffering.

Mr. van BOVEN (Netherlands) said that his delegation wished to reiterate the importance which it had attached to the responsibilities laid by the Charter on the United Nations and its Members for the promotion of universal respect for and observance of human rights and fundamental freedoms. His delegation consequently placed great value on the work of the Commission on Human Rights.

At its thirtieth session, the Commission had failed to come to grips with the substance of many human rights issues. It was also disappointing to note that the Commission had not had sufficient time to act upon the draft resolution on the problem of conscientious objection to military service. That question was important and should be discussed further in relation to the role of youth in the promotion of peace, justice and human rights.

In the Commission on Human Rights, the Netherlands delegation had noted the difficulties faced by the Commission in dealing with such delicate issues as violations of human rights and fundamental freedoms. Draft decision 3 concerning the establishment of a working group constituted a bare minimum necessary to enable the Commission to discharge its responsibilities.

In the Commission on Human Rights, the Netherlands delegation, like many other delegations and non-governmental organizations, had expressed great concern about reported gross and massive violations of human rights in Chile. That situation was all the more distressing in view of Chile's democratic traditions and its substantive contribution in the United Nations to promoting the cause of human rights. His delegation regarded the reply of the Government of Chile to the telegram dispatched by the Commission to be inadequate and unsatisfactory. The concern about recent events in Chile was world-wide and was shared by certain circles in Chile itself, as demonstrated by the recent statement of Chile's Roman Catholic bishops. His delegation reiterated its grave concern at the reports of continued violations of fundamental human rights in Chile, such as the infliction of torture, the detention of large numbers of people incommunicado and without charge, and the retroactive application of criminal law in military and political

(Mr. van Boven, Netherlands)

trials. In its reply, the Chilean Government had contended that it was complying fully with the provisions contained in international human rights instruments and had implied that the Commission had been misinformed about the situation in Chile. Nevertheless, reports of serious violations of human rights in Chile continued to reach the outside world. Consequently, action by the United Nations was even more urgent than at the time of the session of the Commission on Human Rights. His delegation was ready to consult with others with a view to deciding on meaningful action to be taken by the Council in that respect.

Mr. TRAVERT (France) said that his delegation attached particular importance to agenda item 10 (b). Unconditional faith in the benefits of science and technology was outdated. The Teheran Conference in 1968, by expressing concern about the abuse of scientific and technological progress, had begun a process which had led to the - admittedly, sometimes slow - adaptation of jurisprudence and legislation in many countries. For example, although electronics had reached what might be called the fifth generation, legislation governing its use still related to the first generation. New regulations were required and a general approach was the only one which could provide effective protection against the misuse of know-how. He deplored the fact that some countries seemed to regard the problem as one affecting only the advanced countries. On the contrary, all States were responsible for reconciling the protection of individual human rights, the sovereignty of States and the need to preserve law and order. Although he had stressed the need to protect the freedom of the individual, he was aware of the positive aspects of scientific and technological progress - for example, in development planning, where it would help to close the gap between the industrialized countries and the third world.

His delegation hoped that United Nations resolutions concerning the protection of human rights would be as universal as possible and that international regulations would be drawn up by the specialized agencies using a multidisciplinary approach. Co-operation should be strengthened between the Commission on Human Rights, the Economic and Social Council, the specialized agencies, the non-governmental organizations and the competent scientific associations. His

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(Mr. Travert, France)

delegation therefore supported resolution 2 (XXX) of the Commission on Human Rights, but recalled its reservations regarding paragraph 3 (a), which was too vaguely worded.

Mr. von KYAW (Federal Republic of Germany) said that his Government attached great importance to the work of the Commission on Human Rights, which at its recent session had dealt mainly with the situation in Chile, the study of situations which revealed a consistent pattern of gross violations of human rights, and the draft Declaration on the Elimination of Religious Intolerance.

With reference to the draft Declaration, it was rather disappointing that after years of debate the Commission had again deliberated on questions of procedure and the informal Working Group subsequently set up had made suggestions for only a new title and one preambular paragraph.

The discussion on the situation in Chile had revealed that national reconciliation had not yet been achieved in that country, and had shown that, when discussing human rights situations in other States, representatives should be mindful of the situation at home.

Concerning communications on human rights and draft decision 2, his delegation endorsed the decisions of the Commission to establish a working group composed of five members of the Commission to examine the relevant documents, and to refer the latter to the Governments concerned for comment.

Mr. BAZAN DAVILA (Chile) said that the attack on his Government made by the representative of the Soviet Union had been motivated not by a concern for human rights violations, of which that super-Power was itself guilty, but by a desire to use the United Nations for political ends. The Soviet Union had been involved in Chile in a plot to establish a totalitarian dictatorship there, and had thus violated the Charter of the United Nations and the International Covenant on Civil and Political Rights. It was trying to foment discord among Chileans with a view to intervening again in the internal affairs of Chile and was financing activities to disrupt the situation, which was fast returning to normal. Its expansionist activities gave the lie to its statements about détente.

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Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics), speaking on a point of order, said that the statement of the representative of Chile should be limited to the item under discussion, which he was trying to use as a means of calumniating the Soviet Union.

Mr. BAZAN DAVILA (Chile) said that the representative of the Soviet Union had the day before attacked the Chilean Government on the basis of the report of the Commission on Human Rights. He now had a right to reply. Of course, in the Soviet Union the accused had no right to defence, but that was not the case in the Economic and Social Council.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that in his statement he had dealt only with the flagrant violations of human rights in Chile and had not deviated from the question, as the representative of Chile was now doing. Any calumny would be answered.

The CHAIRMAN drew the attention of the representative of Chile to the remarks made by the representative of the Soviet Union.

Mr. BAZAN DAVILA (Chile) said that he had allowed the representative of the Soviet Union to speak without interruption, and he now requested the same courtesy.

Turning to the report of the Commission on Human Rights, he said that the Commission had spent seven meetings discussing the situation in Chile. It could have spent its time more profitably considering those European countries which had been deprived of self-determination without hope of recovering it or those countries in Europe, Africa and Latin America where thousands of persons had been deprived of fundamental human rights, including many political prisoners. In Chile, human rights were now being restored to the people following the abortive attempt by a foreign Power to subvert them.

For the Commission on Human Rights to be effective in its work, it must be free from political manipulation by a minority, and he therefore suggested that it should be made up of experts acting in their personal capacity, rather than by government representatives, who felt free to condemn alleged violations of human rights in small countries but refrained even from commenting on proven cases of violations committed by the super-Powers. During the recent session of the Commission, only his delegation and that of the Netherlands had denounced the Soviet Union's multiple violations of the International Covenant on Civil and Political Rights in the case of Solzhenitsyn.

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(Mr. Bazan Davila, Chile)

The report of the Commission reproduced the telegram sent by that body to his Government, but not his Government's reply. That omission was a violation of the International Covenant on Civil and Political Rights, which laid down that everyone had a right to a defence. He would therefore request the Secretary-General to circulate the Chilean reply as a General Assembly document.

There was another omission, in paragraph 91 of the report, regarding the obligation of the Commission to improve present methods of examining and studying violations of human rights, since it was not stated that the only practical suggestion had been made by his delegation. He had proposed two measures for the immediate implementation of the International Covenant on Civil and Political Rights. As there were still nine ratifications required before it could enter into force, he had proposed first that the 26 countries which had ratified it should sign a protocol bringing it into force immediately and, secondly, that those countries which had signed the European Convention for the Protection of Human Rights and Fundamental Freedoms should be urged to ratify the International Covenant without delay. Chile wanted the International Covenant to become operative as soon as possible, since it welcomed the safeguards it embodied for small countries. He hoped that his Government's initiative would find support.

He thanked those countries where human rights were respected for their constructive criticism, which would be taken into account by his Government. They might, however, be insufficiently informed of the situation in Chile. Chile had the longest tradition of democracy in Latin America and, in 1970, respect for democracy had made the country entrust the office of President to a candidate who had obtained barely 36 per cent of the votes. During that President's term of office, the Government's democratic principles had been undermined by a foreign Power, which had supplied arms so that the Government could stay in power by force. The majority, in order to regain its rights, had been forced into rebellion. The civilian population had eventually been supported by the armed forces. The new Government in Chile was not a military dictatorship it sought to prepare a democratic Constitution and restore economic order. Those aims provisionally required exceptional measures - for example, a curfew in the cities, restrictions on the freedoms of the individual, including detention without charge - that were

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(Mr. Bazan Davila, Chile)

provided for in the regulations governing emergencies laid down in the 1925 Constitution. Exceptional measures were necessary in order to prevent a resurgence of the anti-democratic movement begun by the former Government. However, accusations of retroactive criminal legislation allegedly introduced by the new Government were unfounded.

Chile had an "open doors" policy, which permitted any citizen of a country which maintained relations with Chile to enter without a visa and to send out his impressions of the internal situation without censorship. The lack of censorship was clear from the recent pastoral letter published by several Chilean bishops, criticizing some of the Government's actions. The letter had been accompanied by a statement by a high dignitary of the Catholic Church, acknowledging the Government's non-interference with the bishop's freedom of expression, and appealing to foreigners to have confidence in the Chilean people, who would again, without foreign intervention, build a free society in which all human rights would be observed. The statement also referred to continuing armed resistance to the new régime. It might be supposed that such resistance would induce the Government to take even more stringent measures. Yet, on the contrary, the special measures were being relaxed: those detained on Dawson Island were being evacuated, and the trials of those accused of crimes against State security were public. There had been no executions in Chile in 1974 and the death penalty recently pronounced on five terrorists had been commuted.

Mr. DORON (Observer for Israel), speaking at the invitation of the Chairman, said that the question of the violation of human rights and fundamental freedoms and the suffering of minorities was a matter of great concern to his people, for Jews had been subjected to persecution and oppression in the past and, indeed, still were in some parts of the world. In that connexion, he drew the attention of the Commission to the continued persecution of the Jewish community in Syria, which now numbered about 4,500 persons. They were subject to discriminatory restrictions, arbitrary arrests and torture, and in some cases were murdered. He referred to two recent articles in The New York Times and The Observer which reported that Jews in Syria were forbidden to leave the country, to travel more than four kilometres from their homes, to have telephones, or to work in professions of their choice.

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(Mr. Doron, Observer for Israel)

Recently, four Jewish girls in Syria had been raped and murdered. Four men had been arrested in connexion with the murder two were members of prominent Jewish families in Damascus, and one of them was a brother-in-law of one of the murdered girls. That made the trumped-up charges against the two young Jews even more incredible and indicated that the Syrian authorities intended to use them as scapegoats. In another incident, 11 Jewish women had been arrested in Aleppo and transported to Damascus, where they had been interrogated and tortured for 48 hours so that they would provide information on relatives who had escaped from Syria. Three Jews had been in Syrian gaols since September 1971, charged with trying to escape from Syria. The Government of Syria was clearly waging a campaign of terror against the Jewish community, thus violating the Universal Declaration of Human Rights. The Jews in Syria must be permitted to depart for lands where they could live in peace, dignity and security.

The Jewish community in Iraq, numbering about 400 persons, was being brutally persecuted. Between September 1972 and April 1973, 18 persons had been abducted by Iraqi plain clothes police and security forces; the authorities had not provided any information about their whereabouts, and there were indications that they had died in gaol. In April 1973, five members of a Jewish family had been machine-gunned to death in their home at midday. The only hope of the Jews in Iraq was that they would be allowed to leave Iraq.

The situation of Jews in the Soviet Union was also distressing. At least 1,500 prominent Soviet Jews, mainly from Moscow, Kiev and Leningrad, had applied to leave the Soviet Union for Israel, but their applications had been rejected and they had been subjected to harassment, including dismissal from their place of employment. Those people were not allowed to leave the Soviet Union because of the alleged importance of their work, yet they were dismissed from their job because they wanted to leave. About 40 Jews were in prison in the Soviet Union simply because they had wanted to leave, one young engineer from Kiev had been sentenced to three and a half years imprisonment with hard labour on a charge of hooliganism. The personnel at the Department of Visas and Registrations had been reduced recently, so that

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(Mr. Doron, Observer for Israel)

applications for exit visas were delayed and fewer applications could be made. There had been a substantial decrease in the number of exit permits granted so far in 1974; about 120,000 applicants were now waiting for visas. Large-scale arrests of Jewish petitioners was continuing in Moscow and other cities. He was drawing the Committee's attention to the situation of Soviet Jews on purely humanitarian grounds. The Universal Declaration of Human Rights provided that everybody was entitled to leave their country of residence and move to another country. The Soviet Union should respect that fundamental human right.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that the representative of the junta had not been able to refute any of the accusations concerning flagrant and mass violations of human rights in Chile. It was common knowledge that those violations were continuing.

His Government had sponsored many United Nations resolutions concerning human rights, including the International Convention on the Elimination of All Forms of Racial Discrimination and, more recently, the International Convention on the Suppression and Punishment of the Crime of Apartheid, and it was also party to international legal instruments for the protection of human rights, including the Covenants. The Soviet Union had always followed a policy of promoting genuine equality and brotherhood between all peoples in its territory in order to eliminate any grounds for discrimination. It also supported the struggle against racial discrimination at the international level.

The representative of the junta had insulted the Commission on Human Rights by saying that its members were not competent to consider matters concerning human rights. At the last session of the Commission, special attention had been paid to the violations of human rights in Chile because the violations had been so glaring that the Commission could not pass over them in silence. Events had confirmed that there was no rule of law in Chile and that the junta was following a policy of terror. The Commission had therefore unanimously decided to send a telegram to the Government of Chile expressing its deep concern and calling upon the junta to cease violating human rights.

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(Mr. S. N. Smirnov, USSR)

The representative of the junta had said that democracy was now being restored. But the former Government had been a democratic Government and had not violated any human rights. It was now that democracy was being disregarded and human rights violated. He referred to accounts of torture in gaols and bloodshed reported in the Colombian newspaper El Tiempo, and the West German magazine, Der Spiegel. That indicated that there was certainly no democracy or freedom in Chile at the present time.

World public opinion could not ignore such flagrant mass violations of human rights. The crimes of the junta had been widely condemned, in particular by all the progressive peace-loving peoples in Latin America. The Warsaw Treaty countries had issued a statement of condemnation in April 1974. His delegation maintained that the United Nations could do much to halt the crimes in Chile.

With regard to what the Observer for Israel had said concerning the Soviet Union, he firmly opposed all the allegations made, which were contrary to the facts.

Mr. NEUGEBAUER (German Democratic Republic), speaking in exercise of the right of reply, said that the representative of the junta could not divert attention from the fact that human rights were being violated in Chile. Along with the representatives of the United Kingdom and Sweden, he had said that the Chilean régime should be urged to respect fundamental human rights.

Mr. BADAWI (Egypt), speaking in exercise of the right of reply, recalled that the Observer for Israel had said that he wished to draw the Committee's attention to the situation of Jews on purely humanitarian grounds. Humanitarian concern should not be selective but should apply to all mankind, Article 13, paragraph 2, of the Universal Declaration of Human Rights stated that everyone had the right to leave any country, including his own, and to return to his country. General Assembly resolution 194 (III), paragraph 11, affirmed the right of the Palestinian people to return to their homes or else be compensated for loss of or damage to property. The Government of Israel had never respected that resolution or subsequent resolutions, the most recent of which was General Assembly resolution 3089 (XXVIII), which reaffirmed the right of displaced persons to return to their homes, deplored the Israeli Government's refusal to allow them to do so and called upon it to take measures to allow them to return home. Instead thousands of

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(Mr. Badawi, Egypt)

Israelis had been transplanted and settled in some 50 settlements established in the occupied territories, in violation of article 49 of the 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War, which stated that the Occupying Power should not transfer part of its own civilian population into the territory it occupied.

The Committee should be concerned with the human rights of all peoples, in accordance with the principles and purposes of the Charter and the relevant resolutions of the United Nations. Paragraph 13 (f) of the Programme for the Decade for Action to Combat Racism and Racial Discrimination specified that States should adopt measures to prevent the activities of groups inciting people to leave their land and settle in lands belonging to others in accordance with policies designed to consolidate settler-colonialism or to settle natives in reservations.

Mr. BAZAN DAVILA (Chile), speaking in exercise of the right of reply, said that Soviet weapons had been introduced into Chile with a view to establishing a totalitarian régime there. The representative of Cuba on the Commission on Human Rights had made direct reference to that. At the Commission's last session, his delegation had accused the Soviet Union of sending arms to Chile with a view to establishing a totalitarian régime there by provoking a civil war and violating the fundamental freedoms of the people; the Soviet representative had not disputed that charge, thus implying that it was true. And now the Soviet representative was referring to press reports of what was happening in Chile; he himself could refer to even more horrifying press reports about what was happening in the Soviet Union. The Soviet representative, however, had still not refuted the charge that the Soviet Union had interfered in the internal affairs of Chile.

Mr. DORON (Observer for Israel), speaking at the invitation of the Chairman and in exercise of the right of reply, said that the representative of Egypt, who had spoken of a selective approach to human rights, had himself selected certain words from paragraph 11 of General Assembly resolution 194 (III) and omitted others, in particular the words "live at peace". Events of the past 26 years had shown that the Arabs had always omitted any reference to the word "peace". He hoped, however, that the word would reappear and that peace would return to the Middle East.

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Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, firmly refuted the slanderous **accusation** made by the representative of the junta that the Soviet Union had interfered in the internal affairs of Chile. He also noted that the representative of the junta had not been able to deny that there was a reign of terror in Chile, because it was an irrefutable fact.

Mr. BADAWI (Egypt), speaking in exercise of the right of reply, observed that Israel had never allowed the refugees to return to their homes so that they could live at peace. Instead, Israel had displaced more and more people.

The meeting rose at 6.10 p.m.

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747th meeting

Monday, 13 May 1974,
at 11 a.m.

Chairman: Mr. SMID (Czechoslovakia)

HUMAN RIGHTS QUESTIONS (continued)

(b) REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/5464) (continued)

Mr. WANG (China) said that he wished to make some observations concerning the report on the thirtieth session of the Commission on Human Rights.

With regard to the question of respect for basic human rights, the people of the world indignantly condemned the crimes of Israeli zionism, which had repeatedly launched wars of aggression against the Arab countries, occupied territories, expelled their inhabitants, illegally established settlements and recently intensified the persecution of Syrian citizens living in the Golan Heights.

With the support and connivance of imperialism, colonialism and neo-colonialism, the régimes in southern Africa had adopted counter-revolutionary tactics consisting in increasing their military budget and stepping up their repression, and establishing various kinds of institutions to whitewash their colonialist rule.

By their crimes and atrocities, the Zionists and the racist régimes in southern Africa were constantly violating the United Nations resolutions and Charter. The Government of China believed that the struggle of peoples against zionism and the racist régimes was part of the struggle of the peoples of the world against imperialism, colonialism, neo-colonialism and hegemonism. All justice-loving countries and peoples should contribute towards that struggle; the Government of China would give every assistance within its ability, until those oppressed peoples could win final victory.

The peoples of various countries, and in particular the third world countries, were suffering constant violations of their basic human rights, because of the imperialist policies pursued in particular by the super-Powers. No protection of human rights was possible without support for the struggle of the peoples against the policies of those super-Powers, which were seriously threatening the independence and security not only of the developing countries but also of the developed countries.

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(Mr. Wang, China)

In that connexion, some people who were talking at length about supporting the struggle of the third world peoples against colonialism and racism were bandying about such deceptive concepts as détente, and were saying that war resulted in mass violations of human rights. By speaking of détente, they were trying to cover up the design of the two super-Powers to impose their hegemony and were asking the peoples to cease their struggle. With regard to the statement about war, it should be borne in mind that there were two quite different types of war: imperialist wars of aggression and the people's wars against aggression. The former were the root cause of the violation of human rights, while the latter were just wars to protect human rights.

At its thirtieth session, the Commission on Human Rights had adopted some fairly acceptable resolutions: the one concerning the report of the Ad Hoc Working Group of Experts on the violation of human rights in the colonial territories of southern Africa; the resolutions and decisions on the violation of human rights in the territories occupied by Israel and the resolutions condemning the activities of the countries which provided assistance to the colonialist and racist régimes in southern Africa. The Chinese delegation supported all those resolutions.

Miss ILIC (Yugoslavia) referred to draft resolutions I, II and III, whereby it had been decided to authorize the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake studies on the questions dealt with in those draft resolutions.

Her delegation believed that those studies would enable the international community more successfully to prevent the provision of all economic, political or military assistance to colonial and racist régimes, so that the peoples subject to those régimes could realize the human rights so long denied them.

The report of the Ad Hoc Working Group of Experts was a valuable contribution to the struggle against racial discrimination and apartheid, and in that connexion her delegation supported draft resolutions V and VI.

Draft resolution IV, concerning the realization of economic, social and cultural rights, should be viewed and implemented in the light of the recommendations of the sixth special session of the General Assembly.

The Yugoslav delegation agreed with those delegations which, when discussing

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(Miss Ilic, Yugoslavia)

the question dealt with in draft resolution VIII, had pointed out that, when the Sub-Commission considered the item, it should take particularly into account the situation of migrant workers.

The Commission on Human Rights had also adopted an important resolution on the question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East (resolution 1 (XXX)). The decisions on scientific and technological developments (resolution 2 (XXX)), and especially the decision to consider the long-term programme at the thirty-first session, were particularly important not only for the future work of the Commission but also for the work of the Economic and Social Council and the General Assembly.

Her delegation shared the deep concern expressed by the Commission on Human Rights in its telegram to the Government of Chile. Although it endorsed the contents of the telegram, it would have preferred more effective action on the part of the Commission. Her delegation was prepared to support any action by the Council that would contribute effectively to the restoration of human rights in Chile.

Miss CAO PINNA (Italy) said that at its most recent session the Commission on Human Rights had dealt with particularly important questions: racial discrimination, self-determination and human rights in the occupied territories in the Middle East, the situation in Chile, the question of gross violations of human rights in relation to Council resolution 1503 (XLVIII) and the draft Declaration on the Elimination of All Forms of Religious Intolerance.

It would seem that the Commission, after years of fruitful work, was going through a period of difficulties due to the growing evidence of violations of human rights, which called for a strengthening of the means of action available to the United Nations. For more than two decades, the Commission had been making studies and elaborating international instruments; it was more difficult to act on violations of human rights, and the cautious approach adopted by the Commission was therefore understandable and justifiable.

With regard to the study of situations which revealed a consistent pattern of gross violations of human rights, the Commission's next session might mark a turning-point in United Nations activities.

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(Miss Cao Pinna, Italy)

Nevertheless, her delegation had doubts about some of the Commission's actions. For the draft Declaration on the Elimination of All Forms of Religious Intolerance, the Commission had established an open-ended working group. Yet few delegations had participated in the work of the group, which had not been very active. Another example was the decision taken by the Commission on the situations submitted to it by the Sub-Commission on Prevention of Discrimination and Protection of Minorities under Council resolution 1503 (XLVIII). That question had been considered at the end of the session, and only a procedural decision had been adopted. Her delegation hoped that at the next session it would be possible to make progress on the substance of the question.

Previous speakers had referred to the situation prevailing in Chile with regard to human rights. In that connexion, she confirmed what had been stated by the Italian delegation at the 1273rd and 1279th meetings of the Commission on Human Rights, and added that the concern expressed at that time still persisted, in view of the reports from various sources. Her delegation firmly believed that human rights were not a purely domestic question, but a matter of international concern. It therefore hoped that there would soon be information showing an encouraging evolution of the situation.

Mr. CURTIN (Australia) recalled that, when the Universal Declaration of Human Rights had been adopted, the then President of the General Assembly, Mr. Evatt of Australia, had said that the Declaration was backed by the authority of the body of opinion of the United Nations and that the world would learn to turn to it for inspiration. Since then, there had been a growing understanding of the nature of human rights and of the conditions required for them to flourish. The report of the Commission on Human Rights on its thirtieth session clearly indicated that peoples weighed down by poverty or colonialism were unable fully to exercise their human rights, and for them the ideals of the various instruments adopted on that subject by the United Nations seemed very remote.

Australia had a long tradition of respect for human rights. In 1973, the Australian Government had ratified several ILO conventions on human rights and had also stated its wish to ratify the International Covenants on human rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Political Rights of Women.

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(Mr. Curtin, Australia)

The adoption of General Assembly resolution 3057 (XXVIII), which had proclaimed the Decade for Action to Combat Racism and Racial Discrimination, was implicit recognition that much still remained to be done to promote human rights. Australia believed that respect for human rights and opposition to racial discrimination implied positive support for the process of decolonization and total rejection of the practice of apartheid.

The eight draft resolutions and three draft decisions submitted by the Commission on Human Rights were the result of a wide debate on the question, and the telegram sent to the Government of Chile reflected the Commission's concern about particular situations in which human rights were not being respected. The Australian Government joined with other delegations which had expressed concern about allegations of human rights violations in Chile.

The Council might not have time to do full justice to the many draft resolutions submitted by the Commission on Human Rights. For example, the latest report of the Ad Hoc Working Group of Experts gave a comprehensive picture of human rights violations in southern Africa; and the report of the Special Rapporteur referred to in draft resolution IV was related to United Nations studies on human rights and economic development. Much hard work had gone into the draft Declaration on the Elimination of All Forms of Religious Intolerance. If the Council adopted draft decision 1 the Assembly might take the matter up at the end of the current year. The procedure for the study of communications alleging violations of human rights had been a slow-moving one but the adoption of draft decision 2 would be another step forward.

He hoped that the Commission on Human Rights would continue to sustain the momentum of human rights issues. There were many possible areas for study: the impact of modern technology on individual human rights, the question of torture, capital punishment, conscientious objection to military service, the rights of the detained, and many others. The work must keep pace with a fast-moving world and would therefore always remain unfinished.

Mr. CHIRILA (Romania) welcomed the priority given by the Commission to the consideration of various impediments to the full achievement of human rights and their adverse effect on the positive development of international relations and on international peace and security. He particularly welcomed the attention which

(Mr. Chirila, Romania)

the Commission had given to those violations of human rights which reflected the continuation of colonial and alien domination, racial discrimination and apartheid.

It was appropriate that the Commission should pay particular attention to the work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Approval by the Council of draft resolutions I, II and III on the future work of the Sub-Commission would undoubtedly play a key part in enabling that body to continue its substantive work in the promotion of human rights.

The Commission had not remained indifferent to the violations of human rights in Chile. His delegation was still greatly disturbed by the persecutions of progressive and democratic forces and by the violations of constitutional rights and freedoms and fundamental human rights in Chile. During the preceding year the President of Romania had appealed to the Chilean authorities to drop the proceedings against Luis Corvalan and to refrain from any action endangering his life or the lives of other personalities and representatives of democratic and progressive organizations.

He again called on the Chilean authorities to abandon their repressive policies against members of the Unidad Popular. He hoped that discussion of the report of the Commission on Human Rights would contribute to the promotion of and respect for human rights throughout the world, thereby contributing to international peace and security and the promotion of friendly relations among States.

Mr. LUBIK (Poland) said that the report of the Commission on Human Rights contained among other matters an important draft resolution concerning the realization of economic, social and cultural rights, which drew attention to the importance of the policy of détente, peaceful coexistence, and friendly co-operation between States.

His delegation associated itself with the concern manifested by the Commission on Human Rights regarding the situation in the occupied territories in the Middle East. Despite repeated expressions of concern by the international community, flagrant violations of human rights were continuing and must be stopped, and a peaceful solution achieved, based on the inalienable right of the Palestinian people to independence and self-determination.

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(Mr. Lubik, Poland)

Another serious problem to which the Commission had devoted its attention was that of continuing violations of human rights and fundamental freedoms by the military Junta in Chile, so graphically described by the widow of the President of the legitimate Government of Chile, Salvador Allende. The members of the Commission had, it seemed, reached the unanimous conclusion that there was an emergency with regard to human rights in Chile, and they had sent a telegram to that effect to the military Junta. The reply to the telegram had not been received until 7 March. His Government had studied the reply with great attention and had found it not only inadequate and unsatisfactory, but downright shameful. On 24 April 1974 the Roman Catholic Church of Chile had accused the Junta of such practices as torture, the keeping of large numbers of persons in solitary confinement, and the creation of a climate of insecurity and fear. According to the representative of the Junta, about 95 per cent of Chileans were Catholics. The Roman Catholic Church had indicated that tens of thousands of political prisoners had passed through detention centres and more than 6,000 still remained imprisoned, the majority without charges. On 29 April 1974 The New York Times had reported that the most important members of the overthrown Government were to be brought from Dawson Island, known also as Death Island, to Santiago for court martial. However, the Junta had not disclosed when the prisoners would go on trial, nor on what charges. The newspaper had also carried a report that death sentences had been passed in Chile following proceedings held in secret.

Those were only a few of the serious and flagrant violations of fundamental human rights in Chile which gave ample reason for concern about the situation prevailing there. Those recent reports were a flat contradiction of the Chilean reply.

Annex IV to document A/9596 contained a statement on Chile of the States parties to the Warsaw Treaty. The States parties declared their profound concern over the situation in Chile and firmly condemned the arbitrary rule of the military Junta in gross violation of the United Nations Charter and other international instruments. The States parties had also called on world public opinion to unfold still further the campaign of international solidarity with the Chilean people in their struggle against terror, and for the restoration of democratic rights and freedoms in their country.

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(Mr. Lubik, Poland)

That statement, coupled with the findings of the international commission to investigate crimes in Chile, recently published in Helsinki, underlined the need to strengthen international solidarity for the restoration of human rights.

The people of Poland, who had bitter memories of Nazi occupation, were profoundly moved by the events in Chile, and fully supported the position taken by the Commission on Human Rights in its report. He hoped that when discussing the report of the Commission on Human Rights on its thirtieth session the Council would take due account of that situation and recommend appropriate measures. He hoped that the Chilean people would be victorious in their just struggle to restore democracy and genuine independence in their country.

Mr. BAZARKHAND (Mongolia) said that his delegation was opposed to all forms of racial discrimination, racism and apartheid, which represented a threat to world peace and to national security. The racist régimes in South Africa and Southern Rhodesia were supported by Western imperialists in violation of human rights. His delegation condemned the activities of those who supported such régimes in defiance of the Universal Declaration of Human Rights and the Charter of the United Nations; in accordance with its views on the matter, the Government of Mongolia maintained no relations with the racist régimes of southern Africa.

He praised the measures which the Commission on Human Rights had taken with regard to the situation in Chile and condemned the inhuman acts of the ruling Junta there. A press report had stated that a number of politicians were to be brought to trial and he therefore urged the Committee to take all measures to save their lives. He would support any measures to put an end to the situation in Chile. He was convinced that the Chilean people would be able to restore freedom and democracy in their country.

Mr. GOLOVKO (Observer of the Ukrainian Soviet Socialist Republic), speaking at the invitation of the Chairman, said that at its last session the Commission on Human Rights had adopted a number of important resolutions and decisions which were the outcome of the Commission's work, with particular reference to the violation of human rights in the Middle East, the adverse consequences of assistance given to colonial and racist régimes in southern Africa, and the report of the Ad Hoc Working Group of Experts. He hoped that those decisions would strengthen the exercise of and respect for human rights.

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(Mr. Golovko, Observer of
the Ukrainian SSR)

The Commission on Human Rights had devoted a great deal of time to the study of the human rights aspect of the situation in Chile and had expressed its indignation at the repressive activities of the Government in consolidating its power following the coup d'état. The Commission had decided to send the Chilean Government a telegram expressing its deep concern about reports received from a wide variety of sources concerning gross and massive violations of human rights in Chile and regarding the protection of persons whose lives were reported to be in imminent danger, including many outstanding political, social and cultural figures. The Commission had insisted that such persons, and other Chilean citizens and foreigners in similar situations should not be prevented from leaving the country.

Nevertheless there had been no improvement in the situation in Chile since the Commission's thirtieth session; press reports from all over the world indicated that it had in fact deteriorated. The ruling Junta had set off a reaction against the progress which had been made by the deposed Government, and was bringing repression and terror to bear against its supporters.

Many countries and organizations had demanded an end to that situation, and the freeing of political prisoners.

The Ukrainian Soviet Socialist Republic supported the decision of the Commission on Human Rights to address an appeal to the Junta, but it still believed that the Economic and Social Council and the United Nations should take measures to put an end to the situation in Chile.

Mr. BAZAN (Chile), speaking in exercise of the right of reply, said that the delegations which had echoed the Soviet representative's virulent attack on Chile were, in common with a number of Soviet front organizations, parts of a repetition machine which had long been operating in the United Nations and which gave disproportionate weight to the concerns and designs of a super-Power. Such delegations spoke with one voice because they represented countries within the Soviet orbit, ruled by Governments of similar political complexion which had been described as "inhuman" régimes. The term meant that those régimes violated human rights daily and did so systematically in the sense that such violations were an essential element of the political system under which they lived. Those States were not sincere when they spoke of human rights; they supported any Government

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(Mr. Bazan, Chile)

which was politically akin to them, even though it did not respect human rights, while opposing any politically independent Government even though it did respect human rights.

If they pretended to be alarmed at what was happening in Chile, it was not because they were preoccupied with human rights but rather because they wished to undermine the prestige of the Chilean Government which had repelled the foreign intervention and because they were seeking to create conditions favourable for a new intervention. They were thus trying to take advantage of the circumstances to achieve political ends contrary to the restoration of human rights which was being sought in Chile.

The other delegations which had dealt with the situation in Chile represented countries where human rights were respected i.e., which were governed by "human" régimes. The Chilean delegation listened to those delegations with the greatest respect because its own Government was inspired by the same ideals. It did not claim to be a totalitarian Government; nor had it any desire to be confused with a totalitarian Government. It did not plan to perpetuate itself in power but it had been forced to adopt exceptional measures of public security, sanctioned by national and international laws, in order to restore the full enjoyment of human rights and representative democracy which had been destroyed during the previous Government. The present Chilean Government had just announced the principles which guided it, affirming that individuals had natural rights which were prior to and superior to the State and which were inherent in the very nature of human beings because they originated in their own creator. The State should recognize and regulate the exercise of those rights but, since the State did not concede them, it could not ever deny them. The Government of Chile was a "human" régime and none of the exceptional and transitional measures which it had had to adopt so far disproved that fact. All the measures were designed to prevent the repetition of foreign interference, to bring about reconciliation among Chileans and to allow the full restoration of human rights and representative democracy which had been violated as a result of the illegal foreign interference.

The references which the representatives of countries governed by human régimes had made to the situation prevailing in Chile not only reflected a legitimate preoccupation, because the international campaign against Chile had distorted the facts, but also were designed to secure a highly laudable aim, that of ensuring that

(Mr. Bazan, Chile)

Chileans continued in the full enjoyment of their human rights. The countries governed by human régimes had been motivated not by political intentions but by purely humanitarian aims, which was the only approach possible in the Economic and Social Council.

Having made that essential distinction between delegations who were discussing Chile with the political motive of disparaging the efforts Chile was making to restore human rights and the delegations who were discussing Chile with the humanitarian intention of ensuring the full enjoyment of those rights, he merely wished to express the hope that within the Economic and Social Council there would prevail the humanitarian spirit of those delegations which had the moral authority to discuss human rights and not the political motives of those who were disqualified from discussing such rights.

There was no doubt that, if the delegations of Governments with inhuman régimes were obliged to share the humanitarian feelings of those delegations of countries with human régimes without contaminating those feelings with their political motives, the Economic and Social Council would have made some small progress towards impressing on countries with inhuman régimes a greater respect for human rights.

Mr. BYKOV (Union of Soviet Socialist Republics), speaking in the exercise of his right of reply, said that the statements made by the representative of the Chilean Junta were not new. In the Commission on Human Rights the Chilean representative had been unable to reject the Commission's unanimous condemnation of the situation prevailing in Chile but had only replied with slanders and false accusations.

There existed in Chile, which was a democracy, a clear pattern of violations of human rights. The Fourth Conference of Heads of State or Government of the Non-aligned Countries, meeting in Algeria at the time when the Government of Popular Union was overthrown, had expressed its solidarity with the people of Chile before the reactionary attack.

The representative of the Chilean Junta was trying to absolve the Junta from the blame attached to it by world public opinion and the Commission on Human Rights. He was guilty of blasphemy when he called torture and repression national reconciliation. The manoeuvres of the Junta could deceive nobody.

It was necessary to take steps to put an end to the situation in Chile and to ensure the restoration of human rights in that country which had been one of the great democracies of the world.

(c) QUESTION OF SLAVERY AND THE SLAVE TRADE IN ALL THEIR PRACTICES AND MANIFESTATIONS, INCLUDING THE SLAVERY-LIKE PRACTICES OF APARTHEID AND COLONIALISM (continued)

Mr. BROAD (United Kingdom) said that item 10 (c) raised one of the most important questions on the agenda and his delegation felt that the Committee should adopt draft decision 3.

Everything possible should be done to abolish slavery not only in its most common manifestations but also in others such as serfdom, debt bondage, exploitation of children, and so on. Economic and Social Council resolution 1695 (LII), on which United Nations activities in the field of slavery were based, indicated two plans of action: on the one hand, the Secretary-General was to undertake a survey of national legislation, which his delegation considered of prime importance, and, on the other hand, he was to prepare a plan of technical co-operation which might take the form of technical assistance in the preparation of laws, their implementation and the holding of consultations on the integration of slaves into society.

His delegation was awaiting the Secretary-General's report on that question and hoped that the Committee could take a decision on it by consensus. He proposed that in draft decision 3 in chapter I, section B of the report the following sentence should be added: "The Council takes note of the Secretary-General's report in document E/5446 and requests that the report requested in paragraph 13 (d) of Council resolution 1695 (LII) be made available in good time for consideration by the Working Group of the Sub-Commission on Prevention of Discrimination and Protection of Minorities before its twenty-eighth session."

Mr. GONZALEZ DE COSSIO (Mexico) said that when Mexico had begun its struggle for freedom and independence, in 1810, the Mexican people had declared the abolition of slavery throughout the national territory and since then the prohibition of slavery had constituted an integral part of the supreme laws of independent Mexico.

Nevertheless, throughout the nineteenth century there remained certain forms of servitude in some sectors of the population; the triumph of the armed revolutionary movement of 1910 led to the creation of political, economic, social and cultural structures which finally eliminated those forms of servitude. At the moment, the Mexican Government was making commendable efforts to solve the problems arising from the existence of a growing labour force and was seeking to provide all the inhabitants of the country with access to guidance services and vocational training.

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Mr. van BOVEN (Netherlands) said that his country supported United Nations activities designed to abolish slavery and slavery-like practices. He also agreed that the Sub-Commission on Prevention of Discrimination and Protection of Minorities should be authorized to designate a group to analyse the events taking place in that sphere. However, paragraph 20 of the Secretary-General's report (E/5446) should be amended. It referred to the position of certain Governments with respect to the ILO Conventions but it was not clear whether the reference was to all the Conventions mentioned in paragraph 19 or some of them. The wording was not clear and particularly the references to the position of Denmark, Canada and the Netherlands.

(d) ALLEGATIONS CONCERNING INFRINGEMENTS OF TRADE UNION RIGHTS (E/5445) (continued)

Miss von ROEMER (International Confederation of Free Trade Unions), speaking at the invitation of the Chairman, mentioned the massacre of the striking miners at Carletonville in South Africa as a result of which the General Secretary of ICFTU had called on the United Nations to set up a special commission to investigate the matter. As was well known, the South African Government refused to allow a United Nations observer to attend the so-called judicial inquiry, alleging that it was a purely domestic matter.

It could be seen from document E/5445 that the South African Government had not even replied to the United Nations Secretary-General's request for its consent to having the complaint of the Lesotho General Workers' Union referred to the Fact-Finding and Conciliation Commission of the ILO. She wondered if the Council might consider referring the complaint to the Ad Hoc Working Group of Experts established under resolutions 2 (XXIII) and 2 (XXIV) of the Commission on Human Rights.

In recent times considerable publicity had been given to the wage increases granted to African workers in South Africa. However, she quoted a series of data which showed that in fact the African workers had in no way improved their position and that consequently the strike at Carletonville was fully justified. Nevertheless, the African workers were continuing to fight for their rights and in January and February strikes broke out involving 10,000 textile workers. Many African workers were arrested and fined while four young white trade unionists were arrested and banned. The ICFTU had issued appeals to the United Nations protesting against the arrest of the black workers and of the four young whites who tried to assist them to set up trade unions.

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(Miss von Roemer, ICFTU)

She quoted other examples of the brutal repression of the African workers struggling to obtain the recognition of their rights. So long as the African workers were deprived of normal bargaining machinery and so long as the employers continued to take advantage of the situation, no real improvement could be expected. The African workers had rejected the works and liaison committees instituted by the Government as being ineffective and highly suspect. There could be no alternative solution to genuine democratic trade unions. The ICFTU would spare no effort to support the African workers at that decisive phase of their struggle.

Mr. GONZALEZ DE COSSIO (Mexico) supported the proposal to request South Africa to allow an inquiry by the Fact-Finding and Conciliation Commission of the ILO.

Mr. van BOVEN (Netherlands) said that the Netherlands Government was deeply interested in the question of trade union rights and had taken note of the complaint made by the Lesotho General Workers' Union. It had also taken note of the fact that, according to the practice established in Council resolution 277 (X), the Secretary-General had requested the consent of the South African Government to the transmission of the complaint to the Fact-Finding and Conciliation Commission of the ILO, a procedure based on the fact that South Africa was a Member of the United Nations but not of the ILO. He regretted that no reply had been received from the South African Government. The South African Government often complained that it did not have enough opportunities to make its position known. In the present case, it was being given the opportunity to be a party in a semi-judicial procedure in which all the parties could intervene. In accordance with the provisions of Council resolution 277 (X), the Council could take any other appropriate measure. Since the Ad Hoc Group of Experts of the Commission on Human Rights was considering the trade union situation in South Africa and was to submit a report to the Council in 1975, it might be possible to transmit the complaints to the Ad Hoc Group of Experts so they could take action. The Director of the Division on Human Rights had referred to that question at the 744th meeting and had quoted the precedent of Council resolution 1216 (XLII). Consequently, and without making a formal proposal since his delegation felt that the matter should continue to be debated in the Committee, he proposed that the complaint of the Lesotho General

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(Mr. van Boven, Netherlands)

Workers' Union should be transmitted to the Ad Hoc Group of Experts of the Commission on Human Rights so that the Group could consider it and incorporate its conclusions on the subject in its report to the Economic and Social Council at its fifty-eighth session on the question of allegations concerning violations of trade union rights.

The meeting rose at 1.05 p.m.

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748th meeting

Monday, 13 May 1974,
at 3.20 p.m.Chairman: Mrs. MAIR (Jamaica)

HUMAN RIGHTS QUESTIONS (continued):

- (c) QUESTION OF SLAVERY AND THE SLAVE TRADE IN ALL THEIR PRACTICES AND MANIFESTATIONS, INCLUDING THE SLAVERY-LIKE PRACTICES OF APARTHEID AND COLONIALISM (E/5446) (continued)

Mr. HAENSEL (German Democratic Republic) said that his Government condemned slavery and the slave trade in all their practices and manifestations and supported all possible measures to eliminate them. Many resolutions had already been adopted by the United Nations to that end. The socialist States had made a substantive contribution to the drafting, for example, of the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid. All those documents had a deep humanitarian content and were aimed against the most acute forms of racism. His country had often made official statements in favour of those United Nations decisions and, at the twenty-eighth session of the General Assembly, had declared itself resolved to promote their implementation.

Conditions in the German Democratic Republic excluded any possibility of slavery or slavery-like practices. The Constitution ensured respect for the human rights, human dignity and fundamental freedoms of every citizen. The guarantee of equality before the law, without distinction of any kind, was enshrined in the Constitution, and the same spirit of equality for all pervaded all his country's legislation. Human rights were implemented in accordance with the universally accepted principle that their respect should be ensured through national legislation. On the basis of the same principle of parity between constitutional theory and actual practice, his country was also firmly opposed to child abuse and prostitution.

The question arose whether or not the brain drain was tantamount to a present-day form of slavery and colonialism. That question was linked with the issue of the struggle against apartheid and colonialism and for national independence. Broader measures were needed for action in that field.

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Mr. GROS (France) said that France, which had been a sponsor of Council resolution 1695 (LII), had always advocated intensification of the efforts by Governments, the specialized agencies, INTERPOL and the United Nations to combat the shocking practice of slavery in all its forms. His country had always supported United Nations efforts to utilize effectively the appropriate instruments to eliminate the heinous policy of apartheid. However, the absolute assimilation of apartheid to slavery, which was a historical phenomenon linked with the feudal system, appeared questionable. While both slavery and apartheid might be equally reprehensible, their characteristics were fundamentally different. Confusion of apartheid with slavery might weaken the struggle against the former. The provisions of resolution 1695 (LII) calling upon States to take measures to combat slavery were, of course, hardly applicable in the case of France. The ILO Conventions mentioned in paragraph 4 of that resolution had all been ratified by France, with the exception of the Social Policy (Basic Aims and Standards) Convention (No. 117), which, after being studied to see if it was compatible with national legislation, would shortly be submitted for ratification.

(d) ALLEGATIONS REGARDING INFRINGEMENTS OF TRADE UNION RIGHTS (E/5445) (continued)

Mr. SULLIVAN (Canada) agreed with the statement made by the Netherlands representative at the previous meeting. He regretted that the South African Government had not made an appropriate reply so as to enable the ILO Fact-Finding and Conciliation Commission on Freedom of Association to pursue its task. In the circumstances, his delegation supported the Netherlands recommendation that the Lesotho case, of which an account was given in document E/5445, should be referred to the Ad Hoc Group of Experts, which could subsequently report back to the Council.

Mr. BADAWI (Egypt) agreed with the previous speaker in supporting the Netherlands recommendation.

(b) REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/5464) (continued)

Draft resolution I

Mr. WANG Tzu-chuan (China) said that his delegation supported draft resolution I in the report of the Commission on Human Rights on its

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(Mr. Wang Tzu-chuan, China)

thirtieth session (E/5464). The plague of colonialism and racism in southern Africa was closely linked with the imperialist policies of aggression and colonization. Over the years, the United Nations had adopted a number of resolutions opposing colonialism, racism, racial discrimination and apartheid. Nevertheless, the colonialist and racist régimes in southern Africa had totally disregarded those resolutions and continued their brutal suppression and persecution of the people in southern Africa who were fighting for national liberation and the protection of basic human rights. His delegation firmly condemned imperialism, colonialism and neo-colonialism for their encouragement of cruelty.

So long as the southern African people united with the anti-racist forces and persevered in the struggle, imperialism, colonialism, racism and hegemonism would certainly be crushed.

Mr. WIGGINS (United States of America) requested that draft resolution I be put to the vote.

Draft resolution I was adopted by 22 votes to none, with 9 abstentions.

Mr. MACRAE (United Kingdom) said that paragraphs 1 and 2 seemed to imply that maintaining any contact whatsoever with the southern African régimes in question was tantamount to rendering them assistance. His delegation could not agree with that argument and had therefore abstained in the vote.

Mr. WIGGINS (United States of America) said that his delegation had abstained in the vote for the same reasons as those given by the United Kingdom representative.

Mr. van BOVEN (Netherlands) said that draft resolution I raised questions of considerable importance, and reiterated his delegation's concern about the situation in southern Africa. His delegation supported the authorization given to the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a special rapporteur to study the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa. However, it had abstained in the vote because paragraphs 1 and 2, and especially paragraph 2,

(Mr. van Boven, Netherlands)

were such as his Government felt unable fully to implement; his delegation had difficulties, in particular, with the second part of paragraph 2.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation had been extremely pleased, both in the Commission on Human Rights and in the Social Committee, to vote in favour of draft resolution I. It had consistently supported United Nations condemnation of those States which helped racist régimes in southern Africa to strengthen their policies of apartheid and other forms of racial discrimination. Apartheid had been recognized by the General Assembly as a crime against humanity, and the General Assembly had further recognized that any form of assistance to racist régimes served only to perpetuate that crime. In submitting draft resolution I, the Commission on Human Rights had made a great step forward in consideration of the question and a major contribution to the struggle against colonialism in southern Africa. In paragraph I, the Commission had stated clearly that States giving assistance to the racist and colonial régimes in southern Africa should be considered to be accomplices of those régimes in respect of their criminal policies of racial discrimination, apartheid and colonialism.

It was gratifying that no votes had been cast against the draft resolution but, unfortunately, a significant minority in the Committee had felt it necessary to abstain for various reasons. He hoped that the General Assembly, at its thirtieth session, would include the item on its agenda, on the basis of draft resolution I and other United Nations decisions, and thereby make a new contribution to the struggle against racism and colonialism in southern Africa.

Miss CAO PINNA (Italy) said that her delegation had consistently expressed its abhorrence of apartheid and like practices and had always refrained from giving assistance to Governments following such policies. Her delegation supported the appointment of a special rapporteur as proposed in draft resolution I. However, she had abstained in the vote on the draft resolution, because paragraphs 1 and 2 contained condemnations which were not within the purview of the Economic and Social Council nor, indeed, of the United Nations.

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Mr. CURTIN (Australia) said that, because of the phrasing of certain parts of draft resolution I, his delegation had been obliged to abstain in the vote. He pointed out, however, that recent positive votes in the General Assembly and other United Nations organs showed clearly his country's opposition to racism and apartheid in southern Africa.

Mr. GROS (France) said that, like the representative of Italy, his delegation had reservations concerning paragraphs 1 and 2 of draft resolution I. The vague and general character of the draft resolution could not dispel those reservations.

Mr. OKIA (Uganda) said that his delegation had voted in favour of draft resolution I. As a country of Africa - a continent which had suffered more than any other from racism and racial discrimination - Uganda attached great importance to the issue. Its stand was well-known in the United Nations and other international fora. Uganda had consistently condemned racism and racial discrimination in all forms, wherever they might manifest themselves, and supported all United Nations measures to eradicate those phenomena. It was, however, distressing to see certain countries - in particular South Africa, Portugal and Southern Rhodesia - defying international decisions and world public opinion. Certain countries were rendering the racist régimes direct or indirect assistance in the perpetuation of their crimes against Africa and against humanity.

With regard to the vote on draft resolution I, his delegation was not surprised at the result, particularly in view of a recent article in the New York Post concerning contingency planning by United States and NATO military officials, which might become a commitment to defend southern African racist régimes against internal and external threats. Although his delegation was disappointed at the results of the vote, it was gratified that not one delegation had voted against draft resolution I. Nothing in the text could be construed as vague or contrary to any of the principles of the United Nations Charter or those upheld by the international community in general.

Draft resolution II

Mr. von KYAW (Federal Republic of Germany) said that his delegation

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(Mr. von Kyaw, Federal
Republic of Germany)

welcomed draft resolutions II and III, since it favoured a thorough examination of all aspects of the right to self-determination.

The Government of the Federal Republic of Germany considered the right of self-determination to be a key principle of both national and international law. While on the national level, that principle was embodied in the 1949 Constitution (Basic Law) of the Federal Republic of Germany, it had been laid down internationally in the United Nations Charter, in the human rights Covenants and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States. His Government endorsed the definition contained in the Declaration and the Covenants and therefore believed that the right to self-determination applied to all people. It was firmly convinced of the importance of the right to self-determination also for other parts of the world, and especially as regarded the further development of the situation in Germany. Accordingly, the Federal Government would continue to work for a state of peace in Europe in which the German nation would itself be able to determine its appropriate place, in agreement with the other European nations. The Federal Government believed that the right to self-determination should be exercised by the German people without the use of force. That was, indeed, consistent with his Government's "Ostpolitik". The Federal Government had renounced the use of force in any form, except in self-defence. Its determination to continue to work for a state of peace in which the entire German people would be able to exercise its right to self-determination was in accordance with the purposes and principles of the United Nations Charter, the Declaration concerning Friendly Relations, the Covenants and the fundamental principles of general international law.

Mr. WIGGINS (United States of America) said that his delegation supported draft resolutions II and III and agreed with the representative of the Federal Republic of Germany that the principle of self-determination should apply to all peoples in all continents.

The Economic and Social Council had appointed an increasing number of special rapporteurs over the past few years, and his delegation's support for draft resolutions II and III would be based on the assumption that the special rapporteurs

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(Mr. Wiggins, United States)

whose appointment was authorized therein would act within existing budgetary resources, which might mean the extension of their tasks over a period of years.

Mr. BADAWI (Egypt) said that, in the Commission on Human Rights, his delegation had sponsored a number of resolutions against racist régimes and in support of the principle of self-determination. He welcomed the fact that further study of the question was to be based on United Nations documents relating to the right of the peoples of southern Africa and Palestine to self-determination. Implementation of that right was an urgent task, since self-determination was a key element for the enjoyment of human rights. Implementation of United Nations resolutions in that area was vital. He hoped that the reports of the special rapporteurs would be forthcoming in the near future and that there would be close co-ordination between them.

Mr. CHIRILA (Romania) associated himself with the remarks made by the previous speaker. As in the Commission on Human Rights, his delegation was fully in favour of draft resolution II.

Draft resolution II was adopted without objection.

Draft resolution III

Draft resolution III was adopted without objection.

Draft resolution IV

Mr. LUBIK (Poland) proposed that, in paragraph 5, the words "by publication" should be deleted. While the report of the Special Rapporteur should receive wide publicity, he saw no reason why special publication was required, with all the additional costs that would entail.

He proposed further that, in paragraph 7, the words "and to update the aforesaid report in the first instance after a period of five years", should be deleted and that the word "periodically" should be inserted after the words "Economic and Social Council". His delegation felt that a three-year period, for example, for the submission of information on the implementation of the resolution would be the best solution.

Mr. WANG Tzu-chuan (China) said that the Universal Declaration of Human Rights, referred to in draft resolution IV, had been adopted at the third session of

(Mr. Wang Tzu-chuan, China)

the General Assembly, prior to the founding of the People's Republic of China. It was therefore necessary for his Government to examine and study its contents. The other document mentioned in the draft resolution, namely, the International Covenant on Economic, Social and Cultural Rights, had been adopted at a time when the People's Republic of China had been deprived of its lawful rights in the United Nations. It had been illegal for the Chiang Kai-shek clique to sign that Covenant in the name of China and the Chinese Government assumed no obligation thereunder. As in the case of the Universal Declaration of Human Rights, the Chinese Government had to examine and study the Covenant and reserved the right to comment on the two documents. For that reason, his delegation would not participate in the voting on draft resolution IV.

Mr. Manouchehr Ganji, Special Rapporteur of the Commission on Human Rights, had rightly pointed out in his report that the most important prerequisite for the realization of all rights - in particular economic, social and cultural rights - was independence, territorial integrity and national sovereignty.

In the fourth preambular paragraph of draft resolution IV, the wording "the atmosphere of détente, peaceful coexistence and friendly co-operation between States will and should promote conditions for social progress and the safeguarding of fundamental human, economic, social and cultural rights" did not conform to reality.

In his report, Mr. Ganji had made friendly reference to what had happened in China, for which his delegation expressed its thanks. However, it had different views on the question of disarmament and population from those contained in his report. Those views had been adequately stated at the plenary meetings of the General Assembly and at other United Nations meetings.

Mr. GROS (France) said that his delegation was not in favour of deleting the words "by publication" in paragraph 5. On the contrary, it was in favour of publishing the report.

Mr. von KYAW (Federal Republic of Germany) said that he would appreciate clarification from the Director of the Division of Human Rights concerning the financial implications of the publication of the report.

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Miss CAO PINNA (Italy) asked if it was normal United Nations practice to print and distribute the reports of Special Rapporteurs.

Referring to the proposed Polish amendment to paragraph 7 of draft resolution IV, she wondered what kind of provision would be made for review or updating of the report if the words in question were deleted.

Mr. SAYAR (Iran), referring to paragraph 5 of the draft resolution, said that at least the major parts of the report should be published, in view of the importance of the study for the developing countries. The publication of the Santa Cruz report provided a precedent for such a procedure.

Mr. SCHREIBER (Director, Division of Human Rights), replying to the question of the representative of the Federal Republic of Germany, said that the financial implications of the publication of the Special Rapporteur's report were set out in annex III of the Commission's report (E/5464). Since the distribution of the report, the Secretariat had been informed that it would be possible to have the Special Rapporteur's report printed in Arabic in the Middle East, thereby reducing the cost of the Arabic edition to \$4,000.

Replying to the question of the representative of Italy, he said that the Commission on Human Rights itself could decide how often it wished to consider the matter. However, if the Council itself wished to stipulate the periodicity of such reviews, the Commission would comply with the wishes of the Council.

Mr. SRINIVASAN (India), referring to paragraph 1 of the draft resolution, pointed out that it was most unusual to mention an individual by name in a resolution. If the Commission had not felt the report to be outstanding, it would not have permitted the Special Rapporteur's name to be included. The report was an excellent document and should be updated in the light of future developments.

While he agreed that the financial implications of publishing the report should be borne in mind, he felt that the cost of publication would not impose a great burden on the United Nations and that the money would be well spent.

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Mr. GROS (France) pointed out that, at its thirtieth session, the Commission had decided that the Special Rapporteur's report was so complete and useful that it should be published. He wondered what new developments had occurred since then to cause some delegations to feel that publication was no longer warranted.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that, in view of the considerable additional expenditure involved, his delegation had reservations with regard to the advisability of publishing the report, particularly since it had already been issued as a United Nations document. Furthermore, the production of only 1,000 copies in each language would not be sufficient to comply with paragraph 5 of the draft resolution, which called for wide publicity. He noted that, in annex III of the Commission's report, it was stated that the cost of reproducing 35,000 copies of the report in pamphlet form would amount to only \$17,000. Reproduction of the report in pamphlet form would therefore make it accessible to a wider public and keep expenditure to a minimum. Consequently, he agreed with the amendment of the representative of Poland, and proposed that the words "by publishing OPI pamphlets" should be added at the end of paragraph 5.

Mr. BERK (Turkey) associated himself with the remarks of previous speakers supporting the draft resolution. The Special Rapporteur had performed outstanding work and his report should be published. Consequently, he was unable to accept the amendment proposed by the delegation of Poland.

Mr. MACRAE (United Kingdom) said that his delegation, while not agreeing with all the conclusions in the Special Rapporteur's report, associated itself with the views expressed by previous speakers with regard to the importance of that report. He, too, wondered whether there was any precedent for the publication of such reports.

With regard to paragraph 7 of the draft resolution, his delegation had some reservations about the advisability of updating the report after five years, since it was difficult to anticipate what the situation might be in five years' time. He therefore supported the amendment proposed by the representative of Poland.

Mr. SCHREIBER (Director, Division of Human Rights) said that there was no established practice with regard to the publication of the reports of Special

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(Mr. Schreiber)

Rapporteurs. The Council pronounced on each case according to its merits. The reports of the Special Rapporteurs of the Sub-Commission on Prevention of Discrimination and Protection of Minorities had been published after being considered by the Commission on Human Rights. As far as other reports relating to human rights questions were concerned, some had been published in printed form, while others had not.

Mr. LUBIK (Poland) pointed out that the additional cost involved in publishing the report was equal to one sixth of the total estimated cost of the World Population Conference to be held in Bucharest. Such expenditures could not be justified. He agreed with the Soviet delegation that the widest publicity for the report could be achieved by OPI pamphlets, and supported the Soviet amendment to paragraph 5 of the draft resolution on the understanding that one edition of the pamphlet would be issued containing the text in all the official languages of the United Nations.

Mr. van BOVEN (Netherlands) said that the report of the Special Rapporteur was to some extent unique by virtue of the comprehensive manner in which it dealt with the question of the realization of economic, social and cultural rights, and could be of great benefit to many peoples throughout the world. He felt that, in addition to giving wide publicity to the report by publishing pamphlets, it was also important that the full report should be made available to scientific and scholastic circles. He therefore suggested that, in paragraph 5 of the draft resolution, the words "by publication" should be retained, together with the addition to that paragraph proposed by the Soviet delegation. It should also be borne in mind that, if the report was placed on sale, the proceeds could constitute additional income for the United Nations, thereby helping to defray the costs of publication.

Referring to paragraph 7 of the draft resolution, he supported the views expressed by the representative of the United Kingdom, since it was difficult to see how such an updating could be effected. The problems dealt with in the report should be periodically reviewed, in conjunction with the periodic reports on the realization of economic, social and cultural rights. He therefore supported the Polish amendment to paragraph 7 of the draft resolution.

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Mr. SCHREIBER (Director, Division of Human Rights) pointed out that, even if the Committee decided to limit publication of the report to a 48-page pamphlet, additional expenditure of \$17,000 would be involved. When the Commission had adopted the resolution, the Office of Public Information had stated that it would not be possible to cover the cost of reproducing the pamphlet from within the existing budgetary appropriations. Additional costs incurred would be attributable to translation of the text into Arabic.

Mr. LUBIK (Poland) agreed with the views expressed by the representatives of the United Kingdom and the Netherlands with regard to paragraph 7 of the draft resolution. Referring to paragraph 5, he said that he wished to maintain his proposal. As he had already stated, he favoured the publication of a pamphlet in all the United Nations official languages, and therefore agreed to the additional costs involved in producing the text in Arabic.

Mr. von KYAW (Federal Republic of Germany) agreed with the representative of the Netherlands that the report should also be made available to scholastic and scientific circles.

Referring to paragraph 7, he said that, although it was not known what the situation might be in five years' time, provision should be made for the possibility of updating the report at the end of that period. He therefore proposed that the words "and to update the aforesaid report in the first instance after a period of five years" should be replaced by "including the question of updating".

Mr. SRINIVASAN (India) agreed with the representative of the Netherlands that the report of the Special Rapporteur could constitute source material for students of the question for a considerable time to come. Consequently, a possible solution would be to publish the report in full for students of the subject and in pamphlet form for the lay reader.

Mr. WIGGINS (United States of America) agreed with previous speakers that the report should be given the widest possible publicity. Consequently, he proposed that the words "by publishing OPI pamphlets summarizing the report in five languages" should be added at the end of paragraph 5.

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(Mr. Wiggins, United States)

He asked the Director of the Division of Human Rights whether it would be possible to defray the cost of the pamphlets by offering them for sale. The Office of Public Information could then be reimbursed in the next biennium for expenditure incurred, in the current biennium.

Mr. SCHREIBER (Director, Division of Human Rights) said that he would have to consult his colleagues within the Secretariat as to the revenue which the United Nations could expect from the sale of the pamphlets, before being in a position to answer the question of the representative of the United States.

Miss St. CLAIRE (Secretary of the Committee) informed the Committee that the text of paragraph 5 of draft resolution IV, as amended by the representatives of Poland and the Soviet Union, would read as follows:

"Requests the Secretary-General to give wide publicity to the report of the Special Rapporteur by publishing OPI pamphlets".

Mr. van BOVEN (Netherlands) said that, since there were in effect two amendments to paragraph 5, the Committee should vote on each amendment separately.

Mr. LUBIK (Poland), supported by Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics), said that the two amendments to paragraph 5 of the draft resolution must be considered together.

The Polish amendment to paragraph 5, incorporating the proposal of the Soviet Union, was rejected by 29 votes to 8, with 5 abstentions.

The Polish amendment to paragraph 7 was adopted by 31 votes to 3, with 7 abstentions.

The CHAIRMAN said that, if he heard no objection, he would take it that the Committee adopted draft resolution IV, as amended.

It was so decided.

Mr. Smid took the Chair.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation had not opposed the adoption of draft resolution IV, on the understanding that the financial implications would be reduced to a minimum. Since his delegation's amendment regarding an OPI pamphlet had not been accepted, it was understood that it would not be published.

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Mr. BADAWI (Egypt) said that his delegation had supported draft resolution IV and had voted against the amendments to paragraphs 5 and 7. His delegation understood the relevance of the financial implications but considered that a work of such importance could usefully be published and updated.

Draft resolution V

The CHAIRMAN said that, if he heard no objection, he would take it that the Committee adopted draft resolution V by consensus.

It was so decided.

Mr. GROS (France) recalled his delegation's reservations regarding draft resolution V, expressed in the Commission on Human Rights.

Mr. WIGGINS (United States of America) said that if draft resolution V had been put to the vote, his delegation would have abstained.

Draft resolution VI

Mr. SULLIVAN (Canada) said that his delegation generally supported draft resolution VI, since it was essentially designed to denounce the disregard of human rights in southern Africa. However, he wondered whether, in view of recent events in Portugal and an indication of some possible advance in the Portuguese-controlled Territories, it would be wise to condemn Portugal specifically in paragraph 1. Furthermore, his delegation was not opposed to the motivation underlying the International Convention on the Suppression and Punishment of the Crime of Apartheid, referred to in paragraph 4, but had difficulties with the Convention's broad definition of that crime. If a separate vote were taken on Paragraph 4, his delegation would abstain. However, his Government's anti-apartheid policy had not changed, and its assistance to victims of colonial and racist policies in southern Africa would be greatly increased in 1974.

Mr. van BOVEN (Netherlands) fully associated himself with the remarks made by the representative of Canada and said that his delegation would support draft resolution VI, as it had supported draft resolution V, because the Ad Hoc Working Group of Experts had done valuable work in bringing to light practices contrary to international standards in the field of human rights.

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Mr. WIGGINS (United States of America) said that his delegation supported the purpose of the resolution but objected to the sweeping condemnation in paragraph 1. He associated himself with the views expressed by the representative of Canada. The phrase "which poses a serious threat to world peace and security" in paragraph 2, quoted from the Charter of the United Nations, was inappropriate in the draft resolution. He reiterated his delegation's reservations regarding the reference in paragraph 4 to the International Convention on the Suppression and Punishment of the Crime of Apartheid, which greatly expanded international jurisdiction without properly defining crimes against humanity. That Convention could be used to suppress human rights rather than protect them. If a vote were taken on draft resolution VI, his delegation would vote against it.

Mr. VALTASAARI (Finland) supported the draft resolution, while repeating his reservations regarding paragraph 4 on purely legal grounds.

Mr. LARSSON (Sweden) reiterated his delegation's reservation regarding paragraph 4, due to the difficulties concerning universal jurisdiction for the crime of apartheid. However, his Government's policy on apartheid had not changed.

Mr. S. N. SLIRNOV (Union of Soviet Socialist Republics) said that his delegation would vote in favour of draft resolution VI, since it was one of the most substantive adopted by the Commission on Human Rights at its thirtieth session.

Mr. MACRAE (United Kingdom) shared the reservations expressed by earlier speakers regarding paragraphs 2 and 4 of draft resolution VI.

Mr. N'BEINGUE (Senegal) said that draft resolution VI was one of the most important ever adopted by the Commission on Human Rights. Some delegations had felt that the language, for example in paragraph 1, should be more diplomatic. But, in view of the barbaric violations of human rights perpetrated in southern Africa, the Portuguese-controlled Territories and Southern Rhodesia, only strong language was appropriate. It was premature to assume that, because of recent events in Portugal, the situation in the overseas Territories would evolve. The examples of the wars in Viet-Nam and the Middle East, which had also arisen out of violations of human rights, were proof that the situation in southern Africa posed a serious

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(Mr. M'Bengue, Senegal)

threat to world peace and security, so the wording of paragraph 2 should not be changed.

He was afraid that objections to the wording of the draft resolution were an excuse to avoid responsibility. That was certainly true of those who claimed to be opposed to the practice of apartheid but objected to the reference in paragraph 4 to the International Convention on the Suppression and Punishment of the Crime of Apartheid.

At the request of the representative of Senegal, a vote was taken by roll-call on draft resolution VI.

Kenya, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Kenya, Liberia, Mali, Mexico, Mongolia, Netherlands, Pakistan, Poland, Romania, Senegal, Sweden, Thailand, Trinidad and Tobago, Turkey, Uganda, Union of Soviet Socialist Republics, Venezuela, Yugoslavia, Zaire, Algeria, Argentina, Australia, Canada, Chile, China, Czechoslovakia, Egypt, Finland, German Democratic Republic, Guinea, India, Iran, Jamaica.

Against: United States of America.

Abstaining: Spain, United Kingdom of Great Britain and Northern Ireland, Belgium, Brazil, France, Germany, Federal Republic of, Italy, Ivory Coast, Japan.

Draft resolution VI was adopted by 33 votes to 1, with 9 abstentions.

Mr. CURTIN (Australia) said that his delegation had supported draft resolution VI and commended the work done to draw attention to the practice of apartheid. On legal grounds, he reserved the position of his Government on paragraph 4.

Miss CAO PINNA (Italy) said that her delegation had abstained in the voting on draft resolution VI, but had supported draft resolution V. She endorsed the remarks made by earlier speakers regarding difficulties with certain paragraphs.

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Mr. GROS (France) shared the views expressed by the representative of Italy but said that his Government's attitude towards the abhorrent practice of apartheid had not changed.

Mr. von KYAW (Federal Republic of Germany) said that his Government was opposed to colonialism, racism and apartheid but had difficulties of a mainly legal nature regarding paragraphs 2 and 4.

Mr. ALONSO OLEA (Spain) and Mr. ROUX (Belgium) said that their delegations had abstained for the reasons given by earlier speakers.

Mr. ESSY (Ivory Coast) said that, although he had been obliged to abstain, his Government condemned the southern African régimes and the illegal régime of Southern Rhodesia.

Mr. KELANI (Observer for the Syrian Arab Republic), speaking in accordance with rule 76 of the rules of procedure, said that there had been a Jewish community in Syria for centuries and that the Syrian Government alone was responsible for its defence. Any intervention in the internal affairs of Syrian citizens contravened international law and the United Nations Charter. The unfounded allegations levelled against the Syrian Arab Republic by the Observer for Israel at the 746th meeting of the Committee constituted interference in the internal affairs of the Republic. The Jews in the Syrian Arab Republic were Syrian citizens and their allegiance was to their country, not to their religion. Syria was an open country where correspondents from several Western European countries had come to report on the situation of the Syrian Jews, and their articles refuted the stories spread by Israel. The Zionist spokesman had mentioned the detention of some Jews who had sought to leave the country without a passport. He had not, however, mentioned that they had since been released. Nor had he mentioned the thousands of Arabs held in Zionist prisons, and those west of Gaza who were detained and tortured, as documented by the International Red Cross.

Racial discrimination was also practised in Israel. Prime Minister Golda Meir, in a speech to the Knesset in 1969, had stated that she wanted a Jewish State with a decisive Jewish majority. That was an exclusivist and anti-democratic attitude, which in practice meant privileges for Jews in employment and other areas, and

(Mr. Kelani, Observer for the
Syrian Arab Republic)

freedom from restrictions such as curfews, which applied to Arabs. The oppressed had become the oppressors and Israel, rather than the Syrian Arab Republic, was guilty of harassing minorities and depriving them of their human rights.

The Zionist spokesman had claimed that the Jews were not employed in public administration in the Syrian Arab Republic and that their shops were not frequented. Any visitor to Damascus would be aware that the largest shops were owned by Jews and were doing very good business. The number of Jews employed in public administration was the highest of any population group. On the other hand, Israel was guilty of widespread discriminatory practices against the Arabs of Palestine and against the Arabs in Israel. In 1973, it had been reported that the number of Arabs employed in public administration amounted to no more than 2 per cent, while those engaged in agriculture amounted to over 20 per cent.

Regarding the murder of four Jewish women in the Syrian Arab Republic, reported in a press release by the Permanent Observer of the League of Arab States on 4 April, the police had in fact arrested four suspects, who were criminals wanted for smuggling and armed robbery. The criminal ring was found to be headed by a Jew and the other members were two Arab Syrian Moslems and one Arab Jew, who confessed to the murder of the four Jewish women referred to in the press release. Obviously, the Zionists were trying to exploit a criminal investigation to distract attention from the harm done to the Arabs in occupied lands belonging to the Syrian Arab Republic.

Mr. ZAHANI (Observer for Iraq), speaking in accordance with rule 76 of the rules of procedure, said that the allegations of the Observer for Israel concerning the remnants of the Jewish community in Iraq had already been made to the Commission on Human Rights and had been reiterated in the Committee merely in order to distract attention from the work of the Special Committee to Investigate Israeli Practices affecting the Human Rights of the Population of the Occupied Territories.

The second Zionist motive was to promote further immigration into Israel in order to colonize Arab lands and thus achieve the biblical concept of greater Israel. Zionism thrived on anti-semitism, even in Europe and the United States.

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(Mr. Zahani, Observer
for Iraq)

The Zionist Observer's statement was also designed to divert attention from reports of discrimination against the Sephardic Jews in Israel - second-class citizens, who had been lured or blackmailed into emigrating from Arab countries, and were now deprived of human dignity. Indeed, the State of Israel was based on racism and discriminatory principles and the Observer for Israel was as disqualified to speak of human rights as any representative of South Africa.

The meeting rose at 6:30 p.m.

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749th meeting

Tuesday, 14 May 1974,
at 11 a.m.

Chairman: Mr. SMID (Czechoslovakia)

HUMAN RIGHTS QUESTIONS (continued):

- (b) REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/5464; E/AC.7/L.672 and L.674)
(continued)

Draft resolution VII

Mr. van BOVEN (Netherlands) said that his delegation attached great importance to the draft resolution and had been actively involved in the preparation of the model rules of procedure, which would prove very useful to all United Nations bodies dealing with violations of human rights. He expressed the hope that the reports of the Working Group would be brought to the attention of all concerned in an appropriate manner and that they would be made easily accessible without there being any financial implications.

He urged the Committee to adopt the draft resolution.

Draft resolution VII of the Commission on Human Rights was adopted by consensus.

Draft resolution VIII

Mr. WANG (China) said that he would not participate in the voting on draft resolution VIII submitted by the Commission on Human Rights.

Draft resolution VIII of the Commission on Human Rights was adopted by consensus.

Draft decision 1 and amendment E/AC.7/L.674

Mr. van BOVEN (Netherlands) recalled that the question dealt with in the draft decision had been on the agendas of United Nations organs for many years. Unfortunately, little progress had been made on the question. At the most recent session of the Commission on Human Rights, an informal working group had been set up to expedite the preparation of a draft Declaration. However, the working group had been able to agree only on the title and, provisionally, on the first preambular paragraph. The lack of progress should certainly give cause for concern.

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(Mr. van Boven, Netherlands)

The amendment in document E/AC.7/L.674 was intended to convey the sense of urgency felt by the Council with regard to the consideration of the question and to comply with the provisions of General Assembly resolution 3069 (XXVIII), in which the Assembly had decided to include in the agenda of the twenty-ninth session the item entitled "Elimination of all forms of religious intolerance", with a view to adopting a Declaration on the question.

While the General Assembly was of course free to decide on the measures which it wished to take, the Council must inform the General Assembly that it felt that the question should be considered as a matter of priority.

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that he had no objection to paragraph 1 of the amendment submitted by the Netherlands. However, paragraph 2 could have far-reaching consequences and might not be an appropriate solution. The General Assembly, at its most recent session, had adopted by consensus resolution 3069 (XXVIII), in which it had invited the Economic and Social Council to request the Commission on Human Rights at its thirtieth session to consider, as a matter of priority, the elaboration of a draft Declaration on the Elimination of All Forms of Religious Intolerance, and to submit, "if possible", a draft Declaration on the question to the Assembly at its twenty-ninth session. The General Assembly had therefore presumed from the outset that the question was very complex. The Third Committee had spent two or three meetings considering the replies from Governments and the views expressed by various delegations. The proposals that had been made indicated that the question had been considered on the basis of very different and in some cases contradictory criteria. It had eventually been agreed to invite the Commission on Human Rights to consider the question, since the Commission had been felt to be the body most competent to deal with the matter, and, at the insistence of the Netherlands, the Commission had been asked to accord priority to the question at its thirtieth session. The Commission had acted accordingly and had devoted a number of meetings to consideration of the various proposals. The working group had held six meetings and those who had attended them were well aware of the difficulties encountered.

The United Nations had been analysing the question for a number of years and the lack of progress on the question was the clearest evidence of its complexity. Consequently, it must be subjected to meticulous and careful consideration.

In the view of the Soviet delegation, the first steps which had been taken in the Commission on Human Rights were promising, although it was regrettable that the Commission had not pursued the idea of a convention.

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(Mr. Smirnov, USSR)

Draft decision 1 had been adopted by consensus in the Commission on Human Rights. The purpose of that decision was to accord priority to work on the Declaration at the thirty-first session of the Commission. Why, then, was the Netherlands pressing its proposal that the question should be dealt with at the next session of the General Assembly? In the view of the Soviet delegation, the Commission had done everything possible in the matter.

General Assembly resolution 3069 (XXVIII) took a realistic view of the question. It was not unexpected that the working group had had such difficulty in arriving at a single text. The capacity of the Commission on Human Rights should not be overestimated. Consequently, there was no justification for reopening consideration of the question at the twenty-ninth session of the General Assembly. Without a single text, it would be impossible to reach any conclusion. The Soviet Union felt that draft decision 1 of the Commission should not be modified and would vote against paragraph 2 of the amendment submitted by the Netherlands.

Mr. MACRAE (United Kingdom) said that, in resolution 3069 (XXVIII), the General Assembly had clearly indicated its wish to achieve rapid progress on the question. The provisions of paragraph 1 and, especially, of paragraph 4 were of particular significance in that respect. Paragraph 57 of the report of the Commission on Human Rights indicated that little progress had been made by the working group. Consequently, the Commission might have been expected to demonstrate greater disappointment and to endeavour to devise new ways of carrying out the task entrusted to it. In the light of the provisions of resolution 3069 (XXVIII), the draft decision suffered from a certain complacency. Consequently, it was the responsibility of the Council to amplify the decision, and the provisions of paragraph 2 of document E/AC.7/L.674 appeared very appropriate in that respect.

The Netherlands amendment would leave the General Assembly free to take any decisions which it felt appropriate. The Assembly could take upon itself the task of drafting the document, or could suggest to the Commission on Human Rights new ways of approaching the question, such as the possibility of submitting texts in parentheses, as had been done on other occasions.

His delegation felt that the Netherlands proposal was very sound.

Mr. MAUERSBERGER (German Democratic Republic) said that the Assembly had been concerned with the question referred to in draft decision 1 of the Commission for a considerable time. At its twenty-eighth session, the General Assembly had adopted a resolution on the matter, in which it had entrusted the task of drafting

Mr. Mauersberger, German
Democratic Republic)

the Declaration to the Commission on Human Rights. The Commission had worked well, but the problem was complex. It was precisely because of the difficulties encountered that the question must be approached with great care. The Commission on Human Rights was endeavouring to arrive at a single text and, until that text materialized, it would be very difficult to make any headway. Consequently, paragraph 2 of the amendment submitted by the Netherlands (E/AC.7/L.674) did not appear to be very appropriate.

He had no objection, however, to the adoption of the proposal in paragraph 1 of that document.

Miss CAO PINNA (Italy) said that, in view of the limited progress achieved in the Commission on Human Rights with regard to the draft Declaration on the Elimination of All Forms of Religious Intolerance, and in the light of the excellent arguments presented by the representative of the Netherlands in introducing the amendment in document E/AC.7/L.674 and by the representative of the United Kingdom in supporting that amendment, her delegation supported the amendment. The proposed text did not prejudice any decisions which the General Assembly might take on the question.

Mr. LARSSON (Sweden) expressed disappointment at the lack of progress achieved thus far by the Commission on Human Rights with regard to the draft Declaration on the Elimination of All Forms of Religious Intolerance. The establishment of the working group did not appear to have been the best way of approaching the problem. He agreed with the representative of the United Kingdom that the General Assembly should find a better way of expediting the elaboration of the draft Declaration. Consequently, his delegation would support the amendment to draft decision 1 recommended by the Commission on Human Rights, as proposed by the representative of the Netherlands and contained in document E/AC.7/L.674.

Mr. JACHEK (Czechoslovakia) felt that there was not sufficient reason to submit an amendment to the draft decision recommended by the Commission on Human Rights, since the elaboration of the draft Declaration on the Elimination of All Forms of Religious Intolerance would be resumed as a matter of priority at the thirty-first session of the Commission. Furthermore, since no progress had been

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(Mr. Jachek, Czechoslovakia)

made with regard to the drafting of the Declaration, the General Assembly would have no solid basis for consideration of the question. Consequently, his delegation was opposed to the second amendment proposed by the Netherlands in document E/AC.7/L.674.

Mr. WIGGINS (United States of America) said that, although the work of the informal working group had produced few results, it had succeeded in incorporating into the title of the draft Declaration the words "or belief", which was an important modification. In so doing, the working group had taken account of the views of several delegations that it was also necessary to protect the freedom of conscience of individuals who did not subscribe to any religion.

In paragraph 1 of resolution 3069 (XXVIII), the General Assembly had invited the Economic and Social Council to request the Commission on Human Rights at its thirtieth session to consider, as a matter of priority, the elaboration of a draft Declaration on the Elimination of All Forms of Religious Intolerance. Consequently, the second amendment proposed by the Netherlands in document E/AC.7/L.674 was appropriate, and it was to be hoped that it would expedite the elaboration of the draft Declaration and thus bring to a successful conclusion the efforts made in that direction over a number of years. The United States delegation would therefore support the amendment.

Mr. TRAVERT (France) said that his delegation had shown its goodwill by agreeing that priority should be accorded to the International Convention on the Elimination of All Forms of Racial Discrimination, which his Government had ratified, and regretted that difficulties had arisen concerning the preparation of a draft Declaration on the Elimination of All Forms of Religious Intolerance. His delegation would therefore support the amendments submitted by the representative of the Netherlands in document E/AC.7/L.674.

Mr. LOCHTCHININ (Observer for the Byelorussian Soviet Socialist Republic), speaking at the invitation of the Chairman, recalled that his delegation had taken part in the work on the draft Declaration on the Elimination of All Forms of Religious Intolerance carried out in the Commission on Human Rights and the informal

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(Mr. Lochtchinin, Observer
for the Byelorussian SSR)

working group, and pointed out that the question had been studied very thoroughly and some progress made, although unfortunately not in the substantive aspects.

The second amendment submitted by the representative of the Netherlands in document E/AC.7/L.674 was not clearly expressed. At its twenty-eighth session, the General Assembly had adopted resolution 3069 (XXVIII), in which it had invited the Economic and Social Council to request the Commission on Human Rights at its thirtieth session to consider, as a matter of priority, the elaboration of a draft Declaration on the Elimination of All Forms of Religious Intolerance, and to submit, if possible, a single draft Declaration to the Assembly at its twenty-ninth session through the Economic and Social Council. The General Assembly had thus given clear instructions to the Commission on Human Rights, which had been unable to prepare the single draft requested. The Committee must recognize that the General Assembly's instructions had not been carried out, and therefore the Commission on Human Rights should proceed with its work in that respect.

The aim of the amendment proposed by the Netherlands delegation was to have the question of the single draft Declaration placed before the General Assembly again, and to show that the Commission on Human Rights had not been able to deal with the matter. It was surprising that the same idea had not been put forward in the Commission on Human Rights when it had submitted its report. The Commission's decision had been adopted by consensus and, if that decision was changed, then the consensus would be called into question. The proposal had not been submitted at that time in the Commission on Human Rights, because it had not been considered necessary. However, new factors had emerged.

His delegation requested the representative of the Netherlands not to press his amendment. It must be remembered that in the plenary meetings of the General Assembly, delegations would be able to put forward whatever proposals they considered appropriate to expedite the preparation of the draft Declaration, and his delegation would welcome any suggestions in that respect. There was absolutely no need to adopt an amendment to the draft decision recommended by the Commission on Human Rights, since there were many possible ways of dealing with the matter at the next session of the General Assembly.

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Mr. van BOVEN (Netherlands) said, in reply to the Observer for the Byelorussian SSR, that he noted with satisfaction that the Byelorussian delegation would welcome any suggestion conducive to the completion of the work on the draft Declaration on the Elimination of All Forms of Religious Intolerance. However, the representative of Byelorussia had, in fact, raised questions which had already been discussed and elucidated before that representative had entered the conference room.

Thirdly, in the discussions held on the question, it had never been the intention to intimate that any country's proposals were opposed to the elaboration of the draft Declaration.

The amendment had not been submitted in the Commission on Human Rights because the question had been raised at the end of the session and dealt with rather hastily. The Economic and Social Council was responsible for considering the work of its functional commissions in order to improve on any decisions they might have adopted.

Finally, the Observer for the Byelorussian SSR had suggested that the expression "ways and means", which appeared in paragraph 2 of document E/AC.7/L.674, was vague. The same idea appeared in paragraph 4 of General Assembly resolution 3069 (XXVIII), and left open the possibility that the General Assembly might adopt any measures which it considered necessary to complete the elaboration of the draft Declaration or give impetus to the work of the Commission on Human Rights by suggesting different ways of expediting its work. The proposed amendment was a reminder which communicated the feeling of urgency shared by many delegations concerning the completion of the draft Declaration.

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation could not support the amendment submitted by the representative of the Netherlands, under which the work on the draft Declaration on the Elimination of All Forms of Religious Intolerance would be carried out by the Third Committee of the General Assembly, at its twenty-ninth session. Clearly the amendment would modify a General Assembly resolution. The representative of the Netherlands had invoked paragraph 4 of General Assembly resolution 3069 (XXVIII) in support of his proposal. However, the intention of that resolution's sponsors had been not that the General Assembly should be responsible for elaborating the draft Declaration,

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(Mr. Smirnov, USSR)

but that the Economic and Social Council should be invited to request the Commission on Human Rights to consider the matter, since the Commission enjoyed the services of specialists and could fulfil the task entrusted to it.

Contrary to what had been said by the representative of the Netherlands, the Economic and Social Council was not responsible for completing what was left undone by the Commission on Human Rights; the Council should request the Commission to fulfil its function, namely to submit a single draft Declaration to the General Assembly.

In the Commission on Human Rights and the informal working group, the first steps had been taken to achieve that objective, and his delegation could not share the pessimism expressed by some delegations in that respect. Everything ultimately depended on the willingness of the members of the Commission on Human Rights. The draft decision it had recommended was adequate, and it was sufficient that the Commission had declared its intention of giving priority to the elaboration of the draft Declaration at its thirty-first session.

Therefore his delegation could not agree that the question of elaborating a draft Declaration on religious intolerance should be resubmitted to the General Assembly. The amendment proposed by the representative of the Netherlands was an attempt to have General Assembly resolution 3069 (XXVIII) reviewed, and the decision adopted by consensus in the Commission on Human Rights amended. For those reasons, his delegation could not support it.

Mr. LOCHTCHININ (Observer for the Byelorussian Soviet Socialist Republic) said that, contrary to what the representative of the Netherlands had said, when the Commission on Human Rights had begun discussing the matter, there had been enough time left for the submission of resolutions of any kind on the subject.

The proposed Netherlands amendment manifestly conflicted with the provisions of General Assembly resolution 3069 (XXVIII). It was clear from that resolution that the General Assembly would be able to consider a single draft Declaration at its twenty-ninth session; the amendment proposed by the Netherlands, if adopted, would mean submitting two different questions to the General Assembly: on the one hand, consideration of the draft Declaration and, on the other, consideration of ways and means to expedite the completion of the draft Declaration. That was

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(Mr. Lochtchinin, Observer
for the Byelorussian SSR)

obviously a contradiction. The ways and means already existed, it was simply a matter of using them. If the amendment meant new ways and means, that should be made clear.

Throughout all the discussions on the draft Declaration, the delegation of the Netherlands had patently tried unnecessarily to complicate the question. For that reason, his delegation considered that the Committee should not adopt the amendment under discussion.

Mr. TRAVERT (France) requested that the draft decision and the amendment should be put to the vote, in order to avoid a fruitless debate.

The CHAIRMAN said that, if he heard no objection, he would take it that the Committee adopted by consensus the first Netherlands amendment (E/AC.7/L.674) to draft decision 1.

It was so decided.

The CHAIRMAN put to the vote the second Netherlands amendment (E/AC.7/L.674) to draft decision 1.

The second amendment to draft decision 1 was adopted by 24 votes to 14, with 5 abstentions.

The draft decision, as amended, was adopted by 34 votes to 5, with 4 abstentions.

Mr. USMAN (Egypt) said that his delegation had had no difficulty in adopting the first Netherlands amendment, but had voted against the second amendment since the text produced by the Commission on Human Rights was more specific in its original version than with the Netherlands amendment.

Mr. OKIA (Uganda) said that his delegation had abstained in the voting on the second amendment but had voted in favour of draft decision 1 as a whole, since his country believed in freedom of religion and of worship. However, in Uganda, there had been some abuses of religious freedom, and he hoped that the final text of the Declaration would take into account the possibility that such abuses might occur.

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Mr. N'DIAYE (Senegal) said that he had voted against the amendment since the original text produced by the Commission on Human Rights had been more logical and precise. However, he had voted in favour of the draft decision as a whole because in his country the various religions practised had always coexisted without difficulty.

Draft decision 2

The CHAIRMAN invited representatives to comment on draft decision 2 recommended by the Commission on Human Rights for adoption by the Council (E/5464, chap. I).

Mr. SMIRNOV (Union of Soviet Socialist Republics) said that when the item had been discussed in the Commission on Human Rights, his delegation had firmly opposed the draft decision because it felt that Economic and Social Council resolution 1503 (XLVIII) had established a very specific procedure for the consideration of communications on human rights. The draft decision submitted contradicted the provisions of resolution 1503 (XLVIII); his delegation had voted against the draft decision before and would do so again.

The CHAIRMAN put to the vote draft decision 2 recommended by the Commission on Human Rights for approval by the Council (E/5464, chap. I).

Draft decision 2 was adopted by 35 votes to 5, with 5 abstentions.

Draft decision 3

The CHAIRMAN invited representatives to comment on draft decision 3 (E/5464, chap. I).

Mr. MACRAE (United Kingdom) said that his delegation thought the appointment of a group by the Sub-Commission on Prevention of Discrimination and Protection of Minorities would entail a problem because the membership of the Sub-Commission would change at the next session of the Commission on Human Rights. The outgoing Chairman of the Sub-Commission might be asked to hold informal consultations with the future members of the Sub-Commission with a view to forming the group. The request could be included in the text of the decision as an additional sentence, unless it was considered that it could be inferred from the text as it stood.

The CHAIRMAN said that, if there were no objections, he would take it that draft decision 3 (E/5464, chap. I) was adopted by consensus.

It was so decided.

Mr. WANG (China) said that his delegation had supported draft decision 3, but must make it clear that the conventions on slavery mentioned in the draft had been signed by the reactionary Chiang Kai-shek clique, which had usurped the name of China; the ratification was consequently illegal, null and void.

The CHAIRMAN said that, in view of the procedural difficulties referred to by the representative of the United Kingdom, the Committee could adopt a draft decision reading:

"The Economic and Social Council authorizes the outgoing Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint members of the various working groups of the Sub-Commission as may be necessary after the election of the Sub-Commission's members at the thirty-first session of the Commission in 1975."

Mr. BYKOV (Union of Soviet Socialist Republics) said he could not understand the reason for the decision, because procedures already existed for the appointment of working groups. He also wished to have the proposed text in writing so that he could study it.

Draft resolution E/AC.7/L.672

Mr. MACRAE (United Kingdom), introducing draft resolution E/AC.7/L.672 on behalf of the sponsors, said that the subject that had given rise to it had caused many delegations concern. The Council could choose between taking energetic action that would very strikingly demonstrate its concern, and a more moderate approach which would, however, have maximum support.

The Council must recognize that its ability to influence the action of Member States was in fact limited and that its influence bore no direct relation to the force of the language used. That influence was based more on the moral persuasion that the Council could apply and was directly related to the support that could be expected to be given to the steps the Council was to take.

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(Mr. Macrae, United Kingdom)

After holding consultations, the sponsors had come to the conclusion that in the existing circumstances a simple and direct draft resolution could be expected to receive the support of all Member States. The choice of title in itself indicated clearly the attitude taken, because it referred to the "protection of human rights" and not to violations of them. The important issue was the protection that had to be ensured for the future.

The first preambular paragraph had been drafted very carefully. It referred to "the alleged violations of human rights in Chile", because the information available was based on reports. The second preambular paragraph simply stated facts, as did the third preambular paragraph, which made no comment on Chile's reply. The fourth preambular paragraph indicated that the reply had not been fully satisfactory, because violations continued to be reported.

No comment was needed on paragraph 1. Paragraph 2 called upon the Government of Chile to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms in Chile. The Council could not influence events in Chile directly and must try to persuade the Government of Chile to take the necessary steps.

The sponsors of the draft hoped that it would be adopted by consensus so as to give maximum support to the appeal to the Government of Chile.

Mr. SULLIVAN (Canada) said that the Canadian people had always been particularly sensitive to violations of human rights and had been very greatly concerned by the situation prevailing in Chile. In view of that situation, his Government had authorized the entry of refugees and immigrants from Chile. He supported draft resolution E/AC.7/L.672 and agreed with its content and approach.

Canada had taken note of the comments by the representative of Chile that any manifestation in the Council of interest in the situation in Chile would be reported to the Government of Chile as a sign of the international community's concern.

Mr. ROUX (Belgium) said that Belgium had always spoken out in favour of the protection of human rights. Human rights and democratic rules had traditionally been respected in Chile; Belgian public opinion was following the events there with great interest. Despite the statement in Chile's reply, unfavourable reports on

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(Mr. Roux, Belgium)

events in that country continued to be received. Belgium would therefore vote in favour of draft resolution E/AC.7/L.672.

Mr. WANG (China) suggested that, since the draft resolution had been distributed the previous afternoon, a decision on it should be deferred until the afternoon meeting.

The meeting rose at 12.50 p.m.

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750th meeting

Tuesday, 14 May 1974,
at 3.30 p.m.Chairman: Mr. SMID (Czechoslovakia)HUMAN RIGHTS QUESTION (concluded):

- (b) REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/5464; E/AC.7/L.672, L.673 and L.676) (concluded)

Draft resolution E/AC.7/L.672

Mr. WANG Tzu-chuan (China) said that the Chinese people deeply sympathized with the sufferings of the Chilean people since the coup d'état. President Allende had died a martyr, and people should draw lessons from his death and realize that the theory of "peaceful transition", advocated by one of the super-Powers, was harmful to the struggle of the third world countries against imperialism, colonialism and hegemonism.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that draft resolution E/AC.7/L.672 reflected the debate in the Committee on the gross and massive violations of human rights perpetrated by the Chilean junta. More than six months had passed since the military coup in Chile, whose first victim had been the legally elected President, who had dedicated his life to the freedom of the Chilean people. Emergency measures were still in force and Chilean patriots were still held in concentration camps and prisons, their only crime being loyalty to democracy. The crimes of the junta had been condemned by world public opinion. The Commission on Human Rights at its thirtieth session had naturally discussed those crimes and had, in a telegram, urged the Chilean authorities to put an end to the violations of human rights, which were contrary to the Charter of the United Nations, to the Universal Declaration of Human Rights and to the International Covenants. The telegram sent in reply by the Chilean authorities was unsatisfactory both in form and in substance, and insulting in tone to the United Nations as a whole. The Commission's appeal had been ignored, and the press reported that the lives of the public figures mentioned in the Commission's telegram and of other Chilean patriots were in imminent danger, and that legal proceedings were being taken against them. So far, the only reply of the Chilean authorities was to slander other countries, which misled no one.

(Mr. S. N. Smirnov, USSR)

In view of the foregoing, and in view of the fact that gross and massive violations of human rights continued in Chile, he suggested that the word "alleged" should be deleted from the first preambular paragraph of draft resolution E/AC.7/L.672, since it had not been included in the Commission's telegram. At the end of the second preambular paragraph, the following should be added: "especially concern for the protection of persons whose lives are in imminent danger". The second amendment was in line with paragraph 2 and served to make the draft resolution clearer.

Mr. MACRAE (United Kingdom) said that, when he had introduced the draft resolution, he had explained why the word "alleged" should be maintained in the first preambular paragraph. He read out the Commission's telegram, which referred to "reports", and suggested that the word "reported" might be used rather than "alleged". As for the Soviet amendment to the second preambular paragraph, relating the draft resolution more closely to the Commission's telegram, it might be argued that the first preambular paragraph covered that special concern, but he would welcome the views of the other sponsors.

Mr. van BOVEN (Netherlands) said that, as a sponsor of the draft resolution, his delegation in general agreed with the remarks made by the representative of the United Kingdom. He could agree to replacing the word "alleged" by "reported". The amendment to the second preambular paragraph was redundant, since the idea was covered by the first preambular paragraph and was also reflected in paragraph 2. Furthermore, the draft resolution specifically referred to the concern of the Commission as expressed in the telegram.

Mr. LARSSON (Sweden) said that, as a sponsor, his delegation could accept the use of the word "reported" instead of "alleged", but could not support the second Soviet amendment.

Miss ILIC (Yugoslavia) said that her delegation was pleased to note that the sponsors were sympathetic to the first Soviet amendment, but had difficulty in seeing why they could not accept the second amendment. The proposed addition to the second preambular paragraph did not contradict the first preambular paragraph and was in line with the specific reference to the Commission's telegram, which had expressed concern for those whose lives were in imminent danger. Her delegation would support both Soviet amendments.

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Mr. MACRAE (United Kingdom) appealed to the representative of the Soviet Union not to press his second amendment.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that he was surprised at the formalistic approach adopted by the sponsors towards such a serious problem, concerning imminent danger to the lives of prominent political and public figures in Chile. He requested a vote on his second amendment, but would not insist on a vote on the first amendment on the understanding that the word "alleged" was replaced by the word "reported".

The CHAIRMAN said that, if he heard no objection, he would take it that the Committee adopted the proposal that the word "alleged" should be replaced by the word "reported" in the first preambular paragraph of draft resolution E/AC.7/L.672.

It was so decided.

The Soviet amendment to the second preambular paragraph was adopted by 17 votes to 1, with 12 abstentions.

Draft resolution E/AC.7/L.672 as amended, was adopted by 41 votes to none, with 2 abstentions.

Mr. BAZAN DAVILA (Chile) said that his delegation had abstained in the voting rather than vote against the draft resolution, since the Committee had retained the draft's original spirit by rejecting the Soviet attempt to give it a political bias. The text adopted might appear to discriminate against Chile, which was accused of violating human rights, apparently placing Chile on the same footing as the super-Power which had made such violations an integral part of its system, imposed on all the countries it had subjugated. But to equate Chile with others who systemically violated human rights would be unjust.

He had already explained that Chile had been the victim of foreign interference, which had caused the violation of human rights, and that the Chilean uprising had been motivated by the people's desire to recover their democratic institutions. The exceptional measures taken in the emergency situation were provisional, and were in any case in conformity with national and international law.

He was convinced that the sponsors and supporters of the draft resolution had been motivated by humanitarian concern and therefore deserved gratitude. He wished

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(Mr. Bazan Davila, Chile)

to inform them that, just as the Chilean people alone had repelled foreign interference in their internal affairs, they would restore democracy and full observance of human rights without outside help. They had no need of the draft resolution just adopted to identify their goal.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation had voted in favour of draft resolution E/AC.7/L.672. It was an absolute minimum for the Council to condemn the Chilean junta and the crimes perpetrated by it. As adopted, the draft resolution expressed the Council's concern at serious violations of human rights in Chile and also the concern of the Commission on Human Rights about mass and cruel violations of human rights and about the lives of persons in imminent danger. The Council had acted correctly in urging the Chilean authorities to take all steps to protect fundamental human rights, which were being daily flouted by the junta, and his delegation hoped that the draft resolution adopted would be the first United Nations step in that direction.

The representative of the Chilean junta in the Committee had tried to distort the situation in Chile by speaking of the restoration of democracy. The actual situation was more truly reflected by the report that Pablo Neruda's body had been disinterred and placed in a common grave. The Chilean junta was not only acting in opposition to democracy, but even lacked pity for those of the dead who had devoted their lives to democracy and freedom. No manoeuvring by the representative of the Chilean junta could remove the stains on the junta's record or justify the crimes still being perpetrated by it in Chile.

Mr. WIGGINS (United States of America) said that his delegation had abstained in the vote on draft resolution E/AC.7/L.672. The representative of Chile had drawn a distinction between those who were sincerely and honestly motivated by concern for human rights and those who wished to make political capital out of the situation. The original draft resolution had been prepared by Governments sincerely motivated and which observed human rights within their own boundaries. The amendments to the resolution had obscured its original motivation.

Mr. OKIA (Uganda) said that the title of draft resolution E/AC.7/L.672 might lend itself to varying interpretations. He expressed appreciation to the

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(Mr. Okia, Uganda)

sponsors for the humanitarian spirit in which the text had been drafted. His delegation had voted in favour of it on the understanding that the title did not imply that there was any protection for human rights in Chile. The continuing reports of violations of human rights in Chile, referred to the fourth preambular paragraph, clearly indicated that no such protection existed. While it was not the prerogative of the Committee to make a pronouncement on the policy of a Member State, it could launch an appeal to a sovereign State, as was done in paragraph 2 of the draft resolution. His delegation felt strongly that no Government could dictate to another Government what type of political system it should adopt. Accordingly, his delegation had voted for the resolution on the understanding that the Committee believed that there were grounds, on the basis of the reports received, for the Committee, acting on a moral basis, to call on the Chilean Government to restore human rights in that country.

Mr. VALTASAARI (Finland) said that his delegation had voted in favour of draft resolution E/AC.7/L.672 and also in favour of the second USSR amendment, because of its concern at the situation in Chile. The Finnish President and Government had sent messages to the Government of Chile, appealing that the death sentences should not be given in political trials and that death sentences already handed down should not be carried out.

Mr. TRAVERS (France) paid a tribute to the spirit of conciliation shown by the Chilean representative during the debate. His delegation had abstained in the vote on the second USSR amendment, because it had felt that the point it made was already covered by the first preambular paragraph. It was difficult to oppose an expression of concern about persons whose lives were in imminent danger, but, on the other hand, the Committee could not draw a distinction between the more famous and the less famous victims of violations of human rights.

Miss CAO PINNA (Italy) said that her delegation had not participated in the vote on draft resolution E/AC.7/L.672 but wished to explain its negative vote on the second USSR amendment. It should not be construed as a sign of disinterest in the situation of persons whose lives were in imminent danger. Her delegation had always been most active in opposition to capital punishment and in the struggle

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(Miss Cao Pinna, Italy)

for equality and humane treatment in the administration of justice. However, the second USSR amendment was redundant, because the second preambular paragraph clearly referred to the whole of the telegram sent by the Chairman of the Commission on Human Rights.

Mr. KOUAME (Ivory Coast) said that his delegation had abstained in the vote on the second USSR amendment, because it had felt that the second part of the first preambular paragraph adequately covered the concern expressed by the USSR delegation in its second amendment. The question concerned the violation of human rights in general, and the Committee should not try to distinguish between the various victims. His delegation's abstention did not mean that it was indifferent to the plight of those whose lives were in imminent danger.

Draft resolution E/AC.7/L.673

Mr. BAZAN DAVILA (Chile) said that the International Covenant on Civil and Political Rights, like the International Covenant on Economic, Social and Cultural Rights, had been studied in the United Nations from 1948 to 1966, in which year it had been adopted, and he recalled that he personally had participated in the pertinent discussions and in the efforts to ensure the Covenant's entry into force. Together with other delegations, his delegation had fought to retain the Human Rights Committee and to make its jurisdiction mandatory and not optional, to retain the competence attributed to the International Court of Justice and, finally, to incorporate in the text the individual right of petition, as proposed by the Netherlands. As that proposal had been rejected, his delegation had then co-sponsored the Optional Protocol, which provided for that right.

With regard to the entry into force of the Covenant, it had been proposed that 50 instruments of ratification should be required to be deposited, which would surely have postponed its entry into force indefinitely. Chile had proposed that the number should be reduced to 20 and, by way of compromise, had accepted the figure of 35, which had also proved excessive, as was shown by the fact that the Covenant had still not entered into force eight years after its adoption.

It was essential to give the international community a conventional instrument which, in the promotion of human rights, would add juridical force to the moral

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(Mr. Bazan Davila, Chile)

force of the Universal Declaration of Human Rights. That instrument would activate machinery for information, investigation and control which did not currently exist and for which all felt the need. At the most recent session of the Commission on Human Rights, stress had been placed once again on the need to perfect available procedures for studying violations of human rights. A conventional instrument like the International Covenant on Civil and Political Rights would greatly facilitate the tasks of the Commission on Human Rights and the Economic and Social Council in that area.

It was urgently necessary to promote the prompt submission of the necessary instruments of ratification for the entry into force of the International Covenant, and an appeal must be launched to States to that effect. Moreover, those States which had already ratified the Covenant should study the possibility of adopting special measures which would bring it into force immediately. However, it was possible that those countries which had not yet ratified the Covenant had objections which could not easily be removed and that those countries which had ratified it were prevented, by constitutional requirements, from bringing it immediately into force. It thus seemed advisable to seek a new approach, by appealing directly and expressly to States parties to the European Convention for the Protection of Human Rights and Fundamental Freedoms to ratify immediately the International Covenant on Civil and Political Rights. That might give the appeal more prospects for success. The European Convention was, of all such instruments elaborated so far, the one which covered the greatest number of rights and which provided the most effective recourse for their protection. It was thus the one which imposed on States parties the greatest number of obligations. All the provisions of the International Covenant on Civil and Political Rights were incorporated in the European Convention, so that States which had already incurred obligations under the Convention would be making no further commitment by ratifying the Covenant.

Norway, Sweden, Cyprus, Denmark and the German Democratic Republic had already ratified the Covenant, and he questioned why Belgium, France, the Netherlands, Luxembourg, Iceland, Ireland, the United Kingdom, Switzerland, Austria, Malta, Italy and Turkey could not do likewise. Such a step would have a tremendous international impact. If nine, at least, of those countries were to ratify the

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(Mr. Bazan Davila, Chile)

Covenant, they would render the international community the immense service of bringing into force immediately a legal instrument which, with all its weaknesses, at least created some general obligations and a system of control which would to some extent ensure more effective observance of human rights in the world.

Furthermore, if the European countries he had named ratified the Covenant, some of them would be included in the Human Rights Committee established under article 28 thereof, and the presence of countries with so much experience in the human rights field and with such a sincere desire to promote the effective observance of those rights would guarantee that the Committee's work was conducted with seriousness, objectivity, responsibility and efficiency.

The draft resolution submitted by his delegation (E/AC.7/L.673) sought the lofty ideal of providing the international community, as soon as possible, with a conventional instrument enshrining the obligation to respect human rights and providing legal means of protecting them. Chile had upheld that ideal in 1966 and upheld it today. It was an ideal with which all States represented in the Committee should be in agreement.

Mr. van BOVEN (Netherlands) said that his delegation was second to none in recognizing the importance of the International Covenant on Civil and Political Rights. Nevertheless, he wished to draw attention to a few technical points raised by the draft resolution.

At each session, the General Assembly addressed an appeal to Governments to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the former. Accordingly, the question would in any case be on the agenda of the General Assembly at its twenty-ninth session. At its last session, the General Assembly had adopted resolution 3142 (XXVIII) on that question.

Furthermore, the International Covenant on Civil and Political Rights was but one part of the International Bill of Human Rights, which was composed of the Universal Declaration of Human Rights, the two Covenants, and the Optional Protocol to the International Covenant on Civil and Political Rights. In United Nations theory and practice, the International Bill of Human Rights was considered as a totality, and he did not feel that one instrument should be singled out, because

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(Mr. van Boven, Netherlands)

all four were of equal significance. His delegation attached great importance also to the Optional Protocol concerning the right of petition; when his Government ratified the Covenants, it would also ratify the Protocol, because that was an essential element in the international protection of human rights.

Draft resolution E/AC.7/L.673 referred to the European Convention for the Protection of Human Rights and Fundamental Freedoms. He pointed out that there also existed the European Social Charter and that other regional systems might also have been mentioned, such as the system existing under the auspices of the Organization of American States.

He pointed out further that the number "30", in the third preambular paragraph, should be replaced by the number "35". He doubted, moreover, that the reference in the same preambular paragraph to "nine instruments of ratification or accession" required for the entry into force of the International Covenant on Civil and Political Rights was correct, because the number was changing constantly.

For the foregoing reasons, he felt that the draft resolution required more time for consideration and he appealed to the Chilean representative not to insist that a decision should be taken on it at the present time.

Mr. BAZAN DAVILA (Chile) said that the Netherlands arguments seemed valid. He would therefore accept the suggestion that consideration of the draft resolution should be postponed, so that the text might receive further study.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation did not intend to consider draft resolution E/AC.7/L.673 in detail. Its submission was a trick by which the representative of the Chilean junta was trying to justify the actions of his Government. If a vote was taken on the draft resolution, his delegation would vote against it.

The Netherlands proposal was unclear to his delegation. Did he mean that the draft resolution would be removed from the agenda or that consideration of it should be deferred? He was also unclear about the reference to the International Bill of Human Rights.

Mr. van BOVEN (Netherlands) drew the USSR representative's attention to the United Nations publication Human Rights - A Compilation of International Instruments of the United Nations (Sales No: E.73.XIV.2), part A of which was

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(Mr. van Boven, Netherlands)

headed "The International Bill of Human Rights". Furthermore, in the second preambular paragraph of draft resolution E/AC.7/L.673, attention was implicitly drawn to the link between the various parts of the International Bill of Human Rights, by the reference to the Universal Declaration of Human Rights. A similar phraseology was used in each of the two human rights Covenants. He believed that the USSR consistently stressed the interdependence of civil and political rights, on the one hand, and economic, social and cultural rights, on the other, and he too agreed on that point.

His proposal concerning the procedure to be followed was that no decision should be taken on draft resolution E/AC.7/L.673.

Mr. MAUERSBERGER (German Democratic Republic) said that his delegation would categorically refuse to support draft resolution E/AC.7/L.673, because it had been submitted by a representative of the Chilean junta, which had just been called upon, in draft resolution E/AC.7/L.672, to restore human rights and fundamental freedoms in Chile. Chile should rather pay heed to implementing the Universal Declaration of Human Rights, particularly as it was a signatory of it.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) expressed appreciation for the clarification given by the Netherlands representative.

The USSR had ratified the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights and attached great importance to them, as a basis for the implementation of human rights in all fields. However, he could not agree with the Netherlands interpretation that the Universal Declaration, the two Covenants and the Optional Protocol were all parts of one single document. The Universal Declaration represented an appeal to States adopted by the General Assembly, while the Covenants were international agreements and the Optional Protocol a separate and optional instrument. However, he welcomed the Netherlands endorsement of the view consistently held by his Government that the two Covenants were inseparable.

The CHAIRMAN suggested that, as the Chilean representative had agreed not to insist on a vote on draft resolution E/AC.7/L.673, the Committee should decide to conclude its consideration of the draft resolution.

It was so decided.

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Draft decision proposed by the Chairman (E/AC.7/L.676)

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) proposed that, since there were only two working groups of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the reference to "various" working groups should be replaced by a reference to "two" working groups.

It was so decided.

The Draft decision proposed by the Chairman, as amended, was adopted by consensus.

Draft resolution IX (E/5464, chapter I)

Draft resolution IX was adopted by consensus.

- (a) DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION (E/5474, E/5475; E/AC.7/L.675) (concluded)

Mr. OSMAN (Egypt), introducing draft resolution E/AC.7/L.675 on behalf of the sponsors, announced that Senegal, the Ivory Coast, Burundi, Trinidad and Tobago, and Liberia had announced their intention to become sponsors. The designation of the 10 years starting December 1973 as the Decade for Action to Combat Racism and Racial Discrimination reflected the determination of the international community to contain racism, racial discrimination and apartheid and to eradicate them. The horrible massacres reported from the southern part of Africa, the practice of the abhorrent policy of apartheid there, the denial of the right to self-determination to the peoples in Africa and elsewhere constituted a great violation of fundamental human rights and a serious threat to international peace and security. There was no alternative but ceaseless effort and action to achieve the goals of the Decade.

Under General Assembly resolution 3057 (XXVIII), the Economic and Social Council, in co-operation with the Secretary-General, had been entrusted with the central role in the implementation and follow-up of the Decade. Now, for the first time, the Council was assuming its responsibility under that resolution, which would remain the terms of reference for its work in that regard. Since the Secretary-General, in document E/5474, had been able to report only on developments

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(Mr. Osman, Egypt)

up to 27 March 1974, the sponsors had requested him to report to the twenty-ninth session of the General Assembly any additional information received subsequent to the submission of document E/5474. The Secretary-General was also requested to submit to the General Assembly the summary records of the Council's examination of the item, so as to enable the Assembly to examine the various views put forward.

Draft resolution E/AC.7/L.675 welcomed the adoption by several organs of the United Nations and by intergovernmental and non-governmental organizations of resolutions and/or measures and policies to implement the goals of the Decade and, at the same time, submitted to the General Assembly a draft resolution which contained a number of useful suggestions and recommendations.

Nobody and no nation could tolerate the conditions which continued to prevail in the southern part of Africa and elsewhere, including the denial of the right to self-determination and the ruthless application of the policies of apartheid and racial discrimination. Thus, the draft resolution condemned such conditions as a real obstacle to the achievement of the goals of the Decade and made the point that colonialism, alien domination, racism, apartheid and racial discrimination could not be condoned and that it was therefore legitimate for people suffering under that scourge to liberate themselves from it.

The draft resolution recognized, in particular, the role of public opinion in generating enough political will and support, moral and material, for the realization of the goals of the Decade. It also recognized that racism, racial discrimination and apartheid inherently involved socio-economic exploitation, and it thus called for examination of the socio-economic and colonial roots of racism, apartheid and racial discrimination with a view to eliminating them.

The draft resolution reflected the three basic tasks assigned to the Economic and Social Council in connexion with the Decade: the co-ordination of activities undertaken during the Decade, their evaluation, and the submission to the General Assembly of pertinent suggestions and recommendations. The latter were contained in the draft resolution recommended for adoption by the General Assembly.

In the process of drafting the text, his delegation had consulted a large number of delegations from various regions and had gone very far towards accommodating the various views expressed. The text was a minimum indication whereby members of the Council could simply, loudly and categorically state that

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(Mr. Osman, Egypt)

they were against racism, apartheid, racial discrimination, colonialism and alien domination and that they were looking forward to seeing the goals and objectives of the Decade fully implemented.

The sixth special session of the General Assembly had gone far towards initiating a new economic and social order, and he hoped that the work of the Economic and Social Council would usher the world into such an order, thus building genuine peace based on justice for all mankind.

He therefore hoped that draft resolution E/AC.7/L.675 would be adopted unanimously.

Mr. BERK (Turkey) said that his Government had strongly and consistently supported the activities of the Decade for Action to Combat Racism and Racial Discrimination and had warmly welcomed the launching of the Decade in December 1973. He wished to reaffirm his Government's support for the aims of the Decade and for the principles which had inspired it. Turkey was prepared to co-operate fully in ensuring the success of the Decade and in making it a turning-point in the fight against the evils of racism and racial discrimination. His delegation therefore fully supported the draft resolution.

Mr. WANG Tzu-chuan (China) said that the measures provided for in the draft resolution would make a very effective contribution to the achievement of the goals of the Decade. The text fully reflected the wishes of the peoples of the third world who were engaged in the struggle against colonialism, neo-colonialism, racism and racial discrimination. His delegation would therefore support the draft resolution.

Mr. SAYAR (Iran) said that his delegation had already stated its position with regard to the Decade for Action to Combat Racism and Racial Discrimination. His Government had already begun to work towards the achievement of the aims of the Decade. His delegation whole-heartedly supported the draft resolution.

Mr. PETROV (Observer for Bulgaria), speaking at the invitation of the Chairman, said that the People's Republic of Bulgaria had consistently condemned racism, racial discrimination and apartheid and had supported all United Nations initiatives and efforts aimed at mobilizing world public opinion against all forms

(Mr. Petrov, Observer for Bulgaria)

of racism with a view to eliminating the shameful system of apartheid. Furthermore, Bulgaria had always strictly respected and complied with United Nations resolutions concerning racism, racial discrimination and apartheid. The Bulgarian Sports Federation, in particular, had supported the proposals for the exclusion of South Africa from international sports competitions as recommended in General Assembly resolution 3151 (XXVIII). The Bulgarian Gymnastics Federation had reiterated its intention to exclude representatives of the Republic of South Africa from participating in the World Gymnastics Championship to be held in Varna, Bulgaria, in 1974. However, to the surprise of the Bulgarian Government, the Board of Directors of the International Gymnastics Federation (IGF) had rescinded the decision of the IGF Congress to hold the eighteenth World Gymnastics Championship in Bulgaria. The Board of Directors had based that decision on the refusal of the Bulgarian Gymnastics Federation to invite the Gymnastics Federation of South Africa to participate in the competition. The Bulgarian Gymnastics Federation, and the national federations of many other countries, had strongly protested against that decision, which constituted a flagrant violation of all United Nations resolutions on apartheid in sports and was tantamount to official support for the racist policies of the South African Government.

At the request of the Bulgarian Government, a meeting of the Special Committee on Apartheid had been convened to consider the matter. The Special Committee had unanimously resolved to appeal to IGF to reconsider its decision. The representative of the Organization of African Unity had said that the United Nations should appeal to all States members of IGF not to participate with representatives of South Africa in the World Gymnastics Championship. Such an appeal would be both justified and appropriate during the Decade for Action to Combat Racism and Racial Discrimination. The Economic and Social Council, which had been entrusted with the co-ordination of activities for the Decade, had all the necessary authority and reasons to make such an appeal.

His delegation was therefore grateful to the sponsors of draft resolution E/AC.7/L.675 for proposing that the attention of national gymnastics federations should be called to the inadmissibility of competing with representatives of the racist régime of South Africa. That appeal would certainly not pass unnoticed by

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(Mr. Petrov, Observer for Bulgaria)

the Governments of States that had not yet protested against IGF's decision or which had not taken appropriate measures in the light of that decision. It was only by such concrete action that Governments could promote the spirit of the Decade and contribute to the achievement of its goals.

Mr. SRINIVASAN (India) expressed appreciation of the efforts made by the sponsors of the draft resolution to accommodate many diverging points of view. The draft resolution suggested specific ways of achieving the goals of the Decade. Paragraphs 7 and 8 of the draft resolution recommended to the General Assembly were of particular importance in that they drew attention to the socio-economic and colonial roots of racism and apartheid and stressed the importance of mobilizing public opinion. The success of any action to eliminate racism and racial discrimination depended largely on the mobilization of public opinion. His delegation hoped that the Committee would find it possible to adopt the draft resolution by consensus.

Mr. TREVIÑO (Mexico) said that his delegation fully supported the draft resolution. The competent authorities in Mexico were currently considering a programme of co-ordinated activities designed to achieve the objectives of the Decade, in accordance with General Assembly resolution 3057 (XXVIII). He expressed the hope that the draft resolution would be considered favourably by the Committee.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that he was convinced that the draft resolution would constitute the first of a series of documents proposing practical measures designed to achieve the goals of the Decade. The draft resolution reflected the concern of world public opinion and of the United Nations with regard to the persistence of policies of racism, racial discrimination and apartheid. The Soviet Union condemned the conditions in which the peoples of southern Africa and other areas of the world were still being forced to live. Racism, racial discrimination and apartheid constituted a denial of human rights and a crime against humanity. His delegation attached the greatest

(Mr. S. N. Smirnov, USSR)

importance to the measures called for in paragraphs 5 and 6 of the resolution recommended to the General Assembly. Implementation of the resolution would make a substantial contribution to the elimination of racism, racial discrimination and apartheid. His delegation was able to support the draft resolution as a whole.

He pointed out that, in paragraph 5 (b), it might be more appropriate to include the full title of the International Convention on the Suppression and Punishment of the Crime of Apartheid.

The CHAIRMAN said that the Secretariat would make the appropriate amendment to paragraph 5 (b).

Mr. VALDERRAMA (Observer for the Philippines), speaking at the invitation of the Chairman, said that his delegation welcomed the draft resolution. As the Rapporteur of the Special Committee on Apartheid, the representative of one of the states parties to the International Convention on the Elimination of All Forms of Racial Discrimination and as a member of the human race, he wished to express his gratitude to the sponsors of the draft resolution, which he hoped would receive the full support of the Committee.

Mr. MACRAE (United Kingdom) said that the position of his delegation with regard to racism, racial discrimination and apartheid had been clearly stated during the general debate and during the formulation of the programme for the Decade. He welcomed the draft resolution, which contained many positive suggestions. He noted, however, that no mention was made of racial harmony, which was an important factor. He also felt that the scope of paragraph 3 of the recommendation to the General Assembly could be broadened by the addition of the words "and other slavery-like practices".

Referring to paragraph 5 (f), he said that his Government, while disapproving of the holding of sports contests with representatives of South Africa, recognized the right of individual sports organizations to determine their own policies in that respect. In general, his delegation was able to support the draft resolution.

Mr. OSMAN (Egypt), referring to the suggestion of the representative of the United Kingdom, said that, since the wording of the draft resolution had already been given careful consideration, he felt that it should not be changed.

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(Mr. Osman, Egypt)

There was a minor revision to be made to the first preambular paragraph. In the last line the word "report" should be replaced by the word "reports", which should be followed by the symbols E/5474 and E/5475, since two pertinent reports had been prepared by the Secretary-General. He asked the Secretariat to amend the rest of the text accordingly.

Draft resolution E/AC.7/L.675, as orally revised, was adopted by consensus.

Mr. WIGGINS (United States of America), speaking in explanation of vote, said that his delegation, while supporting most provisions of the draft resolution, would have abstained on paragraph 5 (b) if a vote had been taken on that paragraph, since it had reservations with regard to the Convention on the Suppression and Punishment of the Crime of Apartheid. As the United States representative had already stated during the twenty-eighth session of the General Assembly, certain provisions of that Convention could be damaging to the very structure of international law and to the constitutional structure of the United Nations itself. Because of the grave nature of crimes against humanity, they must be defined and dealt with strictly in accordance with existing international law as set forth in the Nuremberg Charter and applied by the Nuremberg Tribunal. The United States felt that the broad extension of international jurisdiction provided for under the Convention was inconsistent with the basic norms of fairness and incompatible with the due process which was essential in criminal law. Furthermore, the decision to invest the Commission on Human Rights with responsibility for certain aspects of the Convention might be considered unconstitutional under the United Nations Charter. It was questionable whether, under a separate treaty which had not been accepted by all Member States, the States parties to a convention could confer powers on an organ created under the United Nations Charter. Such a measure would also place the Commission itself in the untenable position of having to discharge functions under a convention which the majority of its members had not signed and did not support.

In elaborating rules for the protection of human rights, due attention should be paid to the rule of law. Ignoring the rule of law could result only in a chaotic situation in which the vicious and oppressive would triumph and the individual would suffer.

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Mr. WANG Tzu-chuan (China) said that his delegation, while welcoming the adoption of the draft resolution, wished to make its position clear with regard to paragraph 5 (b). That paragraph referred to international instruments on human rights which had been adopted before the lawful rights of the People's Republic of China had been recognized in the United Nations. Consequently, his Government would need to study carefully the instruments concerned and would then be able to adopt a position on each one of them.

Mr. OSMAN (Egypt) said that the adoption of the draft resolution constituted a significant step towards the achievement of the goals of the Decade. On behalf of the sponsors of the draft resolution, he wished to thank the Committee for its support.

Miss CAO PINNA (Italy), speaking in explanation of vote, said that her delegation had already stated its support for all action to combat racism and racial discrimination. While she had been happy to join in the consensus in favour of the draft resolution, she had reservations with regard to paragraph 5 (b), in view of the fact that in the General Assembly her delegation had, for legal reasons, abstained in the vote on the Convention on the Suppression and Punishment of the Crime of Apartheid.

She welcomed the appeal made in paragraph 5 (e) since, when the idea of holding a world conference had been approved, no definite guidelines had been established for its agenda. Her Government would be happy to contribute ideas for inclusion in the draft agenda of the conference.

Mr. von KYAW (Federal Republic of Germany), speaking in explanation of vote, said that, while he had been happy to join in the consensus, he had some reservations with regard to paragraph 5 (b), which referred to the Convention on the Suppression and Punishment of the Crime of Apartheid. His Government believed in peaceful change through political and moral pressure and through contact with the various groups in the region concerned. Racism, racial discrimination and apartheid must be eliminated by a process of negotiation. Moreover, the hope of his Government that a peaceful solution to the problem would be found had been strengthened by recent developments in western Europe which would undoubtedly have repercussions in southern Africa.

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Mr. TRAVERE (France) said that, while supporting the spirit of the draft resolution, his delegation had reservations on a number of points. However, in order to expedite the work of the Committee, his delegation would explain its vote more fully in a plenary meeting of the Council.

- (c) QUESTION OF SLAVERY AND THE SLAVE TRADE IN ALL THEIR PRACTICES AND MANIFESTATIONS, INCLUDING THE SLAVERY-LIKE PRACTICES OF APARTHEID AND COLONIALISM (E/5446) (concluded)

The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft decision 3 contained in chapter I of the report of the Commission on Human Rights (E/5464).

Draft decision 3 was adopted.

- (d) ALLEGATIONS REGARDING INFRINGEMENTS OF TRADE UNION RIGHTS (E/5445) (concluded)

Mr. van BOVEN (Netherlands) recalled that, at a previous meeting of the Committee, he had suggested that the allegations made by the Lesotho General Workers' Union should be referred to the Ad Hoc Working Group of Experts of the Commission on Human Rights, so that the findings of the Working Group could be included in the report of the Commission to the Economic and Social Council at its fifty-eighth session. That suggestion had been supported by other delegations, including those of Egypt and Canada. A precedent for such a procedure was provided by Council resolution 1216 (XLII). Accordingly he wished to submit a draft decision to that effect for consideration by the Committee. That decision was worded as follows:

"The Economic and Social Council decides, in accordance with its resolution 277 (X), to transmit the communication received from the Director-General of the International Labour Office (document E/5445, para. 1 and annexes I and II), and comments thereon, if any, received from the Government of the Republic of South Africa, to the Ad Hoc Working Group of Experts of the Commission on Human Rights, requests the Ad Hoc Working Group of Experts to include its findings in this matter in the report which it is to present to the Council at its fifty-eighth session in accordance with Council resolution 1796 (LIV), and requests the Secretary-General to inform the Governing Body of the International Labour Office of this decision."

He hoped the draft decision would receive the full support of the Committee.

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Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that he had strong doubts about the advisability of adopting a decision such as that proposed by the representative of the Netherlands. It was not clear whether the group referred to was one already in existence or one to be set up within the framework of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. There seemed no need for any new group. The Ad Hoc Working Group of Experts had been established by resolution 2 (XXIII) of the Commission on Human Rights to investigate charges of torture and ill-treatment of prisoners, detainees or persons in police custody in the Republic of South Africa, and Council resolution 1216 (XLII) had given that Group the specific mandate of examining allegations regarding infringements of trade union rights in the Republic of South Africa and to report to the Council on its findings.

If the representative of the Netherlands was submitting his draft decision as a formal proposal, his delegation requested that it should be made in writing and that the Committee should have time to study it.

Mr. van BOVEN (Netherlands) said that there was no question of setting up a new group of experts.

Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) said that he understood from the remark made by the representative of the Netherlands that the group concerned was the Ad Hoc Working Group of Experts. He would not therefore insist on written submission of the draft decision under discussion.

The CHAIRMAN said that, if he heard no objection, he would take it that the Committee adopted the draft decision submitted orally by the representative of the Netherlands.

It was so decided.

COMPLETION OF THE COMMITTEE'S WORK

The CHAIRMAN said that the Committee had completed its work for the fifty-sixth session.

The meeting rose at 6.40 p.m.