



SUMMARY RECORD OF THE 39th MEETING

CHAIRMAN: Mr. GARVALOV (Bulgaria)

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The meeting was called to order at 6.20 p.m.

AGENDA ITEM 69: INTERNATIONAL YOUTH YEAR: PARTICIPATION, DEVELOPMENT, PEACE (A/35/361 and Add.1; A/35/855; A/C.3/35/3; A/C.3/35/L.26)

AGENDA ITEM 81: POLICIES AND PROGRAMMES RELATING TO YOUTH (A/35/503; A/C.3/35/3)

AGENDA ITEM 71: PROBLEMS OF THE ELDERLY AND THE AGED (A/35/130 and Add.1 and Corr.1; A/C.3/35/8)

AGENDA ITEM 73: QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD (A/C.3/35/L.14)

AGENDA ITEM 79: INTERNATIONAL YEAR OF DISABLED PERSONS (A/C.3/35/5; A/35/274 and Add.1, A/35/291, A/35/444 and Add.1)

AGENDA ITEM 70: PRESERVATION AND FURTHER DEVELOPMENT OF CULTURAL VALUES, INCLUDING THE PROTECTION, RESTITUTION AND RETURN OF CULTURAL AND ARTISTIC PROPERTY (A/35/349, A/35/419; A/C.3/35/L.22)

AGENDA ITEM 68: ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE

AGENDA ITEM 72: HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS (A/35/202)

AGENDA ITEM 76: INTERNATIONAL COVENANTS ON HUMAN RIGHTS (A/35/65, A/35/96, A/35/132, A/35/137, A/35/173, A/35/185, A/35/288, A/35/434, A/35/437, A/35/462)

(a) REPORT OF THE HUMAN RIGHTS COMMITTEE (A/35/40; A/C.3/35/4)

(b) FUTURE MEETINGS OF THE HUMAN RIGHTS COMMITTEE (A/35/417)

(c) STATUS OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS AND THE OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (A/35/3/Add.34, A/35/195)

1. Mr. DI FILIPPO (Observer for the Holy See) said that, as suggested by the Secretary-General in his report (A/35/130), the World Assembly on the Elderly should not be involved in narrow technical discussions but should address itself to broad topics of general human concern, promote action-oriented programmes and provide guidelines for resolving the various issues connected with the elderly. What was needed was a solution to the problem that was going to be posed by the increasing number of the elderly in the next few decades.

2. The Holy See welcomed the General Assembly's decision to convene a World Assembly on the Elderly, which filled a gap and completed the United Nations approach to the problems of humanity as seen not only in its totality and its physical and social composition, but also in its composition by age group: childhood, youth, adulthood, and now the elderly.

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(Mr. Di Filippo, Holy See)

3. A realization of the actual and the future situation of the elderly was required in order to decide what measures must be taken to improve their lives, to support initiatives that would harness science to alleviate the sufferings of the elderly, to defend their right to life and to minister to their needs. Creative efforts on behalf of the elderly would bring forth fruitful results and lead to a more humanized society. The development of the resources of the elderly would benefit society as a whole. His delegation was convinced that it was of the most urgent importance to explore fully and exploit to the utmost all the possibilities hidden in old age.

4. Mr. BADJI (Senegal) said that the report of the Director-General of UNESCO would provide an opportunity for making an in-depth study of the important question of the protection, restitution and return of cultural and artistic property.

5. The problem of the restitution and return of cultural and artistic property was the subject of General Assembly resolution 3187 (XXVIII) and of resolution 3428 (1974) of the UNESCO General Conference, and also of recommendation 21 of the UNESCO intergovernmental conference on cultural policies in Africa organized in 1975. The idea of restitution had led to the establishment within UNESCO of an Intergovernmental Committee to promote the return of cultural property to the countries of origin. The Committee, on which Senegal had served as Vice-Chairman for one year, had made considerable progress, particularly with respect to bilateral negotiations with certain States. It was clear from the UNESCO activities in that area that the principle of the restitution of cultural property was unquestioned, the only problem being the means of putting it into practice.

6. Senegal's stand on the restitution of cultural property had never varied. In its view, States must make the necessary efforts to establish an infrastructure to receive the works of art if the transfer of such works was to be really effective. In other words, new museums would have to be built and old ones remodelled. In addition, one of the major problems would be the training of the necessary personnel, seeing how few specialists there were in that sphere.

7. As to the principle of the payment of compensation to certain countries if restitution was found to be impossible for any reason, his country's view was that that was a half-measure which would substantially restrict the scope of the restitution of cultural property.

8. Although the idea of the restitution of cultural property had been accepted by the international community, its practical application involved a long process requiring detection and perspicacity on the part of the countries requesting restitution, and good will on the part of the countries which had the works of art in their possession.

9. His delegation wished to draw attention to the concept of the new international cultural order, which many still found difficult to distinguish from that of the *New International Economic Order*. The cultural dimension of development, which was

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(Mr. Badji, Senegal)

inseparable from the economic dimension, was a prerequisite for the establishment of the new world order. The failure of the Development Decade while a new international development strategy was being worked out might be due to a distorted definition of development, based largely on the premise of continuing quantitative growth which took no account of traditional social and cultural values. The new trend in international economic relations induced by soaring oil prices had led the developing countries unconsciously to disregard the cultural premises that were at the root of the reluctance of the industrialized countries to end the inequitable trade relations which formed part of their international economic relations. Therefore, it was necessary to convince the international community, through a new methodological approach, that the concept of a new cultural order was inseparable from that of a new economic order. In that connexion, Senegal had decided to take the following initiatives: to publish a fascicule on the new international cultural order which would be distributed by its diplomatic missions; to submit to the twenty-first UNESCO General Conference in Belgrade a draft resolution requesting the Director-General of UNESCO to organize an international conference on the new international cultural order, following which other draft resolutions would be submitted to the General Assembly of the United Nations on the relationship between the new international cultural order and the new international economic order; and lastly, to adopt complementary measures at the regional level at the headquarters of the West African Economic Community (CEAO), the Common Mauritian and African Organization (OCAM) and other organizations.

10. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic), speaking on agenda item 72, said that scientific and technological developments affected all aspects of life in society and steps must be taken to ensure that such developments promoted human rights. The scientific and technological development of his country was directly linked to that of the other socialist countries and it opened up prospects for the progressive development of society. Article 15 of the Byelorussian Constitution stated that the principal aim of socialist production was the full satisfaction of spiritual needs. In Byelorussia, 136,000 persons were employed at all levels in the field of science and technology and the masses of the population actively participated in such activities through clubs and societies, which had a membership of 400,000. The Byelorussian Soviet Socialist Republic maintained scientific and technical relations with a large number of countries, including developing countries, in many of which Byelorussian experts were working in institutions of higher learning, while training courses for nationals from those countries were organized in Byelorussia. Nevertheless, the results of scientific and technical progress might often be a threat to peace, to the right to life and to freedom. The greatest danger was that of the arms race. For that reason, his delegation welcomed the adoption by the General Assembly of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind and was of the view that States should take steps to prevent scientific and technological progress from having adverse effects.

11. Turning to agenda item 70, he said that under his country's legislation on the preservation of monuments and works of historical and cultural value, State

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(Mr. Ogurtsov, Byelorussian SSR)

bodies and public organizations had been set up which were responsible for their care. Such monuments were important testimony to the country's history and the heritage of future generations. The Byelorussian State had made considerable progress in identifying parts of the historical and cultural heritage which had not yet been socialized and in preserving the country's cultural heritage. His delegation was a sponsor of draft resolution A/C.3/35/L.22, which he urged the other delegations to support.

12. The Secretary of the Committee announced that Congo, Niger, Nigeria and Honduras had joined the sponsors of draft resolution A/C.3/35/L.14, on agenda item 73; Angola and Belgium those of draft resolution A/C.3/35/L.16, on agenda item 83; Congo and the Dominican Republic those of draft resolution A/C.3/35/L.17, on agenda item 80 (a); Chile those of draft resolution A/C.3/35/L.20, on agenda item 80 (c); Qatar those of draft resolution A/C.3/35/L.24, on agenda item 70; Guyana, the United Republic of Tanzania, the Netherlands and Ghana those of draft resolution A/C.3/35/L.24, on agenda item 80 (b); and Qatar those of draft resolution A/C.3/35/L.26, on agenda item 69.

The meeting rose at 7 p.m.