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SUMMARY RECORD OF THE 2nd MEETING

Chairman. Mr. HAMER (Netherlands)

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The meeting was called to order at 11.05 a.m.

1. The CHAIRMAN suggested that, since the Committee had to take a number of decisions, the meeting should be suspended until all delegations could be present.
2. The meeting was suspended at 11.10 a.m. and resumed at 11.45 a.m.

STATEMENT BY THE CHAIRMAN

3. The CHAIRMAN expressed appreciation to the Group of Western European and Other States for having proposed him for the chairmanship of the Committee and to the Hungarian delegation for having nominated him, and paid tribute to the previous Chairman, Mr. Zador of Hungary.

4. The work of the Third Committee was inspired by the lofty principles affirmed in the United Nations Charter, in particular that of respect for human dignity. Of the many ways in which human dignity was violated, none was worse than the institutional violation represented by apartheid. Only concerted action by the entire world community could put an end to the daily violence and untold human misery in South Africa. For the Third Committee to make its contribution to the early dismantling of apartheid, co-operation and a strength built on unity were increasingly necessary. Racial discrimination was not limited to South Africa, however, and it was disturbing therefore that, despite almost universal adherence to the International Convention on the Elimination of All Forms of Racial Discrimination, the Committee on the Elimination of Racial Discrimination (CERD), would not be submitting a report to the current session of the General Assembly. The fact that 60 per cent of States Parties to the Convention had not fulfilled their financial obligations, thereby placing CERD in a precarious financial situation, should receive the urgent attention of the Third Committee.

5. The Third Committee would also be looking at the problems of disabled persons, youth and migrant workers, as well as criminality, aging and the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women. It would address the refugee problem after hearing an introduction by the new United Nations High Commissioner for Refugees, and would consider such issues as demand reduction and the role of information and education in the prevention of drug abuse when it came to discuss preparations for the 1987 International Conference on Drug Abuse and Illicit Trafficking.

6. The twentieth anniversary of the adoption of the International Covenants on Human Rights, to be commemorated in a plenary meeting, held special significance for the Third Committee, which had completed the actual work on the Covenants. The Committee's debates on the human rights items tended to be among its liveliest, but were guided by a general recognition that the protection of human rights went beyond the sovereignty of States and that the defence of the rights of individuals and groups against a State did not constitute interference in that State's internal affairs. In conclusion, he was deeply concerned that, if the already modest budget of the Centre for Human Rights was cut as a result of the current financial crisis, the human rights programme which was on the whole one of the more successful United Nations endeavours, would be disproportionately affected.

#### ELECTION OF OFFICERS

7. Mr. RAMAKER (Netherlands) nominated Miss Brosnakova (Czechoslovakia) for the office of Vice-Chairman.
8. Mr. CHOO (Malaysia) nominated Mr. Muqume (Uganda) for the office of Vice-Chairman.
9. Miss Brosnakova (Czechoslovakia) and Mr. Muqume (Uganda) were elected Vice-Chairmen by acclamation.
10. Mr. KABORE (Burkina Faso) nominated Mr. Aguilar-Hecht (Guatemala) for the office of Rapporteur.
11. Mr. Aguilar-Hecht (Guatemala) was elected Rapporteur by acclamation.

#### ORGANIZATION OF WORK (A/C.3/41/1)

12. The CHAIRMAN drew attention to the recommendations on the organization of the session contained in section II of document A/41/250 and Add.1, which had been endorsed by the General Assembly at its third plenary meeting. With the 30 per cent reduction in overtime costs and consequently, in Secretariat services, (A/41/250/Add.1, para. 6), it would be particularly important to begin meetings on time and to make full use of the time allotted. To that end, the General Assembly had decided that meetings of Committees could be convened with one quarter of the members (*ibid.*, para. 8). Furthermore, unless they were voting differently in each instance, delegations should give explanations of vote only once on draft resolutions considered both in a Main Committee and in plenary meeting (para. 8). The General Assembly had also decided that statements made in a Main Committee should not be reproduced in extenso (*ibid.*, para. 9) and that, to save time, at the end of the session, concluding statements should be dispensed with, except for statements by presiding officers (*ibid.*, para. 11).
13. Turning to questions related to the programme budget, he reiterated the General Assembly decisions on the procedure for adopting draft resolutions with financial implications (General Assembly decision 34/401, paras. 12 and 13) and on proposals affecting the schedule of conferences and meetings (General Assembly resolution 35/10 A, para. 6). Finally, a minimum of 72 hours would be required for the submission of draft proposals with programme and financial implications and for their consideration by the Committee, to give the Secretariat time to prepare and reproduce the appropriate statements.

#### Programme of work

14. The General Assembly had postponed consideration of the question of the curtailment of the current session by three weeks. In anticipation of a possible shortening of the Assembly, the attention of the Chairmen of the Main Committees had been drawn to the desirability of sufficient flexibility in their respective programmes of work. He intended to hold intensive consultations with the other

(The Chairman)

officers and with the regional groups as soon as there was further information about a possible curtailment. In the meantime, he had requested the Secretariat to ensure that documentation, the publication of which was currently envisaged for what would normally be the end of the session, would be available at a correspondingly earlier date.

15. He suggested therefore that the Committee should decide on a programme of work which could be reviewed when more was known about the closing date of the session. If the session was curtailed, the Bureau would meet to propose to the Committee a revised programme of work which took into account the views of all the regional groups and the availability of documentation. In addition, if cuts had to be made, he suggested that all agenda items should, as far as possible, be cut back on a pro rata basis.

16. It was so decided.

17. The CHAIRMAN said that the tentative timetable had been prepared on the basis of the usual criteria: items would be discussed in clusters, and in the same order as in the past, with some flexibility based on the availability of documentation. He suggested that the timetable should be adhered to as closely as possible, especially the deadlines for the submission of draft proposals.

18. The Committee was expected to meet from 6 October to 5 December. He suggested that the period from 23 September to 3 October should be allocated to the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families.

19. Deadlines for the submission of draft proposals and the closure of the list of speakers on any given item had been set at 3 p.m. instead of 6 p.m., as a result of the Secretary-General's curtailment of overtime expenses. While the number of formal meetings of the Committee would be the same as the previous year, he was sure that all members understood that there would be some restrictions on meetings of regional groups and other informal meetings.

20. Concerning document A/C.3/41/L.2 on the state of documentation, he wished to point out that the numbers of agenda items coincided with those given in documents A/41/100 and A/41/150 and not with those in document A/C.3/41/1.

21. If he heard no objection, he would take it that the Committee decided to adopt the draft programme of work, taking all his comments into account.

22. It was so decided.

23. Miss EMARA (Eqvpt), referring to agenda item 84, expressed the hope that, as in the past, the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities would be invited to introduce his report (E/CN.4/Sub.2/1987/8 and Add.1) and to participate in the discussion of the item.

24. The CHAIRMAN drew attention to document A/41/573 and noted that the updated report of the Special Rapporteur had not been considered by the Sub-Commission. He wondered therefore whether the report would in fact be before the General Assembly. He was sure that, as in the past, the Third Committee would be flexible, however, and he saw no reason why the report would not be discussed.

25. Mr. LY (Senegal), noting that the Chairman had said that there would be some restrictions on meetings of regional groups and other informal meetings, said that such meetings would have to be held frequently, especially in the light of the Secretary-General's proposal that consensus should be sought on as many issues as possible. The Chairman should therefore endeavour to facilitate consultations in order to expedite the Committee's work. Also, the ability of delegations to enter their names as early as possible on the list of speakers was obviously contingent on the availability of documentation.

26. The CHAIRMAN said that he would certainly insist that documentation be made available earlier than in the past. He agreed on the need for consultations in order to achieve consensus on various items and, to that end, would do his utmost to ensure that meetings of regional groups and other informal meetings took place as needed.

27. Mr. KOMISSAROV (Byelorussian Soviet Socialist Republic) said that, if the session had to be shortened, reductions would have to be made not on an arithmetical basis but according to the importance of the agenda item. As for the report mentioned by the representative of Egypt, it had been drafted by the Special Rapporteur rather than by the Sub-Commission, with the result that the latter's failure to consider it was irrelevant.

28. The CHAIRMAN said that a pro rata approach to the curtailment of agenda items had already been decided upon but that the Bureau would consult with the regional groups on the matter. As for the report mentioned by the Byelorussian representative, it had indeed been prepared by the Special Rapporteur, but the latter had received his mandate from the Sub-Commission and the Sub-Commission must therefore deal with it.

29. Miss EMARA (Egypt) drew attention to paragraph 9 (a) of General Assembly resolution 39/15, which invited the Special Rapporteur "to submit the updated report to the General Assembly at its forty-first session", without explicitly requiring its prior submission to the Sub-Commission. The Special Rapporteur was therefore entitled to submit his report to the General Assembly and to introduce it before it was discussed.

30. The CHAIRMAN said that inviting the Special Rapporteur had been a Committee decision and that he would therefore consult with the Bureau, the parties concerned and the Legal Counsel as to whether to take an ad hoc decision to invite him.

31. Miss EMARA (Egypt) said that a decision must be taken immediately, rather than when the cluster of items came to be considered, because the Special Rapporteur would need sufficient prior notice.

32. Mr. NORDENFELT (Sweden) said that before a decision was taken, the Secretariat would have to study the matter. It was true that the Special Rapporteur required prior notice, but because of the current financial crisis, the financial implications of inviting him must be considered first.

33. Mr. MAHMOUD (Iraq) said that he agreed with the representative of Egypt that time was an important factor and that the matter should be considered as soon as possible.

34. Mr. CALERO RODRIGUEZ (Brazil) agreed that, as a matter of procedure, the Special Rapporteur was entitled to introduce his report. In the light of the financial crisis, however, he doubted whether there was justification for spending the money to invite him.

35. The CHAIRMAN said that he agreed with the representative of Brazil. The Committee must take a decision, but its financial implications posed a problem.

36. Mr. TROUVEROY (Belgium) said that he too agreed with the representative of Brazil. The report itself would be available and the only question was whether the Special Rapporteur should be there to introduce it. He personally felt that every effort should be made to avoid financial implications.

37. Miss EMARA (Egypt) said that the report was very important for her country and for Africa as a whole and that the Special Rapporteur's presence was required even if the report itself was available. She proposed that the Secretariat should prepare a statement of financial implications and that the Committee should discuss them and take a decision before the end of the week.

38. The CHAIRMAN said that it would be extravagant to hold a meeting for that purpose alone. He therefore suggested that the Committee should take a decision at the current meeting.

39. Mr. NORDENFELT (Sweden) suggested that the Committee might decide in principle that no special rapporteurs were required to introduce their reports unless they were already in New York, so that no financial implications would be involved.

40. Mr. BERGTHUN (Norway) recalled that his delegation had already stated in another forum that, for reasons of economy, special rapporteurs need not necessarily be invited to introduce their reports. It felt that those reasons applied to the present case. Moreover, the report in question was not really a new report but simply an updated version of a report that had already been introduced.

41. Mr. RODRIGUEZ (Peru) said that a decision should be taken immediately in order to obviate the need for another meeting, which would cost more than the presence of the Special Rapporteur at the General Assembly. The Committee should not take a selective approach and discriminate among special rapporteurs, however, and he therefore suggested that the Chairman should take note of Egypt's request and determine whether there was any agreement on it.

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42. Mr. MORA GODOY (Cuba) asked whether the Swedish proposal was a formal one. Even if no additional meeting was held to decide the matter, his delegation was prepared to hold consultations on it. He agreed with the representative of Peru that the Committee should not discriminate among special rapporteurs and noted that not all of them had the financial resources to come to New York. He therefore suggested that a decision should be deferred until consultations had been held.

43. Mr. NORDENFELT (Sweden) said that he had simply raised a question of principle and had asked the Committee to consider the implications of the present case for other special rapporteurs. He could not make a formal proposal until sufficient information was available from the Secretariat concerning special rapporteurs for whom no budgetary provision had been made.

44. Mr. HOPPE (Denmark) supported by Miss EMARA (Egypt), said that delegations needed time to consider the problems which had just been raised. He therefore agreed with the representative of Cuba that consultations should be held and a decision taken at subsequent meeting. Such a meeting need not involve extra costs because it could also be used to discuss migrant workers.

45. Mr. TROUVEROY (Belgium) noted that the holding of consultations would not obviate the need for a statement of financial implications.

46. Miss EMARA (Egypt) said that a statement of financial implications would be needed for all special rapporteurs.

47. The CHAIRMAN said that that was also his understanding, and that the Committee would meet when the necessary documents became available.

The meeting rose at 1.15 p.m.