



SUMMARY RECORD OF THE 38th MEETING

Chairman: Mr. HAMFR (Netherlands)

CONTENTS

AGENDA ITEM 92: ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (continued)

AGENDA ITEM 93: FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN TO THE YEAR 2000 (continued)

AGENDA ITEM 101: ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS: REPORTS OF THE SECRETARY-GENERAL (continued)

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

AGENDA ITEM 92: ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN
(continued) (A/C.3/41/L.32)

AGENDA ITEM 93: FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN TO THE
YEAR 2000 (continued) (A/C.3/41/L.31, L.35, L.37 and L.38)

Draft resolution A/C.3/41/L.32

1. Ms. BOGÅRDE (Sweden), introducing draft resolution A/C.3/41/L.32 on behalf of the sponsors, now joined by Japan and Nigeria, said she was happy to note that, since the Convention on the Elimination of All Forms of Discrimination against Women had been opened for signature in March 1980, 91 States had ratified or acceded to it. She drew attention to paragraph 2 of the draft resolution which urged all States that had not yet done so to ratify or accede to the Convention as soon as possible, and to paragraph 3, in which the Secretary-General was requested to submit annually to the General Assembly a report on the status of the Convention.
2. She pointed out that the report of the Secretary-General on the status of the Convention contained the views of some States parties on the matter of reservations to the Convention and the objections made to some of those reservations. She added that 30 reports were awaiting examination.
3. The sponsors hoped that draft resolution A/C.3/41/L.32 would be adopted by consensus.

Draft resolution A/C.3/41/L.31

4. Mrs. SAELZLER (German Democratic Republic), introducing draft resolution A/C.3/41/L.31 on behalf of the sponsors, now joined by the Ukrainian SSR, said that it was based on the Charter objective of maintaining peace and security throughout the world. The third preambular paragraph dealt with the need to ensure equal participation of women in decision-making, including that related to disarmament and security at all levels.
5. The sponsors believed that, in implementing the Nairobi Forward-looking Strategies, due account must be taken of the principles and provisions of the Declaration on the Participation of Women in Promoting International Peace and Co-operation.
6. Her delegation wished to draw attention to two amendments to the draft resolution: the last part of the second preambular paragraph, beginning with the words "underlined the importance of ..." should be replaced by "recognized that women should participate fully in all efforts to strengthen and maintain international peace and security and to promote international co-operation,"; the seventh preambular paragraph should begin with the words "Bearing in mind its resolution 40/102 ...".
7. The sponsors hoped that the draft resolution would be adopted without a vote.

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Draft resolution A/C.3/41/L.35

8. Mrs. BOKOVA (Bulgaria), introducing the draft resolution on behalf of the sponsors, now joined by the Byelorussian SSR, said its main thrust was that, in implementing the Forward-looking Strategies, Governments should respect and promote equally all aspects of the role of women in society - as mothers and as participants in economic development and public life.

9. She reminded members that the draft resolution had been prepared after consultations with a large number of delegations, and hoped that it would be adopted by consensus.

Draft resolution A/C.3/41/L.37

10. Ms. ILIC (Yugoslavia) introduced the draft resolution on behalf of the Group of 77. She drew attention to the main provisions and pointed out that they had been prepared following lengthy consultations between delegations of the Group of 77 and other countries.

11. She hoped that the draft resolution would be adopted by consensus.

AGENDA ITEM 101: ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS: REPORTS OF THE SECRETARY-GENERAL (continued) (A/41/3 (chap. V, sect. A), A/41/70-S/17708, A/41/464, A/41/607 and A/41/701; A/C.3/41/L.4 and Corr.1, L.5 and L.34)

12. Mr. MWEDZI (Zimbabwe) said that it was not so long ago that Zimbabwe had been under the yoke of British colonialism and the minority régime of Ian Smith, as a result of which the black majority had been the victim of both underdevelopment and violations of human rights. Indeed, the confiscation of the best lands for a small minority of white farmers had made millions of black peasants, relegated to poor and overpopulated tribal lands, unable to provide sufficient food for themselves and even less to meet their education and health needs. Under the law, women who, together with old people, were forced to remain in rural areas while the men were employed on large commercial farms and in mines and industry, remained legal minors all their lives. Besides, the racist laws restricted the options of the small number of blacks who had access to education and health services. That gap between an underdeveloped agricultural sector and a modern sector dominated by whites was a situation which, on independence in 1980, the Zimbabwean Government had strived to remedy by a programme for reconstruction and development aimed at improving the quality of life of the peasantry, by giving priority to the fight against poverty, disease and illiteracy. In March 1981, the Zimbabwe Conference on Reconstruction and Development had drawn together 46 countries, 15 United Nations bodies and 12 other international organizations - all of which had undertaken to provide assistance - and had set the stage for the formulation in November 1982 of the transitional development plan, followed by the first five-year development plan, for 1986 to 1990. Those plans were based on the redistribution of lands, resettlement and rural development and on the expansion of educational and health facilities. Thanks to that effort, farmers on communal lands now produced 50 per cent of the country's maize and had undertaken the cultivation of cash crops

(Mr. Mwedzi, Zimbabwe)

such as cotton and tobacco. Education was free, as was medical care for low-income groups. While recognizing that such progress had been made possible by international assistance, the Zimbabwean Government would not allow such assistance to be used to undermine its independence, its right to self-determination and its non-aligned foreign policy.

13. Zimbabwe believed that its development must take place within the context of southern Africa. Zimbabwe was a member of the Southern African Development Co-ordination Conference, which was striving, through regional development strategies, to reduce the economic dependence of the region particularly on South Africa and to promote equitable regional integration. Within that organization, Zimbabwe was responsible for co-ordinating food security projects.

14. The peoples of southern Africa yearned for peace and security, which was, in southern Africa as in central Africa, South-East and South-West Asia, a prerequisite for development and the enjoyment of human rights. The South African régime's campaign of destabilization and military aggression had already cost the members of the Co-ordination Conference more than \$10 billion in six years, without counting the loss in human lives and the suffering it had caused. In addition, it had forced the countries of the region to divert for military purposes resources which could have been used for development. That was why it was imperative that comprehensive and mandatory sanctions should be imposed on the apartheid régime if the peoples of southern Africa, including Namibia and South Africa, were to achieve development and enjoy human rights.

15. Within the context of the 1980 Lagos Plan of Action, Zimbabwe, like the other countries of the Co-ordination Conference, sought, through South-South co-operation, to establish a new international economic order based on justice and sovereign equality. The Eighth Summit Conference of Heads of State or Government of Non-Aligned Countries, held at Harare in September 1986, had decided to establish an Independent Commission, entrusted with studying the possibilities for co-operation among the countries of the southern hemisphere and to propose joint strategies to put an end to hunger, illiteracy and economic stagnation in those countries. Zimbabwe knew from experience that the enjoyment of human rights and fundamental freedoms required conditions of peace and unimpeded development. It was therefore determined, with the other developing non-aligned countries, to promote the adoption by the United Nations of a declaration on the right to development in order to improve the effective enjoyment of human rights and fundamental freedoms. It believed that the Declaration on Social Progress and Development adopted by the General Assembly on 11 December 1969 was a step in the right direction.

16. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that, in its statement on the item under consideration, the United States had in fact proposed to make a clean sweep of the work of the United Nations and to begin virtually from zero the examination of the notion of "human rights", while stressing its own very narrow and pre-conceived interpretation of that notion. Without wishing to bring up again the provocative or aggressive tone of that statement, his delegation wished to point out to the United States delegation that existing international instruments

(Mr. Y. Kovlev, USSR)

in that field not only defined and developed that concept succinctly - particularly the totality of civil, political, social and economic rights - but also embodied the purposes, principles and norms for the realization of human rights which must be observed by all States, in particular the United States. Perhaps that delegation should be reminded that the United States had participated in the elaboration and adoption of those instruments and that its Government had signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. It was clear that the United States was not prepared to acknowledge honestly and respect sincerely human rights in all their aspects and that its attitude was in fact aimed against human rights.

17. According to the United States delegation, the right to development and the other social and economic rights reduced and threatened the rights which protected the individual. In support of that argument, it had pointed out that since 1945 the United States had allocated \$300 billion for official aid to other countries. Those statements were without foundation. On the one hand, the right to development and the other social and economic rights gave a vital and specific substance to all human rights. They enabled peoples and every individual to enjoy genuine rights and guaranteed true "equality of opportunity". On the other hand, the question arose why, in referring to the amounts devoted to "aid", the United States delegation passed over in silence the hundreds of billions that the United States had obtained from developing countries in the form of profits from its aid and investments.

18. It might perhaps be appropriate to recall some figures in order to understand why the United States was opposed to the concept of the right to development. In the period 1980-1984 alone, the United States had received from the third world nearly \$80 billion a year. In his introductory statement at the eighth Conference of Heads of State and Government of the Non-Aligned Countries, held at Harare, the Prime Minister of Zimbabwe, Mr. Mugabe, had mentioned the following figures: in 1985, the third world had spent \$54 billion in payment of its external debt and a further \$13 billion had been transferred to the West in the form of profits from direct private investment. Compared with those \$67 billion in receipts, the West had transferred to the developing countries only \$23 billion, of which \$14 billion were in the form of official development aid and \$9 billion were in the form of direct investment. The drop in raw materials prices had resulted in the loss of an additional \$100 billion for the developing countries. According to data published in the annual report of the Inter-American Development Bank, the Latin American countries had lost since the early 1980s nearly \$100 billion in debt service, without taking account of unregistered capital transfers, which represented amounts several times above that figure. Those facts cast a different light on the position of the United States delegation and the selfish reasons which really prompted the adversaries of the right to development.

19. The Soviet Union supported the opportune and important initiative of the developing countries concerning the adoption of a declaration on the right to development at the forty-first session of the General Assembly. The developing

(Mr. Yakovlev, USSR)

countries could ensure the economic independence and social progress of their peoples only by the establishment of a just new international economic order, through radical socio-economic changes, the strengthening of their sovereignty over their natural resources and the elimination of the harmful consequences of the activities of transnational companies. It was necessary to guarantee the economic security of States. The Declaration on the Right to Development sought to guarantee the right to independent development in conditions of international peace and security, the strengthening of human rights and the elimination of an unjust system in which more than half of mankind was condemned to living conditions of hunger, illiteracy and disease.

20. The Soviet Union had an honest and sincere attitude towards human rights and the rights of peoples. It did not claim unilateral privileges and did not exploit the developing countries. In 1985, the aid furnished by the Soviet Union to developing countries had continued to grow and represented 11.5 billion roubles, i.e. nearly 1.5 per cent of its gross national product. The international community had a duty to help the developing countries to escape from their disastrous economic situation, to free themselves from neo-colonial exploitation, to stem the outflow of their financial resources, to protect themselves against the plunder of transnational corporations and to resolve the serious problem of their external debt. That was why the Soviet Union attached great importance to the adoption of the declaration on the right to development: human rights should be based on genuine equality in rights of all peoples and all individuals. The work accomplished by the United Nations in that field could not be denied or minimized. The Soviet Union and the other socialist countries participated actively with other States having different systems in international co-operation in that field. It had ratified the international instruments relating to human rights and respected their principles and standards.

21. The United States delegation had made use of the rostrum of the Third Committee in order to become involved in an ideological debate with the socialist countries, shrinking from nothing to achieve that end. The Soviet delegation, for its part, would refrain from comparing the position and ideology of the United States delegation to fascism, as the latter had seen fit to do with regard to the Soviet Union, staining its honour and contributing in no way to the development of a constructive dialogue. The fact that the United States was not party to the major international human rights instruments constituted an abnormal situation which hampered international co-operation in that field and demonstrated that, contrary to their statements, the situation of human rights in the United States was far from satisfactory. The limitation of the role of the State, to which the United States delegation had referred, was reflected in reality by a reduction in social programmes, i.e. the negation of the rights of dozens of millions of Americans who thus found themselves without work, housing, social benefits or access to medical services. On the other hand, the role of the State was being strengthened as an instrument of monopolistic and militaristic totalitarianism, which exacerbated the arms race and mortgaged the future of mankind by introducing nuclear weapons in space. That militaristic machine provided its own people with disinformation and tried to enslave others.

(Mr. Yakovlev, USSR)

22. If the United States considered that such was not the case, it should demonstrate it by concrete acts, beginning by ratifying the Covenants and other international human rights instruments. The Soviet Union and the United States would then be able to enter into a serious and constructive dialogue. The Soviet Union was in favour of democratization in all its forms, at both the international and national levels. Many legislative and administrative measures were taken in the Soviet Union to promote the development of international contacts and to resolve in a humanitarian spirit questions concerning family reunions and mixed marriages. The Soviet Union had proposed the holding of a conference of representatives of States parties at the European conference at Vienna to deal with all problems involving humanitarian co-operation, in particular contacts with individuals, questions concerning information, culture and education. It hoped that such a meeting would be held in Moscow, thereby demonstrating its desire to strengthen international co-operation in the field of human rights.

23. Mr. STIRLING (United States of America), speaking in exercise of the right of reply, regretted that the Soviet Union had taken as confrontational the statement made the previous day, at the afternoon meeting, by the United States delegation which had in no way intended to make a propaganda statement but merely to state the facts and present its views on the question of human rights.

24. It was true that the debates of the Third Committee reflected and would inevitably continue to reflect the division of ideologies: for the West, the individual was more important than the State and the human rights of an individual should be protected against any abuse of power by the State; for the East, which proclaimed a collectivist ideology, the State and the Party took precedence over the individual.

25. The United States Government had signed the Human Rights Covenants but the Senate had not ratified them; that gave an example of the separation of powers whereby the protection of human rights was guaranteed in the United States, since the Executive Branch could not force its decision on Congress, as was so often the case elsewhere.

26. The Soviet Union had expressed its concept of the right to development and had referred to the exploitation to which it considered that the United States subjected other countries. At the beginning of the year, the General Assembly had held a special session on the critical economic situation in Africa, which had led to the adoption of a document by consensus. The deliberations of the session had shown, as could be attested to by many delegations and by the document which had been adopted, that the development model which the Soviet bloc had wished to promote had aroused no interest. It would, moreover, be useful to carry out a survey in developing countries to determine how many would accept roubles.

27. As to respect for human rights in the United States there was no problem which had been or could be raised by the Eastern bloc that was not discussed in the United States itself by the media, at the executive level, in the Senate, or by local legislatures. The United States recognized the existence of problems which it was determined to resolve by democratic means and not by a fiat imposed from above.

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(Mr. Starling, United States)

28. It seemed that the remarks of the United States delegation about fascism and nazism had not been properly understood. In the United States of America, people were not thrown into prison because they were misguided enough to preach such ideologies. The American Constitution expressed faith in the citizens and respected them enough not to set up a party which was the repository of all knowledge and regulated the people's lives, by force if necessary.

29. There would always be splinter groups, on the right and on the left, which would say and write what they wished, but it was certain that their ideas would not take root in the United States.

30. The arms race was the Eastern bloc countries' favourite subject, as if the USSR was entirely blameless in the matter of nuclear warhead manufacture.

31. At the end of the Second World War, the American troops had withdrawn, while the Soviet troops had not. In the 1970s, the United States of America, unlike the USSR, had not increased its strategic forces.

32. The United States of America was convinced that the arms race must be brought to an end and that that should be done by negotiation, but it refused to be condemned by the USSR as if that country were beyond reproach. Only the moderation and dissuasive force of Western countries since the Second World War had prevented the large-scale conflict which could have resulted from the expansionist ambitions of the USSR.

33. I. YAKOVLEV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that, firstly, the United States of America should be better informed about the socialist States' philosophy and position, of which all the ideas about the supremacy of collectivism over individualism gave only a clichéd image. In no way did the USSR set up society and the community in opposition to the individual and human rights; rather, it considered that, after 40 years of work on the issue, within the United Nations mere declarations on the subject were no longer enough and that there were instruments which specified how those rights should be protected and guaranteed. There was nothing to be gained from abstractions because flesh-and-blood human beings were involved, living groups of individuals, national or racial minorities. The USSR and the socialist countries were taking steps to realize as far as possible, given the economic reality, the human rights laid down in the Covenants, and it called upon the United States of America to abide by those instruments. It was irresponsible to avoid the truth by resorting to abstract considerations; it was to descend into futile propaganda.

34. Secondly, as the meeting at Reykjavik had shown, the USSR had been prepared - and was still prepared - to come to an agreement on the complete eradication of nuclear weapons, the threat of the development of new types of weapons and nuclear weapons in space. It regretted that the meeting had - through no fault of its own - failed, and that the United States had started a campaign to demolish the few points of agreement between the parties. But all was not yet lost. The statements

(Mr. Yakovlev, USSR)

made by the Minister for Foreign Affairs of the USSR and the General Secretary of the Communist Party of the Soviet Union showed the country's willingness to abolish nuclear weapons and nuclear-weapons tests and emphasized that the arms race must not be extended to outer space. The USSR was waiting for the United States of America to respond favourably to its proposals.

35. Thirdly, there was no point in trying to rewrite history: everyone knew who had dropped the first atomic bomb, which country had surrounded the other with nuclear bases (even now, the USSR was still surrounded), who had begun the manufacture of nuclear and thermonuclear bombs and missiles and had sent nuclear weapons into space.

36. The USSR wanted to halt the downward spiral which was taking humanity to its doom. It was time to go beyond ideologies and the narrow interests of leading classes or groups and consider the future of mankind and of human rights.

37. Mr. STIRLING (United States of America), speaking in exercise of the right of reply for the second time, said that the Soviet delegation had stated that an abstract debate on human rights was irresponsible. The United States of America considered that the promotion and protection of those rights in practice depended on the way in which Governments thought that society should be organized. For that reason, the Declaration of Independence stated that the rights to life, liberty and the pursuit of happiness were inalienable rights. Any achievement in civil, social, economic or political life was derived from those abstractions, which would continue to be at the heart of the Third Committee's work because they touched on the values which were the subject of its debates.

38. As for the need to place the arms race above ideologies, the United States delegation recalled President Reagan's remarks about the relations between the super-Powers, to the effect that the lack of trust between them was not due to the fact that they were armed; they were armed because they did not trust one another. If the United States of America was distrustful, it was because it saw how the USSR treated its own people as well as its neighbours.

39. Mr. SERGIWA (Libyan Arab Jamahiriya), replying to the statement made by the representative of Israel on the previous day, said that zionism was a political movement based on violence, aggression and terrorism, a movement whose philosophy and action were contrary to human rights and had been condemned by the international community.

40. The Zionist philosophy of violence, aggression and terrorism was the cause of its war against the Arab world in general and the Palestinian people in particular, which had been driven from its homeland by armed force. That violence was also turned against anyone who called for justice or equity for the Palestinian people; such persons were immediately silenced by all the means of information and pressure which zionism possessed.

(Mr. Sergiwa, Libyan Arab Jamahiriya)

41. The Zionist base was nothing but the result of the settling in Palestine of criminal elements who had rejected their own countries and, claiming ancestral ties with Palestine, had taken as their main aim the extermination of the people who had been living in that country for thousands of years. Besides taking territory by force, the Zionist cancer wished to exercise hegemonist power over the entire region and expressed that desire in behaviour which was the very antithesis of the principles of human rights. In statistical terms, every three quarters of a Zionist colonist had killed, tortured, robbed or expelled a Palestinian. Four million Palestinians lived in destitution, while the representative of the plunderers had a seat in the Third Committee. He wondered what the representative of the Zionist base could say about human rights when the sinister history of zionism was known to all peoples, including those who had been well disposed towards zionism, and who, as always, had realized the truth too late. In the eyes of zionism, only the Zionists were human beings, and the rest were merely shadows of humanity, whose purpose was to serve them.

42. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that, since the United States of America had already used its second right of reply and would not be able to answer him, he would refrain from using his own second right of reply.

43. Mr. DOWEK (Israel), speaking in exercise of the right of reply, pointed out that he had merely said how tragic it was to see countries such as Libya represented at the Commission on Human Rights and imposing their own standards on the international community. Instead of the reply he had been expecting, he had been the target of a violent attack against Israel, Judaism and zionism.

44. To adopt the human rights standards preached by Libya would be to encourage terrorism, as shown by the murder of a British police officer in London, the attempt to assassinate the former Prime Minister of Libya in Cairo and the bomb planted in a bar in Berlin. Could the establishment of training camps for terrorists not only from Palestine, but from all over the world, or the formation, as announced by the Libyan Parliament, of special units to kill diplomats throughout the world would help to promote human rights?

45. Israel believed that such an aim would be better achieved by negotiation, dialogue and co-operation.

46. Mr. SERGIWA (Libyan Arab Jamahiriya), speaking in exercise of the right of reply for the second time, said that the accusations made against his country by the previous speaker were the result of the disinformation campaign conducted by the masters of the Zionist entity, namely the United States of America. He defied anyone to name a single Libyan who had been involved in the incidents mentioned, and recalled that the Libyan Arab Jamahiriya had declared its readiness, if the United States of America so desired, to submit the problem to the International Court of Justice or any other competent body.

47. The CHAIRMAN said that the Committee had finished its consideration of agenda item 101.

48. Before declaring the meeting closed, he wished to point out that rights of reply should not obscure the real desire of the Committee to reach a consensus on the difficult question of the right to development. It did seem, however, that there had been considerable progress in that area. He would be pleased to provide any support which might serve that end.

The meeting rose at 4.45 p.m.