



SUMMARY RECORD OF THE 48th MEETING

Chairman: Mr. HAMFR (Netherlands)

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The meeting was called to order at 3.05 p.m.

AGENDA ITEM 99: OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES  
(continued) (A/C.3/41/L.50, L.52, L.53, L.54, L.55, L.56)

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AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)

1. Mr. BAGBENI ADEITO NZENGEYA (Zaire), speaking on behalf of the sponsors, introduced draft resolutions A/C.3/41/L.50, L.52, L.53, L.54 and L.55 on assistance to refugees and displaced persons in Djibouti, Somalia, the Sudan, Chad and Ethiopia respectively. Additional resources were necessary to finance projects designed to reintegrate the refugees and displaced persons. The serious economic situation of those countries, aggravated by the prolonged drought and natural disaster, necessitated greater humanitarian assistance from the international community.

2. Ghana, Lesotho, Romania and Singapore had become sponsors of draft resolution A/C.3/41/L.52; Austria and Italy had joined the sponsors of draft resolution A/C.3/41/L.55; and Austria, Cuba, the Federal Republic of Germany, Greece, Malaysia and Singapore had added their names as sponsors of draft resolution A/C.3/41/L.50.

3. The Central African Republic, India, Jamaica, Mali and Romania had become sponsors of draft resolution A/C.3/41/L.53. He read out several minor revisions of that draft resolution, and announced that paragraph 6 had been replaced by a new paragraph which read:

"Requests the Secretary-General, in following up on the report of the mission and furthering the integration of developmental and refugee aid, to take steps to ensure that continued joint interagency expert planning for the Sudan takes place as suggested by the mission in its report."

4. A large number of delegations had sponsored the five draft resolutions, whose primary purpose was to call upon all Member States, international organizations and voluntary agencies to render maximum material, financial and technical assistance to the five Governments in question.

5. His delegation was sure that Member States would provide continued assistance and, in that context, he urged the adoption of the draft resolutions by consensus.

6. Mr. FRUHLING (Sweden), introducing draft resolution A/C.3/41/L.56 on the Office of the United Nations High Commissioner for Refugees (UNHCR), said that Malaysia, Morocco, Nicaragua, Peru, Sudan and Zaire had also become sponsors. The draft resolution stressed that voluntary repatriation was the most desirable

(Mr. Frühling, Sweden)

solution to the refugee problem and that assistance and resettlement opportunities should be provided when there were no prospects of any other durable solution. It reaffirmed the need for Governments to co-operate with UNHCR and expressed appreciation for the material and humanitarian response of receiving countries, in particular developing countries which admitted large numbers of refugees.

7. Above all, international burden-sharing was even more important as the number of refugees and asylum-seekers continued to swell. Sweden hoped the draft resolution would be adopted by consensus. UNHCR's activities were purely humanitarian and non-political and it had been in that spirit that Sweden had worked together with the other sponsors.

AGENDA ITEM 94: ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE (continued) (A/41/3 (chap. V, sect. A), A/41/70-S/17708, A/41/93, A/41/113-S/17760, A/41/117-S/17765, A/41/138-S/17797, A/41/167, A/41/177, A/41/178 and Corr.1, A/41/183, A/41/341-S/18065 and Corr.1, A/41/607)

AGENDA ITEM 95: HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS (continued) (A/41/3 (chap. V, sect. A), A/41/70-S/17708, A/41/183, A/41/316, A/41/463 and Add.1, A/41/607)

AGENDA ITEM 96: QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD (continued) (A/41/3 (chap. V, sect. A), A/41/70-S/17708, A/41/607)

AGENDA ITEM 97: INTERNATIONAL COVENANTS ON HUMAN RIGHTS (continued) (A/41/3 (chap. III, sect. C and chap. VII), A/41/40, A/41/70-S/17708, A/41/113-S/17760, A/41/316, A/41/326, A/41/509, A/41/607, A/41/695, A/41/701)

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AGENDA ITEM 103: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT: REPORT OF THE SECRETARY-GENERAL (continued) (A/41/3 (chap. V, sect. A), A/41/511, A/41/607, A/41/701, A/41/706)

6. Miss BAZIYAKA (Rwanda) said that the African Charter on Human and Peoples' Rights had recently entered into force, only five years after its adoption, and that a new non-governmental organization - a purely African creation - was being set up to promote human rights.

(Miss Baziyaka, Rwanda)

9. Much remained to be done, however, in the field of human rights. For example, non-nationals were still not protected by a convention, even though at its fortieth session, the General Assembly had adopted the Declaration on the Human Rights of Individuals Who are not Nationals of the Countries in which They Live.

10. There was also work to be done in implementing existing international instruments. The right of peoples to self-determination, the right to life, security and peace and other human rights continued to be violated in many parts of the world. The United Nations must take firm action and concentrate on finding means of implementing the human-rights instruments. The overcoming of economic disarray and political tension in the modern world would be one of the main tasks. In that connection, Rwanda hoped the draft declaration on the right to development would be adopted by consensus at the current session. It also welcomed the creation of the Committee on Economic, Social and Cultural Rights. The mandates of the newly formed Committee and of the Human Rights Committee were complementary and, as the Tunisian representative had indicated, neither must suffer the consequences of the current financial crisis.

11. The success of both Committees also depended upon strict respect for the principles governing their composition, particularly equitable geographical distribution and the representation of different forms of civilization. Yet the principle of geographical distribution continued to be overlooked in elections to the Human Rights Committee and the other human-rights bodies. In the light of that deplorable situation, Rwanda supported the Tunisian proposal on the composition of that Committee.

12. Rwanda was a party to the Human Rights Covenants and had always co-operated with other States to facilitate their implementation. One of its finest jurists had recently been elected to the Human Rights Committee.

13. Mr. LEBAKINE (Ukrainian Soviet Socialist Republic) said that the International Covenants on Human Rights were exemplary instruments and constituted a sound legal basis for international co-operation in the field of human rights. It was therefore essential to make them more effective by making them genuinely universal. Failure to ratify the Covenants was a breach of obligations under the United Nations Charter, and there was particular irony in the fact that States such as the United States and Israel, whose representatives made such a fuss about the rights of individuals outside their borders, had themselves no intention of acceding to well-established norms of international law pertaining to human rights or of being held accountable before the bodies for their own human rights violations. Those bodies, incidentally, were to be commended for their useful work in helping States parties implement the Covenants.

14. His own country had ratified the Covenants and reported regularly on its consistent implementation of them. It would like to see them supplemented by a convention on the rights of the child. It regretted that progress in drafting one was being sabotaged by certain countries that sought to weaken the draft already

(Mr. Lebakine, Ukrainian SSR)

agreed upon by emasculating the provisions establishing specific legal obligations to protect certain rights of the child.

15. On the question of religious intolerance, his delegation held that freedom of conscience meant primarily the right to define one's own attitude towards religion and that freedom of religious or atheistic belief must be guaranteed for everyone. In his country the Church was separate from the State and believers were citizens first and members of religious organizations second. Believers and the non-believers worked together for the common good and in doing so prevented the emergence of religious intolerance. Certain Western countries, as part of their anti-Soviet policy, denigrate the situation of religious freedom in his country and branded its citizens as atheists lacking spirituality. Religiosity, however, had never prevented its proponents from violating the most basic norms of humanity and international law. In his country freedom of conscience had the same standing as other constitutional rights.

16. Miss CHENG (Democratic Kampuchea) said that the International Covenants on Human Rights, which rightly stressed the link between peace and security and respect for human rights, had resulted in much progress even though States parties continue to violate human rights in such areas as Namibia, Palestine, Afghanistan and Kampuchea. Religious intolerance also persisted in many places, despite the adoption of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief; even though all religions preached tolerance, many of them were unprepared to practise it. Greater efforts should be made, through adequate information and seminars, to promote better understanding of religious intolerance.

17. She then drew attention to the violation of the rights of the Kampuchean people through the abuse of scientific and technological development by the Vietnamese invaders, who, in violation of international law, were guilty of well-documented acts of chemical and biological warfare in her country. Furthermore, flouting international instruments to protect children, the invader: fully aware that children were the future of the nation, were trying to destroy the country's children psychologically, if not physically. That was carried out through a Vietnamization programme that included intensive indoctrination through the rewriting of history, brain-washing, forced conscription of schoolchildren, the destruction of their national identity, and the resettlement of 700,000 Vietnamese nationals. In the areas under her Government's control, on the other hand, every effort was made to ensure the mental and physical health of children and imbue them with feelings of patriotism and democracy.

18. Again in violation of the norms of international law, several tens of thousands of people in her country had been imprisoned, tortured or killed in detention, and she cited a number of well-documented instances.

19. She urged the international community to pressure Viet Nam to respect the international human rights instruments and to accept United Nations resolutions on Kampuchea.

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20. The CHAIRMAN said that the Committee had thus concluded its general discussion of items 94, 95, 96, 97, 98 and 103.

OTHER MATTERS

21. Mr. BUFFUM (Under-Secretary-General for Political and General Assembly Affairs) said that he wished to set the record straight and provide the Committee with further clarification regarding the question raised at the 43rd meeting by the representative of the United Kingdom, speaking on behalf of the twelve members of the European Economic Community, concerning the manner of circulation of certain documents of the General Assembly. He was sure that all were keenly aware that the Secretary-General had had to take a number of extraordinary measures during the current year in order to deal with the financial crisis facing the Organization. Among those, of necessity, had been the deferral or curtailment of meetings and, to the extent possible, reduction in the volume of documentation. Regarding the latter, and with particular reference to the current session, an additional burden had been placed on the translation services as a result of the very commendable effort by the President of the Assembly to shorten the length of the session, in itself resulting in considerable savings. In that regard, he offered his whole-hearted congratulations to the Chairman of the Third Committee for the effective way in which he was conducting the work in response to the President's appeal, notably in punctually starting meetings and in shortening statements.

22. In connection with the President's appeal to shorten meetings, he, the Under-Secretary-General, had been requested to make a special effort to ensure that all reports were submitted to the Committees in good time so that they could be examined by members before they were asked to take a decision on them. In that process, both the Secretary-General and the President of the General Assembly had been advised of the efforts being made.

23. It was therefore in the context of both financial and time constraints that the question of the change in the format of certain documents under consideration by the Third Committee should be viewed. Upon receipt of draft reports, the Office of the Under-Secretary-General for Political and General Assembly Affairs, acting in full concurrence with the Department of Conference Services and others responsible for the control and limitation of documentation, and with a view to saving money and time, had revised the format of those reports in such a way that the sections relevant to the Committee's deliberations were reproduced in all official languages, while those dealing essentially with evidentiary, testimonial or supporting material were reproduced in full in the language of submission. He wished to stress that no changes had been made in the text of the reports as submitted and no material had been withheld or suppressed. That procedure, applied throughout his Office, had not only resulted in savings of over \$100,000 but had also made it possible for those reports to be processed in time for consideration by the Committee.

24. As to the authority under which those measures had been taken, the Committee would recall the relevant resolutions of the General Assembly and the Economic and Social Council concerning the control and limitation of documentation, notably

(Mr. Buffum)

General Assembly resolution 38/32 E which, inter alia, had confirmed the 24-page rule, commended the Secretary-General for his efforts in reducing the length and number of reports and requested him to continue those measures.

25. With respect to prospects for 1987, the Under-Secretary-General for Administration and Management had stated that the situation in terms of resources that would be available was uncertain. He had also stated that it was absolutely clear, however, that the financial difficulties now faced would continue to plague the Organization in 1987.

26. He shared the concern of members of the Committee about changes in the procedures for handling documents which might result in making them less widely available, and the Secretariat would do its utmost to provide the maximum amount of services and materials for the human rights and all other bodies within resources made available by Member States through payment of their duly assessed contributions. However, since the United Nations did not yet have any idea as to the amount it might receive during 1987, it was neither practical nor realistic at the present time to make categorical commitments as to what it would be able to do one year hence. Until a clearer picture emerged in that regard, he hoped that members would acknowledge that it was only prudent to continue to exercise fiscal restraint, and he suggested that members of the Fifth Committee would be happy to confirm that fact.

27. Human-rights issues were an important item and all were concerned about the ability of the United Nations to ensure that all material available in the Committee was also available to the press and anyone requesting it in the quantity desired.

28. Mr. TROUVEROY (Belgium) said that his delegation, like others, was concerned about the financial situation and believed that the Third Committee must do everything to reduce costs. However, all other committees and Secretariat departments must do likewise. He believed that the efforts being made were not uniform and that the bodies dealing with human rights were doing more than others.

29. What the Under-Secretary-General had referred to as evidentiary, testimonial or supporting documents were important and should be made available to delegations in their respective languages so that they could view the material that had led the authors of the reports to reach their conclusions. His delegation was not fully satisfied with the explanation given and hoped that in the near future more information would be made available to the Third Committee.

The meeting rose at 4.30 p.m.