

SUMMARY RECORD OF THE FORTY-FOURTH MEETING

Held on Monday, 18 March 1968, at 3.15 p.m.

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(continued)

<u>Chairman:</u>	Mr. WYZNER	Poland
<u>Rapporteur:</u>	Mr. BEEBY	New Zealand

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CONSIDERATION OF APPLICATIONS OF NON-GOVERNMENTAL ORGANIZATIONS NOT IN CONSULTATIVE STATUS WITH THE ECONOMIC AND SOCIAL COUNCIL INTERESTED IN SENDING OBSERVERS TO THE INTERNATIONAL CONFERENCE ON HUMAN RIGHTS (A/CONF.32/PC/7; A/CONF.32/PC/L.23)  
(continued)

The CHAIRMAN invited the Committee to continue its discussion of the manner in which it should consider the applications.

Mr. SCOLAMIERO (Italy) remarked that there was no need to ask for additional information concerning certain organizations - those which obviously met the criteria laid down in paragraph 11 of General Assembly resolution 2339 (XXII), and those which just as obviously did not meet them and should be automatically excluded; the first category included organizations that were international in their structure and had a demonstrable interest in human rights, while the second included organizations that were national in character, as indicated by their very names.

With regard to another procedural point, he thought that the Committee should fix a time-limit for non-governmental organizations in consultative status to reply to the invitations sent to them, and should seek an indication of the number of representatives that each non-governmental organization which had received an invitation planned to send to the Conference. The Committee should then devote its full attention to the applications of non-governmental organizations not in consultative status and should simply take note of the list of non-governmental organizations in consultative status which wished to take part in the Conference.

Mr. OULD SIDI (Mauritania) thanked the Director of the Division of Human Rights for the information he had furnished at the preceding meeting; had that information been provided in writing before the meetings began, delegations might have had a clearer view of the situation.

His delegation had been particularly interested to hear the comments made at the preceding meeting by the representatives of France and the Soviet Union; the former had referred to the practical problems that would confront the host country if too many non-governmental organizations were invited to take part in the Conference, and the latter had pointed out that the Preparatory Committee needed to know exactly how many invitations had been sent to non-governmental organizations in consultative status and to have a list of those organizations.

The Committee should consider only those applications on which it had to take a decision (A/CONF.32/PC/L.23); and it should reject the applications of

(Mr. Ould Sidi, Mauritania)

organizations which had never been known to fight for human rights and whose activities had political rather than humanitarian aims. On the other hand, the applications of organizations that were well known to be engaged in the defence of human rights, such as the organizations combating apartheid and racial discrimination in southern Africa and those active in the Middle East, should be considered favourably. Those organizations, whose activities did not give rise to any controversy, could be approved without difficulty.

Regarding a possible request for additional information from non-governmental organizations not in consultative status, he feared that in order to consider any such information that might be forthcoming the Preparatory Committee might have to meet until the very eve of the Conference. That question, which had a bearing on the choice of the organizations to be invited, should be decided as soon as possible, so that the host country could make the necessary arrangements.

Mr. MOHAMMED (Nigeria) thought that the Preparatory Committee should decide immediately on applications Nos. 1 and 9 of the Anti-Apartheid Movement and the International Defence and Aid Fund which, as he had recalled at the preceding meeting, were known for the struggle they were waging against apartheid and racial discrimination in southern Africa. There was unanimous agreement concerning them, not only in the Committee but in the General Assembly itself. The Committee might next consider one by one the other applications set out in document A/CONF.32/PC/L.23, beginning with those of non-governmental organizations which were national in character and taking up next those of organizations which were international in structure.

Regarding those other applications, as he had said before, he would not agree to consider those which did not meet the three criteria laid down in paragraph 11 of General Assembly resolution 2339 (XXII). That was his delegation's position, although, in its view, the interpretation of the criteria in question might give rise to discussion. His delegation found it difficult to say whether or not a particular non-governmental organization had a recognized standing, and it was not sure that it understood what was meant by the term "demonstrable" in respect of the interest which an organization had in human rights. The information furnished in the applications it had examined did not enable it to judge whether or not the activities of the applicants showed an interest in human rights.

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(Mr. Mohammed, Nigeria)

Concerning the question of the time-limit of 1 February 1968 for the submission of applications, he pointed out that, as the objective was to limit the participation of non-governmental organizations for the many reasons which had been stated, it would run counter to that objective to accept applications received after that time-limit, as the United Kingdom representative, who favoured greater flexibility in that regard, seemed to wish; it would also run counter to the intention of the General Assembly as expressed in resolution 2339 (XXII). In deference to logic and respect for rules, since not all the non-governmental organizations that asked to take part in the Conference would be invited, the time-limit that had been fixed must be respected, and the Committee must refuse to consider any applications which had arrived late or which might be received by the Secretariat while the Committee was meeting.

Mr. OULD SIDI (Mauritania) whole-heartedly supported the Nigerian representative's proposal to give priority to the two organizations that had submitted applications Nos. 1 and 9; nevertheless, he felt that a number of other organizations also deserved the Committee's attention, namely, the Indian Federation of United Nations Association (application No. 6), the Indonesian Institute for the Defense of Human Rights (application No. 7), the Joint Secretariat for the Upholding of Law in Indonesia (application No. 8), the Society for Human Rights (Iraq) (application No. 12), the Union Nationale des femmes algériennes (application No. 17) and the Worker's Union, Peasant's Union, Women's Union and Student's Union, which had their headquarters in the Syrian Arab Republic (applications Nos. 18, 19, 20 and 21 respectively). The presence of those organizations, which all worked for human rights, would be of great value to the Conference. The applications of those organizations were some of the small number of applications which he would like the Committee to consider. The Committee must limit the number of non-governmental organizations to be invited to the Conference, particularly in order not to put the Iranian Government in an awkward situation with regard to practical matters.

Mr. FOURATI (Tunisia), pointing out that accommodations in the host country were not unlimited, agreed that the number of non-governmental organizations not in consultative status to be invited to the Conference should be held down

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(Mr. Fourati, Tunisia)

to a minimum. In any event, organizations which might make attacks against Governments should be prevented from attending the Conference.

He thought that the Committee did not have enough information on the organizations which had submitted applications; but the Secretariat could obtain additional information. Moreover, if the time-limit for the submission of applications was not strictly applied, the same attitude should be taken in respect to the criteria which should govern the selection of the non-governmental organizations to be invited.

Naturally non-governmental organizations whose activities were not related to human rights should not be invited to the Conference whereas those whose activities in the field of human rights were well known - such as those combating apartheid and racial discrimination - should be invited, and the non-governmental organizations which were national in character could be included in the delegations of their countries.

Mr. ESFANDIARY (Iran) said that his delegation had refrained from speaking in the debate so as not to sway the Committee and not to influence in either direction the decision with regard to the number of non-governmental organizations not in consultative status to be invited to the Conference. The debate had shown that the members of the Committee were agreed that the participation of the organizations in question should be limited, an attitude prompted by their desire to ensure the greatest possible success for the Conference. His Government, too, had the success of the Conference at heart and to that end was doing everything possible to ensure that it would be a landmark in the history of human rights.

There was no doubt that excessive latitude in accepting applications could cause practical difficulties for the host Government, particularly considering the fact that there would be a large number of participants, Secretariat staff and journalists and, furthermore, that no time-limit had been set for the replies to the invitations sent to non-governmental organizations in consultative status. He was merely voicing misgivings, without trying to influence the Committee's decision. He nevertheless wished to express his gratitude to those delegations which had shown understanding of the host Government's position.

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Miss MARTINEZ (Jamaica) remarked that the criterion of "recognized standing" had been introduced to meet the fears of some delegations that organizations might be formed and submit applications with the sole aim of embarrassing certain States. The criterion of "demonstrable interest" in the agenda items meant that the non-governmental organizations were to have indicated the nature of their activities in the field of human rights. It was regrettable that most of them had not done so.

As to the concern expressed by the Iranian representative, her delegation hoped that, by applying the criteria established by the General Assembly, it would be possible to limit the number of organizations invited. She felt that the organizations fighting against apartheid should receive invitations. In view of the large number of national organizations which could apply to attend the Conference as legitimately as those which had done so, it would be better for them to be represented in national delegations in order to avoid inviting a multiplicity of organizations.

Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that all members of the Preparatory Committee shared the host country's concern to ensure the success of the Conference and to make it a milestone in the history of human rights.

The host country was faced with difficulties in that, in view of the number of delegations and organizations already invited, the possibility of inviting more was extremely restricted. The two organizations listed as Nos. 1 and 9 in the document before the Committee - the Anti-Apartheid Movement and the International Defence and Aid Fund - satisfied the criteria established by the General Assembly and the Preparatory Committee and had a demonstrable interest in the first item of the provisional agenda for the Conference. They were well known to the United Nations and had contributed positively to the Seminars in which they had participated. The Committee should therefore decide to invite them.

Bearing in mind the large number of participants, the Committee would be well advised to accept only organizations commanding unanimous approval. He therefore suggested that it should invite the two organizations he had mentioned and consider inviting four other organizations whose attendance would raise no objections in the Committee, namely, the International Organization of Journalists (No. 10), the International Union of Students (No. 11), the World Assembly for Human Rights (No. 22) and the World Association of World Federalists (No. 23). To avoid spoiling the atmosphere of the Conference, it would be advisable not to consider organizations to which there was opposition and which raised political problems.

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Mr. MOHAMMED (Nigeria) said that his Government approved of those non-governmental organizations, whether national or international, which were active in the field of human rights. Nevertheless, any United Nations consideration of questions connected with such organizations was necessarily political and called for the exercise of caution. One of the criteria established by the General Assembly was that organizations invited should be international in their structure and the Mauritanian proposals in respect of certain organizations could not therefore be accepted.

His delegation would welcome details of the human rights activities of the World Association of World Federalists (No. 23) from the USSR representative, who had proposed the acceptance of that organization's application. His delegation was prepared to support the applications of the four organizations proposed.

Mr. MAHMASSANI (Lebanon) observed that while his delegation held the two organizations listed as Nos. 1 and 9 in high esteem, it wondered whether it was necessary to single out two organizations at the present stage, for there had been no opposition to the others. The Syrian delegation had stated that supplementary information was to be provided on the four organizations of the Syrian Arab Republic (Worker's Union, Peasant's Union, Women's Union and Student's Union) (Nos. 18, 19, 20 and 21) and a decision which did not take account of that information would be premature. Those organizations satisfied the criteria established and he felt that all applications should be examined.

Mr. OULD SIDI (Mauritania) recalled that the Committee's attention had been drawn to the need to restrict, as far as possible, the participation of non-governmental organizations, not that there was any doubt as to the value of their activities in defence of human rights but because of the practical difficulties facing the host country. In a desire to hold down the number of invitations, he had enumerated the organizations which he felt should be invited. He did not share the Nigerian representative's view that his suggestion, which had not been a formal proposal, was at variance with the provisions of General Assembly resolution 2339 (XXII), but he withdrew it nevertheless.

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Mr. BEEBY (New Zealand) considered that organizations which did not satisfy the criteria could not be accepted. Some of the applications received were from national organizations and he did not see how the Committee could decide to invite them, disregarding the criteria established in the basic resolution. Unless supplementary information showed that such organizations were engaged in international activities, their applications should be rejected.

With regard to the French representative's suggestion that national non-governmental organizations might be included in national delegations, he pointed out that such organizations might not wish thereby to become governmental organizations.

The USSR representative had asked the Secretariat for details of the 142 non-governmental organizations in consultative status which had been invited to the Conference. The Committee was not, however, called upon to re-examine the question of organizations in consultative status; the General Assembly had decided that the Secretariat should make an appropriate choice. He nevertheless had no objection to a list of invited organizations being circulated to the Committee.

Mr. NASINOVSKY (Union of Soviet Socialist Republics) stated that his Government had just signed the two International Covenants on Human Rights and he expressed the hope that other Powers would follow its example.

He had proposed earlier that the Committee should take a decision on the applications of two organizations and consider the applications of four others. The Committee must now proceed with the practical aspects of its task; he would then be able to answer the Nigerian representative's question.

Replying to the New Zealand representative's remarks, he said that the activities of certain organizations in consultative status might be identical with, and a duplication of, those of organizations not in consultative status. The matter was therefore of interest to the Preparatory Committee which, moreover, should be privy to everything connected with the Conference.

Mr. MAHMASSANI (Lebanon) said that he had now received the information required to support the applications of the organizations in the Syrian Arab Republic. He believed that there should be informal consultations to decide how the criteria laid down by the General Assembly should be applied.

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Mr. HAQUE (Pakistan) said that paragraph 11 of General Assembly resolution 2339 (XXII) defined the Committee's task very clearly: it should approve the application of any non-governmental organization which met the requirements. However, it should bear in mind when sending out invitations the limited capacity of the host country.

Mr. CZAJKOWSKI (Poland) recalled the proposal of the representative of Nigeria that a decision should be taken on the applications numbered 1 and 9 (A/CONF.32/PC/L.23), which seemed to meet with the unanimous approval of the members of the Committee.

Mr. N.N. JHA (India) proposed that the number of organizations to be dealt with in the informal consultations should be limited in order to take into account the capacity of the Government of Iran to offer its hospitality. On the other hand, paragraph 11 of the General Assembly resolution should be interpreted rather broadly.

Mr. MILTON (United Kingdom) said that the Anti-Apartheid Movement and the International Defence and Aid Fund met two of the criteria in that the two organizations were of recognized standing and had a demonstrable interest in the items on the provisional agenda for the Conference. If the third criterion was strictly applied, the two organizations might not qualify, since although their activities were international and they received funds from abroad, they were not international in structure.

The CHAIRMAN noted that the members of the Committee agreed that, in selecting the non-governmental organizations not in consultative status to be invited to the Conference, the criteria laid down by the General Assembly should be applied, albeit flexibly, that the capacity of Iran as host should be borne in mind, and that it was too late to ask the organizations for additional information on their activities. The Committee had also tacitly accepted the proposal of the representative of Mauritania that only the applications contained in document A/CONF.32/PC/L.23 should be considered. There was no doubt that all the members were prepared to approve the request of the organizations numbered 1 and 9, and there seemed to be no real objection to the applications of the organizations numbered 10, 11, 22 and 23, although some delegations wished to have informal consultations on the subject.

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(The Chairman)

He suggested that, if there was no objection, the Committee should examine the applications of the Anti-Apartheid Movement and the International Defence and Aid Fund.

Mr. MAHMASSANI (Lebanon) pointed out that any decision on those two organizations would mean that the Committee had already decided how to apply the criteria, without awaiting the outcome of the informal consultations, thus prejudging the decisions on the other organizations. He had no objection to the approval of the two applications in question, but simply wished to make the procedural point.

The CHAIRMAN explained that there was no question of prejudging the decision on the other organizations, but simply of taking a decision on those two organizations. Practical results were more important than academic discussion.

Mr. MOHAMMED (Nigeria) said that it was obvious that the two organizations met the three criteria laid down by the General Assembly, and a decision on them would therefore not prejudice the application of those criteria.

Mr. LAZAREVIC (Yugoslavia) agreed with the Chairman and the representative of Nigeria.

Mr. OULD SIDI (Mauritania) said that in view of the statement by the representative of the United Kingdom, which had thrown considerable light on the organizations numbered 1 and 9, and of the request by the representative of India that there should be informal consultations, he formally moved that the meeting be adjourned.

The CHAIRMAN put to the vote the motion to adjourn.

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

Kenya, having been drawn by lot by the Chairman, was called upon to vote first.

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In favour: Kenya, Lebanon, Mauritania, Tunisia, India.

Against: New Zealand, Nigeria, Pakistan, Poland, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia, Canada, Colombia, France, Italy, Jamaica.

Abstaining: Philippines, Iran.

The motion to adjourn was rejected by 13 votes to 5, with 2 abstentions.

The CHAIRMAN invited the Committee to discuss the applications numbered 1 and 9 in document A/CONF.32/PC/L.23.

Mr. N.N. JHA (India) said that he supported the applications of the organizations because of the remarkable work they were doing, and not because they met the criteria mentioned in paragraph 11 of General Assembly resolution 2339 (XXII), since they were not, strictly speaking, international in structure.

Miss MARTINEZ (Jamaica) explained that the sponsors of the text which had become General Assembly resolution 2339 (XXII) had drafted paragraph 11 with the specific intention of making it possible to invite the organizations numbered 1 and 9.

Mr. BEEBY (New Zealand) felt that the two organizations adequately met the criteria laid down by the General Assembly. While the Anti-Apartheid Movement, with headquarters in London, was not international in structure in the strict sense of the term, it acted as a spokesman in the United Nations for a number of organizations opposing apartheid.

Mr. MAHMASSANI (Lebanon) supported the applications of the two organizations under discussion.

The CHAIRMAN suggested that the applications of the Anti-Apartheid Movement and the International Defence and Aid Fund be approved.

It was so agreed.

Mr. OULD SIDI (Mauritania) said he was gratified that the first two organizations selected should be organizations engaged in fighting apartheid and racial discrimination.

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Mr. SQUIRE (United States of America) explained that his delegation had not voted against approval of the applications because of the importance of the question of apartheid and racial discrimination on the one hand and of the information given by the representatives of Jamaica and New Zealand about the organizations and on how they met the criteria.

However, if the applications had been put to the vote, his delegation could not have supported them, because it was in favour of a strict application of the criteria, and his delegation did not believe that there was sufficient evidence that the Anti-Apartheid Movement was international in structure.

The meeting rose at 5.55 p.m.