

United Nations
**GENERAL
ASSEMBLY**

TWENTY-THIRD SESSION

Official Records



**THIRD COMMITTEE, 1599th
MEETING**

Wednesday, 6 November 1968,
at 3.30 p.m.

NEW YORK

CONTENTS

	Page
<i>Agenda item 50:</i>	
<i>Draft Declaration on Social Development</i>	
<i>(continued)</i>	
<i>Part I: Principles (continued)</i>	<i>1</i>

Chairman: Mr. Erik NETTEL (Austria).

AGENDA ITEM 50

Draft Declaration on Social Development (*continued*)
(A/7161, A/7203, chap. X, sect. A; A/7235 and Add.1 and 2, A/C.3/L.1584 and Corr.4,* A/C.3/L.1587, A/C.3/L.1594, A/C.3/L.1595, A/C.3/L.1597, A/C.3/L.1599-1602, A/C.3/L.1603/Rev.1, A/C.3/L.1604, A/C.3/L.1605, A/C.3/L.1608, A/C.3/L.1610-1612)

PART I: PRINCIPLES (continued)

Article 5 (*concluded*)

1. The CHAIRMAN, replying to a question from Mrs. WARZAZI (Morocco), said that the Secretariat hoped to be able to distribute in time for the next meeting the text of the articles that the Committee had already adopted.^{1/} He reminded the Committee that at the preceding meeting the representative of Bulgaria had said that if the French delegation agreed to withdraw one part of its amendment (A/C.3/L.1584/Corr.4*), Bulgaria would withdraw the amendment that it had submitted (A/C.3/L.1610).

2. Mr. PAOLINI (France) thanked the Bulgarian delegation for having studied the French amendment in a more constructive spirit. The representative of Bulgaria had taken up a suggestion by the representatives of Cyprus, India and the Soviet Union to delete from the second paragraph of the text of article 5 proposed by France the words "and in their own community", which had been included in the original text of article 5. In view of the comments by the representative of Jamaica and of the fact that the words "national and international" had been inserted in the same paragraph, the French delegation agreed to delete the words "and in their own community". As to the other proposal by the Bulgarian delegation, to delete from the third paragraph the phrase "individually or through associations", the French delegation considered that those words made the text clearer; they covered trade unions, which had been referred to in the original text of the French amendment (A/C.3/L.1584, para. 4), and to which some delegations at-

tached great importance. However, since the words objected to merely elaborated upon the words "all elements of society", and that the role of groups and associations was referred to in article 11 of part III of the draft Declaration (see A/7161, annex I), the French delegation, wishing to facilitate the work of the Committee, would accept the deletion requested by the Bulgarian delegation.

3. Turning to the amendment submitted by Italy (A/C.3/L.1597, para. 1), he said that his delegation approved its purpose, but considered that the question of the organization of the social services belonged in the part dealing with means and methods, where that question might well be the subject of a special article. Consequently, if the Italian delegation's proposal was put to the vote, the French delegation would be obliged, much to its regret, to oppose it.

4. His delegation fully approved the sub-amendment submitted by the Latin-American delegations and the United Arab Republic (A/C.3/L.1612), and agreed that the proposed sentence should become the fourth paragraph of the French amendment.

5. Mr. BAHNEV (Bulgaria) thanked the French delegation for the spirit of co-operation it had shown in agreeing to delete the words "individually or through associations". In the circumstances he would withdraw the amendment submitted by his own delegations (A/C.3/L.1610).

6. Mr. PAOLINI (France) agreed, in response to a request by Mr. TSAO (China), to insert the word "full" before the word "respect" in the third paragraph of the French amendment. As to the English word "established", that was a question of translation, and he asked the Secretariat to see that the English and French versions were reconciled on the basis of the word "consacrées"; perhaps the word "embodied" might be used, as suggested by the United States representative.

7. Miss CAO-PINNA (Italy) withdrew her delegation's amendment relating to social welfare services (A/C.3/L.1597, para. 1). Nevertheless, she wished to point out that if the Committee had been able, before examining the draft Declaration on Social Development, to study the report on the world social situation and the report of the International Conference of Ministers Responsible for Social Welfare, it would have better appreciated the need to include in the principles a statement of the importance of social services. It was regrettable that in many cases the principles laid down in the draft Declaration lacked precision, which might considerably reduce the importance of the Declaration for those who worked in the social field.

^{1/} The text of articles adopted by the Committee at its 1590th, 1592nd, 1595th, 1596th, 1597 and 1599th meetings was subsequently circulated as document A/C.3/L.1613 and Corr.1.

8. She asked whether the French delegation agreed to the Italian proposal to add the words "in defining and" between the words "elements of society" and the words "in achieving" in the third paragraph of the French amendment.

9. Mr. PAOLINI (France) said he had no difficulty in accepting that proposal, since it was quite consistent with the spirit of the French amendment.

10. Mr. GUIRANDOU N'DIAYE (Ivory Coast) said it had been his understanding that the delegation of Rwanda wished to mention the role of trade unions and that the French delegation had complied with that wish by referring in its amendment to associations. Now France had agreed to delete that reference at the request of the representative of Bulgaria; if the representative of Rwanda did not insist on the reference being retained, the delegation of the Ivory Coast wished to propose an amendment to the French amendment, reintroducing the phrase "individually or through associations".

11. Mr. NWITENDE (Rwanda) said that his delegation considered it was of the great importance to mention the role of trade unions in a Declaration on social development.

12. The CHAIRMAN invited the Committee to vote on the text of article 5 contained in the French amendment (A/C.3/L.1584/Corr.4*), as orally amended by the sponsor (see paras. 2, 4, 6 and 9 above).

The introductory sentence and the first and second paragraphs, as orally amended, were adopted unanimously.

The oral sub-amendment of the Ivory Coast to reintroduce the words "individually or through associations" in the third paragraph was adopted by 59 votes to 12, with 20 abstentions.

The third paragraph, as amended, was adopted by 83 votes to none, with 8 abstentions.

The fourth paragraph was adopted by 89 votes to none, with 2 abstentions.

Article 5 as a whole, as amended, was adopted unanimously.

13. Mr. UY (Philippines) said that his delegation had voted for the new article 5 as a whole, but it maintained the reservations it had already expressed regarding the form of the French amendment.

14. Mr. HERNDL (Austria) said it was of the greatest importance to assure to disadvantaged or marginal sectors equal opportunities for social advancement, and he was therefore gratified that amendment A/C.3/L.1612 had been accepted by the French delegation, and that the new article 5 proposed by France had been unanimously adopted as a whole. He added that the Austrian delegation had also voted for the oral sub-amendment by the Ivory Coast, considering that the draft should refer to the role of associations.

Article 9

15. Mr. SANON (Upper Volta) said he would vote against the new text proposed by the United Kingdom delegation (A/C.3/L.1601, para. 1), because the original text of article 9 was clearer and more exact,

and better reflected the problems of the developing countries.

16. The Libyan amendment (A/C.3/L.1602, para. 3) completed the text, and the delegation of Upper Volta would have no difficulty in approving it if it were put to the vote.

17. Lady GAITSKELL (United Kingdom) disagreed with the view expressed by the representative of Upper Volta, and said that the text proposed by her delegation was perhaps the most specific and lucid in the whole draft Declaration.

18. Mr. SANON (Upper Volta) said that the Commission for Social Development, when preparing the draft Declaration, had wished to emphasize not only the primary role and the responsibility of Governments (article 8) but also, in a separate article, the role of the international community as a whole in the process of social development. The United Kingdom amendment, by once again laying stress on national efforts, relegated the responsibility of the international community to second place.

19. Miss KHUHRO (Pakistan) said that social progress was plainly the common concern of the international community. As the original text of article 9 was much more complete than the text proposed by the United Kingdom delegation, she would be compelled to vote against paragraph 1 of amendment A/C.3/L.1601 if it were put to the vote.

20. Mrs. AFNAN (Iraq) observed that the primary role and responsibility of Governments had already been asserted in article 8 and that the purpose of article 9 was to emphasize the role of the international community—a role best illustrated perhaps by the fact that all the States Members of the United Nations were meeting to draft a declaration on social development extending beyond national frontiers. Although she appreciated the United Kingdom representative's intention, she regretted that she could not support her.

21. Mr. HOVEYDA (Iran) agreed with the representatives of Iraq, Upper Volta and Pakistan that the original text was superior to the text proposed by the United Kingdom (A/C.3/L.1601, para. 1). It was already stated in another article that each Government had the primary responsibility of ensuring the social progress and well-being of its people and it was now necessary to stress another principle by emphasizing the role of the international community. But that role was not brought out clearly enough in the United Kingdom text, which was much weaker than the original text. The term "should", in particular, was not strong enough and should be replaced by "must".

22. Nor could he support the Libyan amendment (A/C.3/L.1602, para. 3), for social progress was not the responsibility of the international community but of the States themselves: social progress was merely the "concern" of the international community.

23. Lady GAITSKELL (United Kingdom) said that she fully endorsed the principle stated in the original text of article 9 and that her amendment was prompted solely by the desire to submit a neater text. She did not agree with the Iranian representative that the word "should" was lacking in force, but she was prepared to replace it by "shall".

24. Mr. VALDIVIESO (Peru) shared the views of the representatives of Upper Volta, Pakistan, Iraq and Iran on the United Kingdom amendment, since its point was already made in article 8 of the original text, which stressed the role of Governments in the matter of social progress. He did not support the Libyan amendment, either, since the Committee had already recognized, in the tenth preambular paragraph, that the primary responsibility for the development of the developing countries rested on those countries themselves.

25. Mr. EL SHEIKH (Sudan) also preferred the original text to the text proposed by the United Kingdom, but he did not share the view of the Iranian and Peruvian representatives on the Libyan amendment, which he thought consistent with the tenth preambular paragraph.

26. Mr. BABAA (Libya) announced that he was withdrawing his amendment to article 9 (A/C.3/L.1602, para. 3).

27. Miss BEHARRY (Guyana) said that the United Kingdom text was concise and neat but did not state explicitly that social progress was the "common concern" of the international community. Accordingly she would be unable to vote for it.

28. Mrs. OULD DADDAH (Mauritania) said that she, too, preferred the original text, since it was clearer and contained two basic ideas: social progress was the concern of the international community and international action must be concerted. She was aware of the developing countries' responsibilities but wished to point out that those responsibilities had already been mentioned and that the role of the international community must now be emphasized. She accordingly hoped that the Committee would adopt the original text.

29. Mr. MUKIIBI (Uganda) also supported the original text.

30. Lady GAITSKELL (United Kingdom) announced that she was withdrawing her amendment to article 9 (A/C.3/L.1601, para. 1).

31. The CHAIRMAN put article 9 of the draft declaration (A/7161, annex I) to the vote.

Article 9 was adopted unanimously.

Article 10

32. Mrs SIPILA (Finland) commended the efforts of France to improve the text of the draft Declaration but could not support its second amendment (A/C.3/L.1584, para. 7 (b)) to article 10 proposing the deletion of the words "each family having the right to decide the number of its children". When introducing his delegation's amendments to part I of the draft Declaration the representative of France had said (see 1589th meeting, para. 5) that that right was not a universal right—since there were under-populated areas in the world—and that the draft Declaration might thus give tacit approval to infanticide, which was inadmissible. Reference had also been made in the discussion to the fact that part III, article 7, already contained a provision concerning family planning. Her delegation, however, believed that the right of parents to determine freely and responsibly the number and spacing

of their children was a principle, whereas the question of how that right was to be exercised belonged to methods. The Committee could not adopt a declaration on social development without asserting one of the most important principles at a time when it was universally admitted that the population explosion was one of the world's most serious problems and one of the main reasons for under-development. That principle had already been adopted by the General Assembly in resolution 2211 (XXI) of 1 December 1966 which recognized *inter alia* the sovereignty of nations in formulating and promoting their own population policies, with due regard to the principle that the size of the family should be the free choice of each individual family. The principle had also been enunciated in the Declaration on Population of 10 December 1966,^{2/} signed by thirty Heads of State or Government, and it had been underlined on several occasions by the Secretary-General. It also appeared in paragraph 16 of the Proclamation of Teheran^{3/} and in resolution XVIII^{4/} adopted at Teheran by the International Conference on Human Rights. Again, the Declaration on the Elimination of Discrimination against Women, which the Committee had adopted in 1967, stressed the importance of family planning. Article 10 of the draft Declaration did not bring any new element to the principle, which had already been given expression in various documents, including the Universal Declaration and the International Covenants on Human Rights. If the Committee stated that the well-being of the family was a right and a duty, it must also have the courage to state that that well-being depended not only on the assistance and protection given to the family by the community but also on the decision of the family itself; for it was up to each individual couple to decide what the number and spacing of their children should be—a decision on which the well-being of the entire community ultimately depended. The right itself was beyond dispute, regardless of any differences caused by religion, for those differences concerned only the methods to be employed in exercising the right. Consequently no one should have any difficulty in accepting the principle, for the question of the choice of methods need not appear in the document, either in part I, in which the principle alone was stated, or in part III which did not mention any specific method but referred in article 7 only to the provision to families of "the necessary knowledge and means".

33. She had not used the expression "family planning" as it could be interpreted in different ways. She was grateful to the delegations of Iran and the United Kingdom which had proposed the insertion of the word "spacing" (A/C.3/L.1604, para. 6 and A/C.3/L.1601, para. 2). That amendment would improve the text considerably as it was not only the number but the spacing of the children that was important for the well-being of the family.

34. She proposed an amendment to the second French amendment to article 10 (A/C.3/L.1584, para. 7 (b)), to replace the words "each family having the right to

^{2/} See document E/4551, annex I.

^{3/} See *Final Act of the International Conference on Human Rights, Teheran, 22 April to 13 May 1968* (United Nations publication, Sales No.: E.68.XIV.2), p. 3.

^{4/} *Ibid.*, p. 14.

decide the number of its children" by the words: "parents having the right to determine freely and responsibly the number and spacing of their children". That amendment reproduced the wording of paragraph 16 of the Proclamation of Teheran and of resolution XVIII adopted by the Teheran Conference. The word "parents" would replace the word "family", for it was for the parents and not the entire family to decide on the number of children; the word "freely" would underline the fact that the decision lay with the parents alone; the word "responsibly" reminded parents that in taking that decision they must have due regard to the well-being of the entire family.

35. Mr. PAPADATOS (Greece) said that he was not opposed to the principle stated in the words which he wished to have deleted (A/C.3/L.1599, para. 5), but he thought the idea should be expressed in part III of the draft Declaration.

36. Miss KHUHRO (Pakistan) said she was opposed to the amendments proposed by France and Greece, for she considered family planning essential to limit population growth, which threatened to nullify any progress made by the developing countries. She therefore supported the amendment of the United Kingdom and that of Iran and would also vote for the Finnish oral sub-amendment.

37. Mr. HOVEYDA (Iran) was also unable to accept the French amendment. If the question of the parents' right to decide the number of their children belonged in part III of the draft, then the whole of article 10 dealt with means and methods. The wording proposed by Finland, which reproduced the text of the Proclamation of Teheran and resolution XVIII of the International Conference on Human Rights, was better than the original text. He therefore withdrew his amendment (A/C.3/L.1604, para. 6) in favour of the Finnish amendment.

38. Mr. HERNDL (Austria) said that article 10 was crucial because it stressed the importance of the well-being of the family as a basic unit of society. He understood the reasons which had prompted the amendments of France and Greece. The right of each family to decide the number of its children was a very sensitive issue, and it was perhaps inappropriate to state the principle in the draft Declaration. He hoped, nevertheless, that the Finnish amendment would be adopted.

39. Miss MUTER (Indonesia) recalled that Indonesia was one of the signatories to the Declaration on Population. She would therefore not support the amendments of France and Greece and fully endorsed the Finnish amendment.

40. Mr. SANON (Upper Volta) said he could not accept the French amendments; he considered it unnecessary to replace the words "strengthened by all possible means" by "assisted and protected", as proposed in the first French amendment (A/C.3/L.1584, para. 7 (a)), inasmuch as the Universal Declaration on Human Rights and various other instruments were already sufficiently clear, and he thought that the phrase which the second French amendment (*ibid.*, para. 7 (b))—like the Greek amendment—sought to delete, should be retained. His delegation found the United Kingdom amendment acceptable. The various articles should not be read separately but in the context of the Declaration

as a whole, and he cited part III, article 7, of the draft which referred to national demographic policies consistent with the economic, social, religious, spiritual and cultural circumstances of the respective countries. He would support article 10 as amended by the Finnish sub-amendment, for it served the interests of both the developed and the developing countries. Recalling the reactions provoked by the Papal Encyclical *Humanae Vitae*, he suggested that the Committee should take a more open-minded approach.

41. Mr. ARTAZA (Chile) observed that the representative of Finland had referred to the dangers of the population explosion but that that idea was not expressed in the original text. No one disputed the fact that parents had the right to decide the number of their children. However, the text of article 10 might be interpreted as meaning that parents must limit the number of their children. Yet there was no question of requiring them to limit the number of their children, for that would be a violation of their rights. For that reason he called for the deletion of the phrase "each family having the right to decide the number of its children", since it was subject to dangerous interpretations and was unnecessary, as no one disputed the principle.

42. Miss NAIDU (India) was gratified that draft article 10 emphasized that the family was the basic unit of society. India pursued a national family of birth control. She endorsed the Finnish sub-amendment, which acknowledged the right of parents to determine the number and spacing of their children. She was unable to support the second amendment proposed by France, but was in favour of the first.

43. Mr. AZZOUT (Algeria) said that while the family's right to decide the number and spacing of its children was undeniable, all demographic experts considered that a lower birth-rate was brought about by social and economic development and not by a governmental decision. He supported the first French amendment.

44. Mrs. CONDE (Guinea) was surprised to find a provision relating to family planning in a text on social development, which was concerned with abundance and human advancement. Some countries needed greater populations, and it was for each country to take a decision in the matter. She therefore felt that the Committee should not debate that provision and should delete it from article 10.

45. Mr. MEHIRI (Tunisia) said that there was indeed an apparent contradiction between social development and birth control, but the developing countries were aware that birth control was a necessity for them and that they must endeavour to inform their people on the subject; not to do so would be to promote poverty. Birth control was one of the means by which the developing countries could hope to combat the factors impeding harmonious development. He supported the Finnish oral sub-amendment, and suggested adding the phrase "within the framework of national objectives" at the end of the text.

46. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that his delegation would like the whole of article 10 to be deleted, as it was extraneous to an enumeration of principles. Part III, article 7, of the draft dealt with those questions far more clearly and

in considerable detail. Article 10 under consideration was therefore totally unnecessary; his delegation did not support that article, nor would it support the amendments to it. It hoped that the Committee would retain article 7 of part III.

47. Mr. VAN ROSSEN (Netherlands) said he could not support the second French amendment, because the phrase it sought to delete stated an extremely important principle. His delegation would vote for the Finnish oral sub-amendment.

48. Miss LOPEZ (Venezuela) said she was in favour of article 10, which enumerated a principle already recognized by all. That principle implied that families should be informed and necessitated the training of specialists in demography. She supported the Finnish sub-amendment and remarked that it was not absolutely necessary for a family's well-being for it to limit itself to a few children.

49. Mrs. STEVENSON (Liberia) considered that the ideas set forth in article 10 were extremely important for social development, and she welcomed their inclusion in the draft. She unreservedly supported the Finnish sub-amendment but could not accept the second French amendment.

50. Mr. PAPADATOS (Greece) said that as he could see that the majority in the Committee attached great importance to the question of birth control, he would withdraw his amendment (A/C.3/L.1599, para. 5).

51. Mr. ABOUL-NASR (United Arab Republic) said he disagreed with the Soviet representative, who proposed deleting article 10, and felt that the article on the family should be retained in the text of a declaration on social development.

52. He did not follow the meaning of the first French amendment, and suggested that the wording "strengthened, assisted and protected" should be adopted. He hoped that the representative of France would follow the example of the Greek representative and withdraw his second amendment: what was at issue were not methods of birth control, but a principle affecting human rights. Moreover, there was no question of sanctioning infanticide; the aim was to recognize each family's fundamental right to decide the number of its children.

53. He would vote for the Finnish sub-amendment and the United Kingdom amendment.

54. Mr. RIBEIRO (Uruguay) said that his delegation interpreted the text differently. The family, the basic unit of society, must be fully protected. As his delegation had already stated, to mention only the family's right to decide the number of its children and omit any mention of its many other rights would be to restrict the sacred rights of the family. In order to safeguard those rights, the Committee might either delete the last clause of article 10 or adopt the more general formula "each family having the right to decide its composi-

tion", with the word "composition" referring to education, health and welfare.

55. Mrs. NORTHEN (Denmark) said that the very important principle of the family's right to decide the number of its children should be included in the Declaration. She fully supported the Finnish sub-amendment. As the representative of the United Arab Republic had said, the purpose of that article was not to impose particular methods of family planning but to proclaim the right of each family to decide freely whether or not it wished to limit the number of its children.

56. Mr. VALDIVIESO (Peru) disagreed with the representative of the Soviet Union concerning article 10 and believed that the article was of basic importance to the welfare of the family and of the individual, who was the focus of the Declaration under consideration. He believed that article 10 should be retained in the part relating to principles.

57. Like the representative of the United Arab Republic, he hoped that the French representative would withdraw his second amendment, since the question at issue was not that of birth control methods. He favoured the first French amendment, which was stronger and clearer than the original text.

58. He opposed the Finnish and United Kingdom amendments because they presupposed family planning; that was a matter of conscience which did not concern the Committee and should not be referred to in the text, because no country could agree to let the United Nations give it advice in such matters. He would vote for the original text.

59. Mr. PAOLINI (France) said that his first amendment proposed a wording closer to the text of the Universal Declaration of Human Rights, while his second amendment was designed to avoid any dangerous interpretations of the original text. The question of the right of parents to decide the number of children and the spacing of births, which had been considered by the Teheran Conference, was extremely complicated from the legal point of view, because it involved not an individual right but a right belonging indivisibly to both parents. The Finnish sub-amendment, which reproduced the wording unanimously adopted at Teheran, presented fewer difficulties than the original text, but he would like to have it made clear that that text could in no circumstances be interpreted as permitting any infringement of the right to life or justifying infanticide or abortion. If the Finnish representative would state that her text should be understood in that way, he would agree to incorporate it in his amendment.

60. Mrs. SIPILA (Finland) confirmed that her proposal should indeed be interpreted in the sense indicated by the French representative.

The meeting rose at 6.10 p.m.