



ECONOMIC AND SOCIAL COUNCIL
Forty-fourth Session
OFFICIAL RECORDS

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President: Mr. Manuel PEREZ GUERRERO
(Venezuela).

AGENDA ITEM 11

Report of the Committee on Housing, Building and Planning (E/4440, E/4453)

REPORT OF THE SOCIAL COMMITTEE (E/4520)

1. The PRESIDENT invited the Council to consider the report of the Social Committee (E/4520). He drew attention to paragraph 14, which stated that the Social Committee had decided, without objection, to recommend that the Council should take no action on draft resolution IV, submitted by the Committee on Housing, Building and Planning in its report on its fifth session (see E/4440, chap. VII).
2. If there was no objection, he would take it that the Council adopted draft resolutions I, II, III and IV, which the Social Committee had recommended to the Council for adoption (see E/4520, para. 18), as well as the recommendations contained in paragraphs 16 and 17 of the Social Committee's report.

It was so decided
3. Mr. PIPARSANIA (India) proposed that the Council should include the following text in its report:

"The Council took note of the view of the Committee on Housing, Building and Planning, contained in paragraph 185 of the report of its fifth session (E/4440), that in the longer term, the United Nations Institute for Documentation on Housing, Building and Planning, which it was proposed to establish in New Delhi, might become responsible for sponsoring research to fill identified gaps in knowledge."
4. Mr. GREGH (France) said he did not see why the Council should single out a specific paragraph in the report of the Committee on Housing, Building and Planning. He therefore hoped that the representative of India would not press his proposal; it would be included in the summary record, which would suffice to show that the Indian delegation attached particular importance to the paragraph in question.
5. Mr. PIPARSANIA (India) said that his delegation, as it had mentioned earlier in the Social Committee,

wished that the Council would take note of the view of the Committee on Housing, Building and Planning which was an important one, particularly due to the fact that the Council, in its resolution 1166 (XLI), had approved the establishment in India of an institute for documentation. In view of the remarks made by the representative of France, however, he said that his delegation's purpose would be reflected in the summary records, and therefore he would withdraw his proposal.

AGENDA ITEM 16

Allegations regarding infringements of trade union rights (concluded) (E/4459 and Add.1, E/L.1206 and Corr.1 and 2 and Add.1)

6. Mr. KHANACHET (Kuwait), on behalf of the sponsors, introduced a number of revisions to the draft resolution (E/L. 1206 and Corr.1 and 2). In operative paragraph 4 (b), the words "as well as those that may be formed in the future" could be deleted, since they were superfluous. In operative paragraph 4 (f), in order to bring the text into line with the wording used in operative paragraph 3 (iii) of draft resolution II submitted by the Commission on Human Rights for action by the Council (see E/4475, chap. XIX), the words "from applying" should be replaced by the words "to abolish" and the words "for such purposes" should be deleted. In order to meet the point made by the representative of Argentina at the 1525th meeting, the words "and in co-operation with the International Labour Organisation, taking due account of the latter's primary responsibility in this matter" could be inserted after the word "authority" in the new text of operative paragraph 7 contained in document E/L.1206/Corr.1; operative paragraph 8 would then be deleted. The sponsors were also prepared to accept an amendment proposed by the representative of Bulgaria (1525th meeting), which consisted of adding to the end of operative paragraph 11 the words "and recommends to include the outcome of the research of the Ad Hoc Working Group of Experts about the infringement of the trade union rights in its documents which are designed for wide informative dissemination".
7. Mr. ALLEN (United Kingdom) said that in his statement at the previous meeting, the representative of the United Republic of Tanzania had oversimplified the constitutional position with regard to the illegal régime in Southern Rhodesia; since the question had been debated in the Security Council and elsewhere, there was no need for him to go into the details. His Government could not accept the statement that it was not trying to enforce sanctions against that régime; the sanctions had been approved by the Security Council and were mandatory, and every effort was being made to enforce them. He did not understand how the representative of the

United Republic of Tanzania could believe that the United Kingdom was responsible for the internal affairs of a country which had been self-governing for a number of decades, and his Government did not welcome accusations of duplicity from a country which had not acceded to the ILO Convention (No. 87) concerning freedom of association and protection of the right to organize.

8. Mr. COX (Sierra Leone) said it was regrettable that the Council should have to hear statements on a subject with which it was not concerned. However, he wished to point out that the United Kingdom Government had failed in its responsibility with regard to Southern Rhodesia; for example, the illegal régime there had executed a number of persons in spite of the fact that a royal pardon had been granted to them.

9. Mr. SQUIRE (United States of America) said that, in view of the insertion in paragraph 4 (f) of the words "to abolish", the remainder of the paragraph following those two words should read "the parts of the Suppression of Communism Act relating to such purposes". In operative paragraph 3, he would welcome the replacement of the words "conclusions and" by the word "following"; the main purpose of the first part of the draft resolution was to express support for the specific provisions of b-paragraphs (a) to (i) of operative paragraph 4, which his delegation fully supported.

10. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that he did not understand the purpose of the first amendment proposed by the representative of the United States. Operative paragraph 3 (iii) of draft resolution II submitted by the Commission on Human Rights for action by the Council called for the abolition of a number of acts, including the Suppression of Communism Act (see E/4475, chap. XIX). There was no suggestion that only part of those acts should be abolished. To make such a suggestion would imply that parts of them should be kept, which was tantamount to a justification of apartheid. A question of principle was thus involved, and he was strongly in favour of retaining the text suggested by the representative of Kuwait on behalf of the sponsors.

11. Mr. SQUIRE (United States of America) said that the implication that his Government partially supported the apartheid laws was false; it had voted for the draft resolution referred to by the representative of the Soviet Union and agreed that such acts should be abolished entirely. However, the impact of the draft resolution at present before the Council would be strengthened if reference was made only to those parts of the Suppression of Communism Act with which it was specifically concerned, namely, those used as a pretext for prosecuting trade unionists.

12. Mr. KHANACHET (Kuwait) said that the sponsors were not able to accept the United States amendments. Operative paragraph 3 should refer to the conclusions as well as the recommendations of the Ad Hoc Working Group and operative paragraph 4 (f) should call for the abolition of the Suppression of Communism Act in its entirety.

13. Mr. SQUIRE (United States of America) said that his delegation would not insist on its amendment to operative paragraph 4 (f) of the draft resolution. It

wished to revise its amendment to operative paragraph 3 and proposed that the word "following" should be added before the words "conclusions and recommendations". The Council would thus endorse the conclusions and recommendations of the Ad Hoc Working Group contained in operative paragraph 4 of the draft resolution.

14. Mr. PIPARSANIA (India) and Mr. ROUAMBA (Upper Volta) said they could not support the amendment to operative paragraph 3.

15. Mr. KHANACHET (Kuwait) said that the sponsors could not agree to limit the Council's endorsement to certain conclusions and recommendations of the Ad Hoc Working Group of Experts, especially as operative paragraph 1 of the draft resolution expressed appreciation for the entire work done by the Group.

16. Mr. BRADLEY (Argentina) and Mr. VARELA (Panama) expressed a preference for the original text of operative paragraph 4 (f).

17. Mr. GREGH (France), supported by Mr. PIPARSANIA (India), suggested that the reference to the abolition of the Suppression of Communism Act could perhaps be made in a separate sub-paragraph.

18. Mr. BRADLEY (Argentina) said that suggestion would not dispel his delegation's misgivings, because the abolition of the Act would not then be linked to the question of union activities. The draft resolution should state that the Suppression of Communism Act should not be applied to such activities.

19. After a discussion in which Mr. VARELA (Panama), Mr. MEYER PICON (Mexico), Mr. BRADLEY (Argentina), Mr. ROUAMBA (Upper Volta) and Mr. VERENIKIN (Union of Soviet Socialist Republics) took part, Mr. KHANACHET (Kuwait) said that the sponsors would revise the text of operative paragraph 4 (f) of their draft resolution to read as follows:

"To abolish the Suppression of Communism Act and to refrain from prosecuting African workers and trade unionists because of their union activities, on the pretext that they have committee violations of ordinary law."

20. Mr. BRADLEY (Argentina) requested that a separate vote be taken on the phrase "to abolish the Suppression of Communism Act". His delegation would abstain in that vote and, if the phrase were adopted, it wished a separate vote to be taken on operative paragraph 4 (f) as a whole.

21. Mr. SQUIRE (United States of America) requested a separate vote on operative paragraph 3.

22. Mr. ALLEN (United Kingdom) requested separate votes on operative paragraphs 1 to 7, inclusive.

23. Mr. LAWSON (Secretariat) drew attention to the note by the Secretary-General on the financial implications of the draft resolution (E/L.1206/Add.1). It listed the additional expenditures which would be incurred above and beyond the estimates given in annex I of the report of the Commission on Human Rights (see E/4475) relating to resolution 2 (XXIV) of the Commission. If the Council did not endorse the Commission's resolution 2 (XXIV), the cost estimates would require considerable upward revision.

24. If the Council adopted the draft resolution under consideration, the Secretary-General would seek the concurrence of the Advisory Committee on Administrative and Budgetary Questions for the expenditure of the required funds in 1968.

25. With reference to the last operative paragraph of the draft resolution (see E/L.1206/Corr.2), it should be noted that the report of the *Ad Hoc* Working Group of Experts (E/4459 and Add.1) had already received normal distribution and publicity. If the paragraph envisaged anything more, such as additional language versions, the financial implications could be estimated only if more precise information were provided.

26. The PRESIDENT invited the Council to vote on the oral amendment proposed by the representative of the United States to add the word "following" before the words "conclusions and recommendations" in operative paragraph 3 of draft resolution E/L.1206 and Corr. 1 and 2.

The amendment was rejected by 16 votes to 5, with 5 abstentions.

27. The PRESIDENT invited the Council to vote on operative paragraph 3 as a whole.

At the request of the representative of Sierra Leone, the vote was taken by roll-call.

Ireland, having been drawn by lot by the President, was called upon to vote first.

In favour: Ireland, Japan, Kuwait, Mexico, Morocco, Panama, Philippines, Sierra Leone, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Upper Volta, Venezuela, Argentina, Belgium, Bulgaria, Chad, Congo (Brazzaville), Czechoslovakia, Guatemala, India, Iran.

Against: None.

Abstaining: United States of America, France.

Operative paragraph 3, as a whole, was adopted by 24 votes to none, with 2 abstentions.

28. The PRESIDENT invited the Council to vote on the phrase "to abolish the Suppression of Communism Act" in operative paragraph 4 (f).

At the request of the representative of the Soviet Union, the vote was taken by roll-call.

Libya, having been drawn by lot by the President, was called upon to vote first.

In favour: Mexico, Morocco, Philippines, Sierra Leone, Sweden, Union of Soviet Socialist Republics, United Republic of Tanzania, United States of America, Upper Volta, Venezuela, Bulgaria, Chad, Congo (Brazzaville), Czechoslovakia, Guatemala, India, Iran, Japan, Kuwait.

Against: None.

Abstaining: Panama, Turkey, United Kingdom of Great Britain and Northern Ireland, Argentina, Belgium, France, Ireland.

The phrase was adopted by 19 votes to none, with 7 abstentions.

29. The PRESIDENT invited the Council to vote on operative paragraph 4 (f) as a whole, as orally amended by the sponsors.

At the request of the representative of Turkey, the vote was taken by roll-call.

Czechoslovakia, having been drawn by lot by the President, was called upon to vote first.

In favour: Czechoslovakia, Guatemala, India, Iran, Japan, Kuwait, Mexico, Morocco, Philippines, Sierra Leone, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Venezuela, Bulgaria, Chad, Congo (Brazzaville).

Against: None.

Abstaining: France, Ireland, Panama, Argentina, Belgium.

Operative paragraph 4 (f), as a whole, as amended, was adopted by 21 votes to none, with 5 abstentions.

30. The PRESIDENT invited the Council to vote on operative paragraph 4 as a whole.

At the request of the representative of Sierra Leone, the vote was taken by roll-call.

Guatemala, having been drawn by lot by the President, was called upon to vote first.

In favour: Guatemala, India, Iran, Ireland, Japan, Kuwait, Mexico, Morocco, Panama, Philippines, Sierra Leone, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Venezuela, Argentina, Belgium, Bulgaria, Chad, Congo (Brazzaville), Czechoslovakia.

Against: None.

Abstaining: France.

Operative paragraph 4, as a whole, was adopted by 25 votes to none, with 1 abstention.

31. The PRESIDENT invited the Council to vote on operative paragraph 5.

At the request of the representative of Sierra Leone, the vote was taken by roll-call.

Bulgaria, having been drawn by lot by the President, was called upon to vote first.

In favour: Bulgaria, Chad, Congo (Brazzaville), Czechoslovakia, Guatemala, India, Iran, Ireland, Japan, Kuwait, Mexico, Morocco, Panama, Philippines, Sierra Leone, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Venezuela, Argentina, Belgium.

Against: None.

Abstaining: France.

Operative paragraph 5 was adopted by 25 votes to none, with 1 abstention.

32. The PRESIDENT invited the Council to vote on operative paragraph 6.

At the request of the representative of Sierra Leone, the vote was taken by roll-call.

India, having been drawn by lot by the President, was called upon to vote first.

In favour: India, Iran, Japan, Kuwait, Mexico, Morocco, Panama, Philippines, Sierra Leone, Turkey, Union of Soviet Socialist Republics, United Republic of Tanzania, Upper Volta, Venezuela, Argentina, Bulgaria, Chad, Congo (Brazzaville), Czechoslovakia, Guatemala.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Ireland, Sweden, Belgium, France.

Operative paragraph 6 was adopted by 20 votes to 2, with 4 abstentions.

33. The PRESIDENT invited the Council to vote on the new text of operative paragraph 7 (E/L.1206/Corr.1), as amended orally by the sponsors.

At the request of the representative of Sierra Leone, the vote was taken by roll-call.

Sweden, having been drawn by lot by the President, was called upon to vote first.

In favour: Turkey, Union of Soviet Socialist Republics, United Republic of Tanzania, Upper Volta, Venezuela, Argentina, Bulgaria, Chad, Congo (Brazzaville), Czechoslovakia, Guatemala, India, Iran, Japan, Kuwait, Mexico, Morocco, Panama, Philippines, Sierra Leone.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Sweden, Belgium, France, Ireland.

Operative paragraph 7, as amended, was adopted by 20 votes to 2, with 4 abstentions.

34. The PRESIDENT invited the Council to vote on the draft resolution (E/L.1206 and Corr.1 and 2) as a whole, as amended.

The draft resolution as a whole, as amended, was adopted by 22 votes to none, with 4 abstentions.

35. Mr. VARELA (Panama), explaining his vote, said he welcomed the adoption of the draft resolution as a whole. Trade union rights and workers' rights in general were fully recognized in Panama's labour legislation, and he hoped that the legislation of South Africa, Southern Rhodesia and other countries would eventually become as liberal and progressive as that of Panama. He had abstained during the two votes relating to operative paragraph 4 (f), as the revised version of that paragraph, which involved a substantive change, had been introduced at the present meeting and he had thus had no opportunity to consult his Government on the point at issue.

36. Mr. ALLEN (United Kingdom) said that the votes he had cast in the roll-call votes on the paragraphs relating to the Ad Hoc Working Group's report (operative paragraph 3) and on the application of that report to the Government of South Africa (operative paragraph 5) showed that his delegation did not oppose the attitude towards that Government expressed in the report. That was the reason why he

had not pressed his request for separate votes on operative paragraphs 1-7.

37. He had voted against the new text of operative paragraph 7 (E/L.1206/Corr.1) as orally amended, not because he wished to impede the investigation of any alleged violations of trade union rights in Southern Rhodesia, but because he considered that the Council should not usurp the functions of the ILO.

38. He had refrained from requesting a separate vote on the Bulgarian amendment to operative paragraph 11, because he assumed that any report on Southern Rhodesia produced by the Ad Hoc Working Group of Experts would not be submitted to the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa, which dealt with South Africa and not Southern Rhodesia.

39. Mr. BERGQUIST (Sweden) said that his abstention during the votes on operative paragraphs 6 and 7 had not been prompted by disagreement with their substance; his country's firm opposition to the policy of apartheid in South Africa and to racial discrimination in Southern Rhodesia was a matter of record. He had abstained in the vote in order that his position might be consistent with that taken by his delegation in the Commission on Human Rights, where Sweden had abstained during the vote on resolution 2 (XXIV), which expanded the mandate of the Ad Hoc Working Group of Experts. His delegation had abstained on that occasion because the Advisory Committee on Administrative and Budgetary Questions had criticized the additional expenditures incurred by the Working Group. His delegation considered that, until the question of the right of subsidiary bodies to incur additional expenditure had been clarified further, such expenditure should not be incurred without due consideration.

40. Mr. SQUIRE (United States of America) said that he had abstained in the vote on operative paragraph 3 because his delegation had some reservations about a few of the conclusions contained in the report of the Ad Hoc Working Group of Experts (E/4459 and Add.1), although it supported all the conclusions and recommendations mentioned in operative paragraph 4 of the draft resolution.

41. He had voted against operative paragraphs 6 and 7 and had abstained in the vote on the draft resolution as a whole, because his delegation, which in 1967 had voted in favour of extending the Ad Hoc Working Group's mandate to cover trade union rights in South Africa, had some misgivings as to the advisability of continuing and expanding the Working Group's mandate. The Working Group had done an excellent job, which it had completed, but the relevant ILO machinery was not being fully used, especially in the case of Southern Rhodesia. Now that the Council had decided to extend and expand the Working Group's mandate, he urged the latter body to take full advantage of the findings of the ILO Committee on Freedom of Association and other relevant ILO documents.

42. Mr. BRADLEY (Argentina) said that he had voted for the United States amendment to operative paragraph 3, for, in his view, the fact that the Council noted the work of the Ad Hoc Working Group with satisfaction did not necessarily imply that it agreed with all of the Working Group's conclusions and recommendations.

43. He agreed that the South African Government should be asked to refrain from using the Suppression of Communism Act as a pretext for prosecuting workers and trade unionists, but had abstained in the votes on operative paragraph 4 (f) because the present wording did not make the relationship between the Suppression of Communism Act and the prosecution of workers sufficiently clear.

44. Mr. BAL (Belgium) recalled that his delegation had supported resolution 1216 (XLII) in which the Council had condemned the infringement of trade union rights in South Africa and expanded the Ad Hoc Working Group's mandate to cover violations of those rights. Draft resolution E/L.1206 and Corr.1 and 2, however, raised a number of serious problems, particularly in operative paragraphs 6 and 7. The Ad Hoc Working Group of Experts had done extremely useful

work, but the proposed prolongation of its mandate should have been considered very carefully, especially in view of the need to establish an order of priority among the various activities under the Council's jurisdiction. The Council had not had time to consider all the complex issues involved, and he had therefore abstained in the vote on the draft resolution as a whole. He had also abstained in the two separate votes on operative paragraph 4 (f), for the reason stated by the representative of Argentina.

45. Mr. GREGH (France) said that although his country was firmly opposed to apartheid, he had abstained in all the votes on draft resolution E/L.1206 and Corr.1 and 2, for the reasons explained at the previous meeting.

The meeting rose at 6.30 p.m.