



General Assembly

Fifty-eighth session

Official Records

Distr.: General
12 December 2003

Original: English

Third Committee

Summary record of the 57th meeting

Held at Headquarters, New York, on Wednesday, 26 November 2003, at 10 a.m.

Chairman: Mr. Maertens (Vice-Chairman) (Belgium)

Contents

Organization of work

Agenda item 107: Follow-up to the International Year of Older Persons: Second World Assembly on Ageing (*continued*)

Agenda item 111: Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century" (*continued*)

Agenda item 110: Advancement of women (*continued*)

Agenda item 117: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

In the absence of Mr. Belinga-Eboutou, Mr. Maertens (Belgium), Vice-Chairman, took the Chair.

The meeting was called to order at 10.50 a.m.

Organization of work

1. **Ms. Al Haj Ali** (Syrian Arab Republic) said she was extremely disturbed that her persistent requests to speak had been ignored during the 48th meeting, when she had wished to comment on the work of the Committee and on the Chairman's decision, without consultation, to defer the vote on a specific draft resolution. She hoped that the refusal had not been an attempt to put pressure on delegations with regard to that draft resolution.

2. **Mr. Roshdy** (Egypt) urged the Chairman to leave ample time for statements before the conclusion of the Committee's work.

Agenda item 107: Follow-up to the International Year of Older Persons: Second World Assembly on Ageing (continued) (A/C.3/58/L.10/Rev.1)

Draft resolution A/C.3/58/L.10/Rev.1: Follow-up to the Second World Assembly on Ageing

3. **The Chairman** announced that the draft resolution had no programme budget implications.

4. **Mr. Kadiri** (Morocco), speaking on behalf of the sponsors, said that they had been joined by Albania, Andorra, Austria, Belarus, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Moldova, Monaco, Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom and the United States of America. He thanked delegations for their constructive attitude that had facilitated the consensus.

5. *Draft resolution A/C.3/58/L.10/Rev.1 was adopted.*

Agenda item 111: Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century" (continued) (A/C.3/58/L.85)

Draft resolution A/C.3/58/L.85: Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly

6. **The Chairman** introduced the draft resolution, prepared on the basis of informal consultations.

7. *Draft resolution A/C.3/58/L.85 was adopted.*

8. **Mr. Fox** (United States of America) said that his country strongly supported and promoted women's full enjoyment of human rights and fundamental freedoms. However, its having joined the consensus on the draft resolution in no way constituted a reaffirmation of language used in the Beijing Declaration and Platform for Action, in the outcome of the twenty-third special session of the Assembly or in documents mentioned therein. His delegation further understood that none of the terms used in the draft resolution or in previous United Nations documents should be interpreted as constituting support for abortion or abortion-related services. It did, however, support assistance to women suffering from illnesses or injuries caused by legal or illegal abortion, including post-abortion care, and did not consider such treatment to be abortion-related services. Finally, his delegation noted that, like previous United Nations resolutions, the documents adopted at the current session contained important political goals and coordinated plans of action and were not intended to and did not create legally binding obligations on States under international law.

9. **The Chairman** announced that the Committee had thus concluded its consideration of agenda item 111.

Agenda item 110: Advancement of women (*continued*)
(A/C.3/58/L.36)

Draft resolution A/C.3/58/L.36: Future operation of the International Research and Training Institute for the Advancement of Women

10. **The Chairman** drew the Committee's attention to document A/C.3/58/L.86, which contained a statement on the programme budget implications for the draft resolution.

11. **Mr. De Barros** (Secretary of the Committee) read out the oral revisions announced by the representative of Morocco during his introduction of the draft resolution.

12. **Mr. Kadiri** (Morocco), speaking on behalf of the Group of 77 and China, said that, in the light of the appointment to the new Director of the International Research and Training Institute for the Advancement of Women (INSTRAW), paragraph 7, subparagraph (a), should be deleted. He congratulated Ms. Moreno of Mexico on her appointment as Director of INSTRAW and, pledging the support of the Group of 77 and China, wished her every success in her mandate.

13. **The Chairman** announced that a recorded vote had been requested and pointed out that, under rule 128 of the rules of procedure, the proposer of a proposal could not speak in explanation of vote. He invited delegations to make general statements on the draft resolution.

14. **Mr. Kadiri** (Morocco), speaking on behalf of the Group of 77 and China, said that the issues covered in the draft resolution were a high priority for the United Nations, which would be working hard to promote them at the national, regional and international levels, especially through its study and research mechanisms. INSTRAW was the only such mechanism for the advancement of women and was headquartered in a developing country. Considerable progress had been made in implementing the recommendations of the Working Group on the Future Operation of INSTRAW, including the long-awaited appointment of its Director. That momentum must be pursued so that INSTRAW could fulfil its mandate and must take the form of both political and financial support, if necessary, from the international community. He deeply regretted that financial considerations had prevailed over the substantive goal of the advancement of women and that a vote had been requested despite all the efforts to

obtain a consensus. He encouraged all delegations to vote in favour of the draft resolution, which would constitute a vote in favour of the advancement of women the world over.

15. **Mr. García González** (El Salvador), associating himself with the statement made by the representative of Morocco, expressed his delegation's gratitude for the support given to the draft resolution.

16. **Mr. Félix** (Dominican Republic) asked which delegation had requested a vote.

17. **The Chairman** replied that it had been the United States delegation, joined by the Japanese delegation.

18. **Ms. Olivera** (Mexico), supporting the comments made by the representatives of Morocco and El Salvador, said that INSTRAW had done sterling work to promote the advancement of women through its studies. She congratulated the newly appointed Director, a veteran diplomat, and urged all delegations to support the draft resolution, bearing in mind the substantive rather than the financial aspects of INSTRAW's work.

19. **Mr. Félix** (Dominican Republic) said that, as the INSTRAW host country, the Dominican Republic endorsed the statement made on behalf of the Group of 77 and China. The recommendations of the Working Group on the Future Operation of INSTRAW would contribute to the Institute's total revitalization. For example, the amendment of articles III and IV of its statute, approved in Economic and Social Council resolution 2003/57, had replaced the Board of Trustees composed of experts with an Executive Board composed of 10 member States and had given the Director a greater say in programme decision-making. Four members of the new Executive Board had already been appointed and he trusted that the entire Board would be constituted in the near future.

20. The post of Director of the Institute had remained vacant for an entire year, preventing INSTRAW from starting its fund mobilization and its revitalization. He hoped that the Institute would be endowed with the additional resources needed to enable its Director to present her report within the time frame fixed in General Assembly resolution 57/311. The Committee had shown through its resolutions its support and belief in a new reinforced INSTRAW capable of promoting and implementing research and training programmes

for the advancement of women and gender equality worldwide. By encouraging intergovernmental, governmental and non-governmental efforts, INSTRAW fulfilled a crucial role in promoting the international agenda on gender equality, development and peace and awareness of women's issues worldwide and preparing women to face new challenges and trends. Despite its critical financial situation, INSTRAW carried out innovative programmes using its Gender Awareness Information and Networking System (GAINS), implemented research projects in collaboration with researchers all over the world, developed networks of national focal points and an online library in the form of a data base of over 2,000 sources from all corners of the world.

21. He appealed to all delegations to support the draft resolution, thus enabling INSTRAW to put its new projects into practice and resume its rightful place as the only United Nations institute on research and training relating to women and one of only three United Nations bodies located in a developing country.

22. **The Chairman** invited members to make statements in explanation of vote.

23. **Ms. Durán** (Spain), speaking in explanation of vote before the voting, noted that INSTRAW was the only United Nations agency operating in Latin America and the only agency in the United Nations system working to resolve gender-related issues. Her delegation therefore wished to thank the participants in the Working Group established by Assembly resolution 56/125. Since that resolution had been adopted unanimously by members of all five regional groups, Spain would vote in favour of the draft resolution.

24. **Mr. Fox** (United States of America) said that his country had been an active member of the Working Group on the Future Operation of INSTRAW and had supported efforts to give the Institute appropriate and effective leadership and oversight. In that regard, the appointment of a Director was encouraging. If the Institute was to be viable, it must rely on voluntary contributions. Because his delegation could not support paragraph 5 of the draft resolution, which provided for additional funding from the regular budget, it had requested a recorded vote and would vote against the resolution.

25. **Ms. Ohashi** (Japan) said that Japan had long attached great importance to the advancement of women and gender issues and was deeply committed to

the goal of achieving gender equality. It had thus been one of the biggest donors to INSTRAW over the past decade, and firmly believed that the Institute should be supported by voluntary contributions. Japan had been rather disappointed that there had been no real sign of revitalization, despite the extended provision of a subsidy from the United Nations regular budget. Since Japan contributed almost 20 per cent of the United Nations budget, it could not allow that situation to continue. It was particularly concerned about paragraph 5 of the draft resolution, as orally revised. The words "if needed" appeared to imply that the funds would be automatically allocated from the regular budget in case of need. Now that INSTRAW had a new Director, it should not require additional funding from the regular budget, and continued subsidies would undermine its accountability. Her delegation would therefore vote against the draft resolution, as orally revised.

26. **Ms. Grollová** (Czech Republic) said that her delegation would not be able to support the draft resolution, and would therefore abstain in the vote. The long-awaited appointment of a Director was to be welcomed. However, the Czech Republic had worked hard with the other members of the Working Group to improve the mandate and structure of INSTRAW in an effort to make its mandate more transparent and give Member States greater control over its management. The Institute should become more viable and thus attract old and new donors alike, and the Czech Republic was willing to consider voluntary contributions in the future.

27. *A recorded vote was taken on draft resolution A/C.3/58/L.36.*

In favour:

Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Jordan, Kenya, Kuwait, Lao People's

Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Canada, Japan, New Zealand, United States of America.

Abstaining:

Albania, Austria, Belgium, Bulgaria, Cambodia, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Latvia, Liechtenstein, Lithuania, Luxembourg, Nauru, Netherlands, Norway, Poland, Republic of Korea, Russian Federation, San Marino, Slovenia, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

28. *Draft resolution A/C.3/58/L.36 was adopted by 126 votes to 5, with 33 abstentions.*

29. **The Chairman** invited members to make statements in explanation of vote after the vote.

30. **Ms. Mårtensson** (Sweden), speaking also on behalf of Denmark, the Netherlands and the United Kingdom, said that the countries concerned were strongly committed to the advancement of women, to the promotion of women's rights worldwide, and to the ultimate goal of gender equality, and believed that the United Nations system had a vital contribution to make in that field. However, because the draft resolution just adopted might imply a commitment to future additional subsidization of INSTRAW from the regular budget, it was inconsistent with General Assembly resolution 55/219, which had decided that assistance to the

Institute would be provided on a non-recurrent basis. The cycle of petitions to the General Assembly for funding had continued, contrary to that provision. Member States that continued to believe in INSTRAW should offer sufficient voluntary funding. The wider membership of the United Nations should not be asked to meet any future funding gap.

31. **Ms. Kyung Whakang** (Republic of Korea) said that her country attached great importance to the advancement of women, both domestically and internationally, through the work of the United Nations, including INSTRAW. It welcomed the appointment of the new Director, but could not support the possible financial implications of the draft resolution. INSTRAW should function on the basis of voluntary contributions. The Republic of Korea had therefore abstained.

32. **Ms. Maillé** (Canada), speaking also on behalf of Australia and New Zealand, acknowledged the efforts made to revitalize INSTRAW during the previous year, and hoped that its newly appointed Director would raise the funds necessary to ensure its proper functioning. In light of the overall United Nations reform process, however, those three countries could not presently support allocations to the Institute from the regular budget.

33. **Ms. Elisha** (Benin) said she hoped for a more successful conclusion next year, through the support of donors and development partners.

34. **Mr. Kadiri** (Morocco) thanked all those countries that had voted in favour of the draft resolution and said that financial considerations should not be allowed to prevail over the common cause of all nations to promote gender equality and the advancement of women.

35. **The Chairman** proposed that the Committee recommend to the General Assembly that it take note of the note by the Secretary-General transmitting the report on the activities of the United Nations Development Fund for Women (A/58/168), the report of the Secretary-General on the future operation of the International Research and Training Institute for the Advancement of Women (A/58/417), and the report of the Working Group on the Future Operation of the International Research and Training Institute for the Advancement of Women (A/58/540). The Committee had thus concluded its consideration of agenda item 110.

36. **Mr. Fox** (United States of America) said that it was the understanding of his delegation that the Committee was taking note of those reports in a manner consistent with General Assembly decision 55/488.

37. **The Chairman** said that the Secretariat had taken due note of the statement of the United States representative.

Agenda item 117: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/58/L.52, L.61, L.62 and L.78)

Draft resolution A/C.3/58/L.52: The right to development

38. **The Chairman** said that the draft resolution had no budget implications. He noted that China had joined the sponsors of the draft resolution.

39. **Mr. Rastam** (Malaysia), speaking on behalf of the States members of the Non-Aligned Movement, recalled that the Commission on Human Rights had requested the Subcommission on the Promotion and Protection of Human Rights to prepare a concept document establishing options for the implementation of the right to development. In the current draft resolution, the General Assembly expressed its interest in the deliberations to be held by the Commission on that concept paper. The draft resolution also required the General Assembly to call United Nations agencies, funds and programmes, as well as the specialized agencies, to mainstream the right to development into their programmes and objectives, and stressed the need for the international financial and multilateral trading systems to do the same. In the Commission on Human Rights, many members of the European Union had voted in favour of the text, and that was a welcome development. The Non-Aligned Movement had therefore worked to accommodate the concerns of all delegations and held open consultations with all its partners. Since the introduction of draft resolution A/C.3/58/L.52, further negotiations had been held, resulting in a number of revisions to the text. In the spirit of present efforts to reduce costs, his delegation had not requested that a revised text of the draft

resolution be issued and had therefore circulated a text of the proposed revisions to the Committee.

40. **Ms. Astanah** (Malaysia) announced several revisions to draft resolution A/C.3/58/L.52.

41. In the sixth preambular paragraph, the word “all” should be replaced by the word “fundamental”. In the tenth preambular paragraph, the words “Final Document of the” should be deleted, and the word “Countries” replaced by the word “Movement”. In the twelfth preambular paragraph, the words “and integrated” should be inserted between the words “multifaceted” and “approach”.

42. The following text should be inserted as new paragraph 2: “*Requests* the Working Group at its fifth session to revisit and build on the Agreed Conclusions of the third session of the Working Group in order to constructively and effectively fulfil its mandate, bearing in mind that the Working Group did not reach a conclusion at its fourth session”. In paragraph 3, the words “as contained in the Agreed Conclusions of the third session of the Working Group” should be inserted after the word “principles”; the words “that underpin” deleted; the words “congruent with” inserted before the words “the purpose of”; the words “equity” and “transparency” deleted; and the phrase “underlining also the importance of the principles of equity and transparency” added. In paragraph 9, the words “and national” should be inserted following the word “international”; the word “level” changed to “levels”; and the words “undertake necessary policy formulation and” deleted. Paragraph 14 should become a new twelfth preambular paragraph and the initial word “*Recognizes*” changed to “*Recognizing*”.

43. Furthermore, in paragraph 16 the phrase “in particular in relation to agricultural trade and other” should be replaced by the words “including in”. In paragraph 22, the words “and additional” should be inserted between the words “further” and “measure”. In paragraph 24, the phrase “including the repatriation of illegally acquired assets and funds to the countries of origin” should be deleted; the phrase “to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery” inserted between the word “levels”, and the words “and stresses”. In paragraph 25, the passage beginning with the words “inter alia” and ending with the words “those options” should be deleted. In paragraph 27, the phrase

“including in particular ensuring” should be replaced by the words “and ensure”; the word “and” should be inserted between the word “funds” and the word “programmes”; and the word “its” inserted between the words “programmes and” and “specialized agencies”. In paragraph 28, the phrase beginning with “*Stresses the need*” and ending with “objectives of” should be replaced by the words “*Calls on*”; the word “and” inserted between the word “funds” and the word “programmes”; the word “and” following the word “programmes” replaced by the phrase “as well as its”; the phrase “to mainstream the right to development in their operational programmes and objectives” inserted between the words “specialized agencies” and the words “and stresses the need”; and the phrase “to mainstream the right to development in their policies and objectives” inserted after the words “trading systems”. Finally, in paragraph 30, the words “an interim report” should be inserted between the words “ninth session and” and the words “to the Commission on Human Rights”.

44. **The Chairman** said that a recorded vote on the draft resolution had been requested by the United States delegation and invited Committee members to make a general statement before the Committee proceeded to a vote.

45. **Ms. Borzi** (Italy), speaking on behalf of the European Union, said that the European Union was fully committed to the realization of the right to development, and believed that it was essential to achieve the broadest possible consensus in efforts to promote that right. Its members would have welcomed a reference in the draft resolution to the mainstreaming of a rights-based approach in United Nations agencies, funds and programmes, since that was the approach increasingly being taken throughout the United Nations system. Moreover, it was the mainstreaming of all human rights, without distinction, that should be emphasized in such a text. It would also have been preferable to include a precise quotation from the Vienna Declaration and Programme of Action, rather than the abbreviated version that had been chosen. The European Union welcomed OHCHR’s efforts to promote the right to development. Noting that the Commission on Human Rights had mandated the Office to assist the Subcommittee in producing its concept document by developing studies on existing bilateral and multilateral programmes and policies, she said that the European Union looked forward to

working with the relevant actors in support of its efforts and in the organization during 2004 of a high-level seminar on the right to development, as mandated by the Commission on Human Rights. The revised draft represented an improvement on the original version.

46. **Mr. Honjo** (Japan), speaking in explanation of vote before the voting, said that a number of the amendments proposed by his delegation during the negotiations had been accepted and the text might provide a fair basis for future work on the right to development. However, the draft resolution as a whole failed to strike an appropriate balance between the national and international aspects of the issue and between civil and political rights and economic, social and cultural rights. It was true that the international environment had a significant impact on a State’s national policies, but those policies were a matter for each sovereign State to determine. The much vaunted interdependence of States in a globalized world did not give States an excuse for abrogating their responsibilities towards their own citizens, who were the supreme stakeholders in the right to development. He was disappointed at the cursory treatment in the draft resolution of the human aspects of the right to development, which should be at the heart of the discussion. In addition, he was concerned at the inclusion in paragraph 25 of the reference to a concept document on the options for the implementation of the right to development: as a matter of principle, his Government opposed the establishment of legal standards in relation to that right, as such standards were, by their nature, incompatible with its approach to the right to development and to development itself. For all those reasons, his delegation would abstain in the voting.

47. **Ms. Zack** (United States of America), speaking in explanation of vote before the voting, said that the draft resolution perpetuated the idea that a country’s lack of development justified the denial of internationally recognized human rights. Development depended on good governance, which allowed individuals to develop their talents to the maximum extent, speak and associate freely with each other and regularly choose their own government. Her delegation could not support the call for scarce resources to be devoted to the preparation of the concept document by the Subcommittee on the Promotion and Protection of Human Rights since there was little likelihood that any

legally binding instrument would garner significant support. Nor could it support the premature call for more progress in realizing the right to development, given that there was no internationally accepted definition of that right. For those reasons, her delegation had called for a recorded vote and would vote against the draft resolution.

48. *A recorded vote was taken on draft resolution A/C.3/58/L.52.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great

Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

Australia, Canada, Georgia, Japan, Republic of Moldova, Sweden.

49. *Draft resolution A/C.3/58/L.52 was adopted by 158 votes to 2, with 6 abstentions.*

50. **Mr. Choi** (Australia), explaining his delegation's position, said that his delegation believed that the right to development was a fundamental human right but had abstained in the voting because the resolution did not adequately recognize the positive effects of globalization or the fact that effective development assistance should respond to a country's own development plans and should take account of and complement all other forms of development assistance, including domestic resources and trade. The primary responsibility for realizing human rights, including the right to development, rested with States, and development was best achieved by assessing a country's needs and responding on the basis of that assessment. His Government's aid programme did precisely that and contributed to the advancement of all human rights by focusing on poverty reduction, sustainable development and good governance. His delegation believed that the core international human rights instruments provided a ready framework for assessing a country's needs and that the Working Group on the Right to Development should remain the pre-eminent forum for discussing that right within the United Nations system.

Draft resolution A/C.3/58/L.61: Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

51. **The Chairman** invited the Committee to take action on draft resolution A/C.3/58/L.61, which had no programme budget implications, and announced that Afghanistan, Albania, Andorra, Armenia, Australia, Azerbaijan, Bolivia, Bosnia and Herzegovina, Brazil, Cambodia, Cape Verde, Colombia, Cyprus, the Czech Republic, the Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Georgia, Ghana, Guatemala, Honduras, Iceland, India, Kazakhstan, Kenya, Latvia,

Lithuania, Madagascar, Mali, Malta, the Marshall Islands, the Federated States of Micronesia, Monaco, Nauru, New Zealand, Palau, Panama, the Republic of Moldova, Romania, the Russian Federation, Rwanda, Saint Vincent and the Grenadines, Serbia and Montenegro, Sierra Leone, South Africa, Spain, Switzerland, the former Yugoslav Republic of Macedonia and the United Republic of Tanzania had joined the sponsors. He announced that a recorded vote had been requested.

52. **Mr. Amorós Núñez** (Cuba), speaking in explanation of vote before the voting, said that his delegation recognized the positive role played by the United Nations in providing electoral assistance to Governments that requested it and agreed that the United Nations Trust Fund for Electoral Observation should be maintained. However, the draft resolution clearly implied a duplication of work within the United Nations system, in that it would require the Office of the United Nations High Commissioner for Human Rights to perform tasks already carried out by the Electoral Assistance Division. Moreover, if the draft resolution was adopted, the United Nations Development Programme would be required to devote a large proportion of its resources to electoral assistance activities, to the detriment of its core activities. Unfortunately, not one of his delegation's proposals to address those problems had been accepted by the sponsors, even though the main sponsor was often one of the first to criticize such duplication.

53. The draft resolution was based on the false premise that only developing countries were in need of electoral assistance. Recent events in some very powerful developed countries had shown otherwise. In addition, the draft did not take sufficiently into account the fact that electoral processes were an internal matter for States and an expression of national sovereignty. His delegation would therefore be unable to vote for the draft resolution.

54. *A recorded vote was taken on draft resolution A/C.3/58/L.61.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso,

Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe.

Against:

None.

Abstaining:

Brunei Darussalam, China, Cuba, Libyan Arab Jamahiriya, Myanmar, Syrian Arab Republic, Viet Nam.

55. *Draft resolution A/C.3/58/L.61, as orally revised at the 51st meeting, was adopted by 156 votes to none, with 7 abstentions.*

56. **Mr. Roshdy** (Egypt), explaining his delegation's position, said that his delegation had voted in favour of the resolution because it believed in the principle of periodic and genuine elections.

57. **Mr. Idoko** (Nigeria) said that his delegation wished to be included on the list of sponsors of the resolution.

Draft resolution A/C.3/58/L.62: United Nations Decade for Human Rights Education, 1995-2004

58. **The Chairman** invited the Committee to take action on the draft resolution, which had no budget implications and whose sponsors had been joined by Albania, Algeria, Angola, Armenia, Benin, Bolivia, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Côte d'Ivoire, El Salvador, Ethiopia, Fiji, the Gambia, Ghana, Guatemala, Israel, Kenya, Lebanon, Lithuania, Madagascar, Mali, Mauritania, Micronesia, Morocco, Mozambique, Nauru, Nepal, Nicaragua, Panama, the Philippines, the Republic of Moldova, Romania, the Russian Federation, Saint Vincent and the Grenadines, Serbia and Montenegro, Sierra Leone, South Africa, Swaziland, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, the United States of America, the United Republic of Tanzania and Zambia.

59. **Ms. Bieske** (Australia) announced the following revisions to the draft resolution on behalf of the sponsors. In paragraph 1, the words "and public information activities in the field of human rights;" should be deleted. In paragraph 13, the commas should be deleted after the words "Welcomes" and "meetings". Lastly, in paragraph 17, the words "to the commemoration" should be deleted and replaced by "on the occasion", and the words "structured as an interactive dialogue" should be deleted.

60. *Draft resolution A/C.3/58/L.62, as orally revised, was adopted.*

Draft resolution A/C.3/58/L.78: Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

61. **Mr. De Barros** (Secretary of the Committee) made a statement regarding the programme budget implications of the draft resolution. Pursuant to paragraph 3 of the draft resolution, the Working Group of the Ad Hoc Committee would hold one session at United Nations Headquarters in New York, probably from 5 to 16 January 2004, which would require conference servicing for 20 meetings, with interpretation services in six languages, and some 250

pages of pre-session, 100 pages of in-session and 100 pages of post-session documentation in six languages. Pursuant to paragraph 6 of the draft resolution, the Ad Hoc Committee would hold two sessions at United Nations Headquarters in New York in 2004, probably, from 24 May to 4 June and from 23 August to 3 September. The meetings would require conference servicing for 20 meetings, with interpretation services in six languages, and some 50 pages of pre-session, 50 pages of in-session and 50 pages of post-session documentation in six languages.

62. The session of the Working Group of the Ad Hoc Committee and the fourth session of the Ad Hoc Committee would constitute additions to the draft calendar of conferences and meetings of the United Nations for the 2004-2005 biennium and incur additional conference-servicing costs amounting to an estimated \$763,500.

63. Under General Assembly resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund was established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. If additional expenditures were proposed that exceeded the resources available from the contingency fund, the activities concerned would be carried out only through the redeployment of resources from low-priority areas or modification of existing activities. Otherwise, the additional activities would have to be deferred to a later biennium.

64. It was not currently possible to identify activities within the proposed programme budget for 2004-2005 that could be terminated, deferred, curtailed or modified during that biennium to meet the additional requirement of \$763,500.

65. **Ms. Olivera** (Mexico), announced that the sponsors had been joined by Afghanistan, Albania, Andorra, Austria, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Cameroon, Canada, China, Congo, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Dominica, Eritrea, France, Ghana, Greece, Honduras, Hungary, Ireland, Israel, Jamaica, Jordan, Lithuania, Luxembourg, Malawi, Mali, Malta, the Netherlands, Niger, Nigeria, Norway, Paraguay, Peru, Poland, Portugal, Qatar, the Republic of Moldova, Romania, Rwanda, Sierra Leone, Slovakia, Slovenia,

the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Ukraine and Zimbabwe.

66. She also announced the following revisions to the draft resolution. In the first preambular paragraph, the words “open to the participants of all Member States and Observers of the United Nations” should be inserted between the words “Committee” and “to consider”. Paragraph 3 should be revised to read, “Endorses the Ad Hoc Committee’s decision to establish a Working Group with the aim of preparing and presenting a draft text, which would be the basis for negotiations on the draft convention by Member and Observer States in the Ad Hoc Committee, taking into account all contributions”. She did not believe that the draft resolution had any programme budget implications.

67. **Ms. Rasheed** (Palestine) said that the words “Member States and Observers” should not be changed to “Member and Observer States” in paragraph 3 of the draft resolution since Palestine was not an Observer State.

68. **Ms. Maillé** (Canada) greatly regretted that the Secretary’s statement on programme budget implications had been made at such a late stage and noted that the draft resolution was identical to the one adopted the previous year.

The meeting rose at 1.20 p.m.