

GENERAL ASSEMBLY

TWENTY-NINTH SESSION

THIRD COMMITTEE

**Summary records of the 2051st to 2110th meetings,
held at Headquarters, New York, from 18 September to 6 December 1974**

2051st meeting

Wednesday, 18 September 1974, at 4.20 p.m.

Temporary Chairman: Mr. Abdelaziz BOUTEFLIKA (Algeria).

A/C.3/SR.2051

Election of the Chairman

1. Mr. MAHMASSANI (Lebanon) nominated Mrs. Aminata Marico (Mali) as Chairman.
2. In the absence of further nominations and in accordance with rule 103 of the rules of procedure of the General Assembly, the Temporary CHAIRMAN declared Mrs. Aminata Marico (Mali) elected Chairman by acclamation.

Mrs. Aminata Marico (Mali) was elected Chairman by acclamation.

The meeting rose at 4.25 p.m.

2052nd meeting

Monday, 23 September 1974, at 3.20 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2052

Statement by the Chairman

1. The CHAIRMAN expressed gratitude for her election, which she regarded as a tribute to her country, Mali, for its steadfast adherence to the purposes and principles of the United Nations Charter. She paid a tribute to Mr. Mahmassani, Chairman of the Third Committee at the twenty-eighth session of the General Assembly, whose outstanding qualities as a statesman and a diplomat had been demon-

strated by the manner in which he had directed the work of the Committee. She also expressed her confidence in all the members of the Secretariat, with whom she would be working closely throughout the session.

2. On behalf of the Committee, she welcomed the delegations of the People's Republic of Bangladesh, Grenada and the Republic of Guinea-Bissau, new Members of the United Nations, which were taking part in the

Committee's work for the first time. She wished the peoples of those countries every success in the efforts they would have to make to consolidate their independence.

3. The questions which the Committee would be considering were of the highest importance. Its task was to guarantee social justice, i.e. fundamental rights and freedoms, to all peoples, and its responsibilities were all the more awesome in a world torn by contradictions, rivalries and hatred. She was sure that the Committee would consider the items on its agenda with the objectivity and impartiality which had always characterized its work, and would thus contribute to the changing world order, the first steps towards which had been taken at the sixth special session of the General Assembly.

4. In conclusion, she wished, on behalf of the Committee, to convey condolences to the peoples of Central America afflicted by the recent catastrophe in that part of the world.

Election of the Vice-Chairmen

5. Mrs. BERTRAND DE BROMLEY (Honduras) nominated Miss Graziella Dubra (Uruguay) as Vice-Chairman.

Miss Graziella Dubra (Uruguay) was elected Vice-Chairman by acclamation.

6. Mr. MAHMASSANI (Lebanon) nominated Mr. Gholam Ali Sayar (Iran) as Vice-Chairman.

Mr. Gholam Ali Sayar (Iran) was elected Vice-Chairman by acclamation.

Election of the Rapporteur

7. Mr. SÖYLEMEZ (Turkey) nominated Mr. Dietrich von Kyaw (Federal Republic of Germany) as Rapporteur.

Mr. Dietrich von Kyaw (Federal Republic of Germany) was elected Rapporteur by acclamation.

Organization of work (A/C.3/L.2099)

8. The CHAIRMAN drew attention to rule 99 (b) of the rules of procedure of the General Assembly, which provided that each Main Committee should at the beginning of the session adopt a programme of work indicating, if possible, a target date for the conclusion of its work. If there was no objection, she would take it that members accepted the target date of 6 December 1974 suggested in paragraph 3 of document A/C.3/L.2099.

It was so decided.

9. The CHAIRMAN invited members to consider the priority to be given to the agenda items which had been referred to the Committee and were listed in document A/C.3/L.2099.

10. Mr. BAROODY (Saudi Arabia) said that each item on the agenda was important, and priorities depended on the special interests of individual members. The Committee was master of its own procedure and should not be bound by any decision on priorities taken at the previous session of the Assembly.

11. It would have been desirable for the Committee first to consider item 12, the report of the Economic and Social Council, but he understood that the report was not yet ready in all the working languages. He therefore suggested that the first order of business should be item 53 (Elimination of all forms of racial discrimination), because of the importance of that problem throughout the world. The Committee could then consider the report of the Economic and Social Council, provided that the relevant documentation was available. It should next deal with item 56 (Human rights and scientific and technological developments) and thereafter with item 57 (Freedom of information). He recalled that the latter item had been under consideration in the Third Committee since 1950 and it was high time to conclude the preparation of a convention on the subject.

12. Item 52 (Human rights in armed conflicts: protection of journalists engaged in dangerous missions in areas of armed conflict) was a controversial item requiring consultations among delegations and between delegations and their Governments. Item 54 (Elimination of all forms of religious intolerance) had strong political overtones. Religions had in fact lost their grip on the minds of millions of people and had been replaced by ideologies. The question arose whether ideological intolerance was synonymous with religious intolerance. That was not an easy question to answer and might involve some members of the Committee in unnecessarily acrimonious debate. He therefore felt that the item should be placed last on the agenda in order to give delegations time for informal consultations.

13. He had no particular preference as to the order in which the other items on the agenda should be considered.

14. Mr. BADAWI (Egypt) said that his delegation agreed with the views expressed by the Saudi Arabian representative. Although all the items on the agenda were important, some were even more so than others and required urgent attention. For example, item 53 was of crucial importance, because of the continued suffering of the African people. Item 55 (Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights) concerned a basic human right, recognized in the Universal Declaration of Human Rights; item 62 (National experience in achieving far-reaching social and economic changes for the purpose of social progress) was also very important and deserved special attention.

15. He wondered when the remaining documents would be available. Document A/9666/Add.1, which document A/C.3/L.2099 listed as relating to sub-item 53 (a) (Decade for Action to Combat Racism and Racial Discrimination) had not yet been circulated, so that the Committee could not decide when it would discuss it. He recalled that the Committee on the Elimination of Racial Discrimination had requested that its report should be discussed as an independent item; the Committee should not overlook its decision at the twenty-eighth session of the General Assembly to comply with that request. He asked whether the documents relating to item 55 were ready.

16. His delegation would accept the view of the majority on the organization of work.

17. Mr. BAL (Mauritania) said that the discussions during the previous session had given priority to certain items, for instance the item on the elimination of racial discrimination; if the relevant documents were available, his delegation would like that item to be discussed first. It should be followed by item 55, because human rights and decolonization had always had a very important place in the Committee's work. The report of the Economic and Social Council could then be discussed, if the documents were available; otherwise, item 58 (Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights) could be discussed in third place. Item 57 should be in fourth or fifth place, depending on the order in which items 12 and 58 were considered.

18. The other items were also important, but there might be further documents relating to them. Item 59 (Report of the United Nations High Commissioner for Refugees) was important, but was usually considered in November in the High Commissioner's presence. As to item 52, the Committee had not been able to study it in depth in the previous year, and he felt that it should be discussed as the Committee's ninth item, if the relevant report was ready. That item and items 61 (United Nations conference for an international convention on adoption law), 62 (National experience in achieving far-reaching social and economic changes for the purpose of social progress) and 63 (Unified approach to development analysis and planning) could be discussed in the order in which they appeared in document A/C.3/L.2099, taking into account the availability of reports.

19. Mr. LÜTEM (Secretary of the Committee) pointed out that there was some information on the availability of documents in paragraph 12 of document A/C.3/L.2099. With respect to item 12, he said that the report of the Economic and Social Council (A/9603) had already been made available in English and was being circulated in some of the other languages. The report relating to item 52 was also available (A/9643). The basic report on sub-item 53 (a) was available (A/9666), and the addendum was to be circulated at the end of the week. In that connexion, he noted that the Committee would also have before it the two reports on the Decade for Action to Combat Racism and Racial Discrimination which had been submitted to the Economic and Social Council in 1974. The report constituting the subject of sub-item 53 (b) (A/9618) would be circulated in mid-October; the Committee on the Elimination of Racial Discrimination had only just completed its work and the report was now being reproduced and translated. The report on item 54 (A/9644) was available; for item 55, the basic report (A/9667) was available and the addendum containing additional replies received from Governments would be circulated shortly. Reports were available for items 56, 57 and 58. With regard to item 59, the United Nations High Commissioner for Refugees had requested that his report (A/9612 and Add.1 and 2) should be discussed during the week beginning 25 November 1974, and all the documents should be available by then. The report for item 99 (Question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply) was available

(A/9691). There would be no documents relating to item 61, as virtually no replies had been received from Governments and the item would therefore be deferred until the next session. The report of the Economic and Social Council contained a detailed account of its work relating to the question covered by item 62 (A/9603, paras. 333-349).

20. A note from the Secretary-General would shortly be circulated containing information on the availability of documentation.

21. Mrs. GUEYE (Senegal) proposed that the items should be discussed in the following order: 53, 55, 12, 54, 57, 56 and 52, followed by the remaining items in the order in which they appeared in document A/C.3/L.2099.

22. Mr. SRINIVASAN (India) said that, as the report of the Economic and Social Council was an omnibus document, he wondered whether it would be procedurally permissible and practicable to break it down into subjects and to discuss each subject immediately after discussing the related separate item.

23. Mr. SPEEKENBRINK (Netherlands) agreed with other representatives that the first item to be discussed should be item 53, as it was one of the most important questions facing the Committee. However, he did not agree that item 54 should be postponed until later in the session; he recognized that it was likely to give rise to controversy, but felt that for that reason the Committee should ensure that it was adequately discussed. He recalled that General Assembly resolution 3069 (XXVIII) had assigned priority to the elaboration of a draft Declaration on the Elimination of all Forms of Religious Intolerance and decided to include in the agenda of the twenty-ninth session the item entitled "Elimination of all forms of religious intolerance". As the Commission on Human Rights had been unable to complete its work on the matter, his country's delegation to the fifty-sixth session of the Economic and Social Council had stressed the need for and urgency of the elaboration of such a declaration; that feeling had been shared by the Council, which had adopted a decision (14 (LVI)) on the subject. He felt that the Committee should consider its response to the recommendation in that decision by the Council and should determine how it could contribute to the elaboration of a draft declaration. His delegation therefore felt that item 54 should be placed near the beginning of the agenda, as the second or third item to be discussed. There could perhaps be an initial discussion, followed by further consideration at a later stage; in the meantime a working group could be set up to study the ways in which the General Assembly might expedite the elaboration of a declaration. His delegation was holding consultations with other delegations with a view to making a formal proposal to that effect.

24. Mr. RAZA (Pakistan) said that he had been impressed by the remarks made by the representative of Saudi Arabia, except that he considered item 55, which concerned self-determination, to be the most important item on the agenda, since racial discrimination, dealt with in item 53 was mostly the result of the policies practised by the colonialists against whom item 55 was directed.

25. Miss SHAHKAR (Iran), referring to item 52, on the protection of journalists engaged in dangerous missions in

areas of armed conflict, said that, as indicated in paragraph 9 of document A/C.3/L.2099, the General Assembly, in its resolution 3058 (XXVIII), had decided to continue the examination of the question at its twenty-ninth session, as a matter of priority, having regard to the deliberations and findings of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts to be held in Geneva in February and March 1974. The Diplomatic Conference had begun consideration of the matter, but, having thus far reached no conclusions, required additional time to complete its work. It might be preferable to await the suggestions and conclusions of the Diplomatic Conference before taking up item 52, which could be postponed until the next session of the General Assembly, when it would be given high priority.

26. Miss ILIĆ (Yugoslavia) felt that items 53, 55 and 12, on racial discrimination, self-determination and the report of the Economic and Social Council respectively should have priority. However, since the basic documentation relating to sub-item 53 (a) was already available, and would shortly be completed, that sub-item should be dealt with first. Moreover, she agreed with the suggestion by the Committee on the Elimination of Racial Discrimination, set forth in paragraph 10 of document A/C.3/L.2099, that the General Assembly should consider the report of that Committee, when it became available, independently of the other items on its agenda. She urged the Secretariat to produce as soon as possible the additional documentation on item 55. In connexion with the report of the Economic and Social Council, she noted that some very important questions were dealt with in that document, and should be considered as matters of priority. However, since the report was not yet available in all languages, item 12 should perhaps appear in third or fourth place on the agenda, while the section of the report of the Council dealing with human rights (A/9603, chap. V, sect. C) should be considered separately. Finally, she agreed with the suggestion in paragraph 11 of document A/C.3/L.2099 on consideration of the report of the United Nations High Commissioner for Refugees.

27. Mr. SMIRNOV (Union of Soviet Socialist Republics) agreed with the judicious and detailed analysis of the draft agenda presented by the representative of Saudi Arabia. Item 12, which concerned racial discrimination, should be the first item to be dealt with, beginning with the Decade for Action to Combat Racism and Racial Discrimination. Experience showed that a majority of delegations attached major importance to the Decade, and the time was ripe for a comprehensive and thorough discussion of the subject. Moreover, he agreed with the representative of Yugoslavia and the Chairman that sub-item 53 (b) should be considered when the report of the Committee on the Elimination of Racial Discrimination became available. With reference to the report of the Economic and Social Council, he noted that it contained a series of very important provisions requiring detailed consideration by the Committee. Some sections of the report were already included in the agenda as separate items, and he agreed with the representatives of India and Yugoslavia that it would be more useful to consider some of the matters dealt with in some sections, such as that on human rights, as separate items. If possible, that section might be taken up immediately after considera-

tion of the Decade, since there was a definite connexion between the two. His delegation attached considerable importance to item 55, relating to self-determination, which should also be given priority consideration. With reference to item 54, on the elimination of all forms of religious intolerance, he pointed out that the Commission on Human Rights at its past session had been unable to complete a single draft Declaration on the subject, as envisaged in General Assembly resolution 3069 (XXVIII), and intended to continue work on it as a matter of priority at its forthcoming thirty-first session. The business of the Committee, therefore, was only to consider the procedural question of ways and means to expedite the completion of the draft Declaration by the Commission on Human Rights, and that question could be properly dealt with towards the end of the session. Referring to item 59, on the report of the United Nations High Commissioner for Refugees, he felt that the Committee could take up that item before the week beginning 25 November 1974, contrary to the proposal contained in paragraph 11 of document A/C.3/L.2099. His delegation would prefer to place it after item 62. Finally, he thought that item 56 should also be given priority, given the importance of ensuring that science and technology would be used for the benefit of all mankind.

28. Mr. TRAVERT (France) said that his delegation shared the views expressed by the representative of the Netherlands, and was unable to agree with those of the representatives of Saudi Arabia and the USSR, concerning the priority to be given to item 54. The fact that the elimination of all forms of religious intolerance had been under discussion for many years without leading to positive results did not make it less important. He therefore hoped that it would be dealt with as a matter of priority.

29. Mr. BADAWI (Egypt), referring to the comments made by the representative of Iran on item 52, inquired whether the suggestion was that the Committee should recommend the General Assembly to postpone consideration of that question until the next session, or that such a recommendation would be made only if a decision could not be reached during the current session. On the subject of the order of priority to be given to the various items, he noted that there was general agreement on the urgency of the items on racial discrimination and self-determination. With regard to the report of the Economic and Social Council, his delegation agreed with the suggestions made by the representative of India, which were in keeping with traditional procedures.

30. Miss SHAHKAR (Iran) said that since the Diplomatic Conference was to meet again to complete its work on the question of the protection of journalists, her proposal was that consideration of item 52 should be postponed to the next session of the General Assembly.

31. Mrs. MOHAMMED (Nigeria) agreed that item 53 should be given first priority, since racial discrimination was at the root of most of the world's problems. Her delegation preferred the following order for the next four items: 55, 63, 12 and 56. With regard to the other items, her delegation had no particular preferences.

32. Lady GAITSKELL (United Kingdom) said that she thought the General Committee had suggested the right

priorities. She did not, however, agree with the representative of Saudi Arabia that non-controversial items should be dealt with first, since all items on the agenda were both controversial and important; otherwise they would not have been included. Her delegation thought that consideration should be given first to item 53, on racial discrimination, and specifically the Decade for Action to Combat Racism and Racial Discrimination. If the report of the Committee on the Elimination of Racial Discrimination was not available in time, sub-item 53 (b) could be dealt with separately.

33. Mr. WIGGINS (United States of America) noted that there was general agreement within the Committee that the first and second items to be taken up should be those dealing respectively with racial discrimination and self-determination. His delegation considered that the item on the elimination of religious intolerance should be dealt with next, and agreed with the views expressed by the representative of the Netherlands on that subject. Since such an important issue would probably give rise to considerable debate, it could be dealt with in stages so as not to delay the Committee's other work. His delegation would like the parts of the report of the Economic and Social Council dealing with human rights to be considered in fourth place, and item 56 to be dealt with in fifth place. With regard to the other items, his delegation would support the wishes of the majority.

34. Mrs. JONÄNG (Sweden) agreed that the Committee should take up the item on racial discrimination first and then the item on self-determination. However, she disagreed with the suggestion made by the representative of Saudi Arabia that the item on religious intolerance should be considered at a late stage, and endorsed the views expressed, and the procedure proposed, by the representative of the Netherlands in that connexion.

35. Mr. GUARIGLIA (Italy) supported the consensus within the Committee that first priority should be given to the item on racial discrimination, and said his delegation agreed with the views expressed and suggestions made by the representative of the Netherlands concerning the item on religious intolerance.

36. Mr. NOTHOMB (Belgium) said that he too would be in favour of that order of priority.

37. Mr. RÍOS (Panama) said that his delegation felt that item 53 should be given the highest priority, as it was of great interest both to the Committee and to the United Nations as a whole. The United Nations had consistently fought against racial discrimination, not only on the African continent but all over the world. The Committee should therefore devote adequate time to that subject. Item 55 was closely related to racial discrimination and had great importance for the work of the Committee and of the United Nations as a whole. It was precisely because of United Nations action in that field that many countries had attained independence and had become full-fledged Members of the United Nations.

38. His delegation also attached great importance to item 12. The report of the Economic and Social Council was always studied with great interest in the Committee and

required much attention; it should therefore be given high priority and allocated sufficient time.

39. Item 54 should remain in fourth place on the agenda, as that item had been discussed for many years but no conclusions had been reached because of the conflicting views on the matter. Item 56 should be given fifth place; everyone was aware of the importance of that item, for scientific and technological progress affected the lives of human beings all over the world.

40. His delegation felt that the Committee could leave it to its officers to decide on the order in which the other items should be discussed, taking into account the views on priorities which had emerged during the discussion.

41. Mr. ALFONSO (Cuba) said he agreed with the representative of Panama that the highest priority should be attached to items 53 and 55. Item 12 was next in importance, and he shared the views expressed by the representatives of India and Yugoslavia concerning the manner in which that item should be dealt with at the current session. His delegation attached great importance to item 56, which should be considered immediately after item 12. He understood that the Economic and Social Council had made notable progress in the consideration of item 56, which was of particular interest to developing countries like his own.

42. He was concerned at the insistence by some delegations that priority should be accorded to item 54. He agreed with the representative of the United Kingdom that the Committee should not shrink from dealing with difficult and controversial problems, but it should be borne in mind that its time was limited and that it would have to deal with many thorny problems at the current session. Since it was known in advance that the item in question was likely to cause difficulties, he suggested that it should be placed last on the agenda, in order to allow members time for reflection.

43. Miss DUBRA (Uruguay) said that she too thought the Committee should deal first with item 53 and then with item 55. She also agreed that the report of the Economic and Social Council should be taken up as the third item on the Committee's agenda. The report dealt with questions of urgent concern, such as human rights, and such topical questions as narcotic drugs.

44. Unlike the representative of Cuba, she did not think that consideration of an item should be delayed merely because it was controversial. The item concerning the elimination of all forms of religious intolerance was an important one and any further postponement of consideration would defeat the Committee's own purposes. That item should therefore be dealt with immediately after item 12, after which the Committee should consider item 56. The Secretariat should be entrusted with the task of establishing the order of the other items on the agenda.

45. Mr. VELESKO (Byelorussian Soviet Socialist Republic) said that he agreed with those who had suggested that priority should be given to items 53, 55 and 12, in that order. The item concerning the elimination of all forms of religious intolerance, which had been discussed often and at

length by the Committee in the past, should be taken up last. He had no particular preference with regard to the order of the other items.

45. Mrs. KINYANJUI (Kenya) said that there appeared to be general agreement that the highest priority should be attached to item 53. The Committee should therefore first consider sub-item 53 (a), for which the relevant documentation was already available. The Officers of the Committee should be asked to establish a tentative order of priority for the other items on the agenda.

47. The CHAIRMAN announced that the officers suggested the following order of discussion of the agenda items and the number of meetings to be allocated to each: sub-items 53 (a) and (c), 8 meetings; item 12, 14 meetings; item 55, 6 meetings; item 52, 6 meetings; item 54, 6 meetings; item 62, 4 meetings; item 63, 1 meeting; sub-item 53 (b), 4 meetings; item 56, 3 meetings; item 57, 5 meetings; item 58, 2 meetings; item 59, 4 meetings; item 99, 2 meetings; item 61, 1 meeting. If there were no objections, she would take it that the Committee approved the suggested programme of work.

*It was so decided.*¹

¹ The programme of work adopted by the Committee was subsequently circulated as document A/C.3/L.2100.

48. The CHAIRMAN said that the programme of work could be completed if the Committee worked as efficiently as possible, and she called on all delegations to co-operate with her in her efforts to ensure a successful session. She requested the delegations to familiarize themselves with the rules of procedure of the General Assembly, which would, however, be applied in a flexible manner in order not to interfere unduly with the work of the Committee. Valuable time was lost if meetings began late, and she appealed to delegations to co-operate in ensuring that they began on time, that the work was evenly distributed, and that their names were entered in good time on the list of speakers for each item. She expressed the hope that the length of statements would be kept within reasonable limits, and that agreement could be reached through informal consultations. The officers would keep the Committee informed of any adjustments required in its schedule should it fall behind in its work.

49. Mr. SRINIVASAN (India), noting that 14 meetings would be allotted to consideration of the report of the Economic and Social Council, inquired about the procedure to be adopted in dealing with that item.

50. The CHAIRMAN replied that consideration would first be given to the parts dealing with human rights, and the rest of the report would then be considered in the order deemed appropriate by the Committee.

The meeting rose at 6 p.m.

2053rd meeting

Monday, 30 September 1974, at 3.15 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2053

AGENDA ITEM 53

Elimination of all forms of racial discrimination (A/9603, chap. I, chap. V, sect. C.1; A/9666 and Add.1, A/9719, E/5474, E/5475):

- (a) **Decade for Action to Combat Racism and Racial Discrimination;**
- (c) **Status of the International Convention on the Elimination of all Forms of Racial Discrimination: report of the Secretary-General**

GENERAL DEBATE

1. Mr. SCHREIBER (Director, Division of Human Rights) said that the questions which the General Assembly had entrusted to the Committee were central to the concerns of the international community, whether they related to the elimination of racial discrimination, which was considered one of the major priorities of the United Nations, or to the impact of scientific and technological progress on the human condition and the future of mankind, or to the universal realization of the right to self-determination, to religious tolerance or to freedom of information. Considera-

tion of the report of the Economic and Social Council (A/9603) would make it possible to cover many other questions on which the conscience of mankind could find expression within the Committee.

2. The Secretary-General had written of the importance of the protection and advancement of human rights in the introduction to his report on the work of the Organization (see A/9601/Add.1, sect. XI). He had recalled that all economic, social and cultural problems, which were closely linked, greatly affected the rights of individuals. It would be erroneous, therefore, to consider that human rights questions were, if not academic, at any rate theoretical, and were more of a legal technicality than a practical reality. Over a quarter of a century, and since the adoption of the Universal Declaration of Human Rights, the United Nations had elaborated and implemented an impressive number of international instruments aimed at securing enjoyment of the rights proclaimed in the Declaration, foremost among them being the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex), the International Covenant on Economic, Social and Cultural Rights,

the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex). Thus, what could rightly be considered an international code of human rights had been established, constituting a new and important area of international law. That work had not yet been completed and the Third Committee was continuing it. Its agenda included the preparation of a draft Declaration and a draft Convention on Freedom of Information; and the studies that it had begun on the progress of science and technology should lead to the formulation of principles and rules designed to ensure the effective guarantee of human rights in a rapidly changing society. However it was not enough to enunciate principles and adopt instruments; they also had to be applied if the gap between the ideals proclaimed and everyday reality was to be narrowed. Governments and peoples had a right to turn to the Organization and call on it to promote the application of the principles proclaimed by Member States.

3. When the Committee came to consider the report of the Committee on the Elimination of Racial Discrimination¹ it would assess the results which had been achieved through the work of the distinguished and conscientious members of the Committee, with the active co-operation of the States Parties, since the entry into force of the International Convention on the Elimination of All Forms of Racial Discrimination. The entry into force of the International Covenants on Human Rights was eagerly awaited, as the application of their provisions and the installation of the machinery they provided for would lend a new dimension to and greatly increase the efficacy of United Nations action to promote universal respect for and deservance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion, as provided in Article 55 of the Charter. He recalled that at its twenty-eighth session the General Assembly in its resolution 3142 (XXVIII) had again expressed the hope that Member States would find it possible to take appropriate measures with a view to accelerating the process that would enable them to ratify or accede to the International Covenants. As indicated by the report presented by the Secretary-General under agenda item 58 (A/9720), that appeal had not been made in vain, and it was to be hoped that the total of 35 ratifications needed for the implementation of the Covenants would soon be reached. The ratification of the International Covenants was an important proof of the will of Governments to confirm their determination to respect human rights and to accept their responsibilities in that regard towards the international community.

4. He noted that there were now several methods and means available to the international community for ensuring better respect for human rights, as over the years the bodies of the United Nations had worked out procedures which enabled Governments and also organizations and individuals to voice their grievances and to call on the Organization to use its influence to put an end to serious violations of human dignity, safety of the person and the right to life itself. Despite the obstacles encountered in a sphere where political sensibilities were involved, real

progress had been made towards fulfilling what were undoubtedly the highest aspirations of mankind.

5. With reference to the first item on the Committee's agenda, namely, the elimination of all forms of racial discrimination, he noted that a year earlier the Third Committee had undertaken the final drafting of the programme for the Decade for Action to Combat Racism and Racial Discrimination. The discussions which had taken place at that time in the Third Committee had shown that all its members agreed on the urgency and imperative need for the international community to concentrate its efforts and co-ordinate its activities with a view to the complete eradication of all vestiges of racism, racial discrimination and *apartheid*. The few differences of opinion which still remained concerning certain aspects or modalities of application of the programme contemplated for the Decade had been easily overcome, and the programme had eventually won the broad support of the Third Committee and the General Assembly.

6. By its resolution 3057 (XXVIII), of 2 November 1973, the General Assembly had accordingly proclaimed the 10-year period beginning on 10 December 1973 as the Decade for Action to Combat Racism and Racial Discrimination. It had adopted the Programme for the Decade annexed to that resolution, and called on all States to co-operate fully in its implementation.

7. The Decade took the form of a world campaign designed to mobilize efforts and co-ordinate the activities necessary for the purpose of attaining the stated goals of the Programme.

8. To obtain the desired results, the General Assembly had entrusted the Economic and Social Council with the task of co-ordinating the Programme and evaluating the activities undertaken during the Decade, and requested it to carry out those functions in co-operation with the Secretary-General. The General Assembly, for its part, had decided to consider the question of the Decade each year on the basis of the report submitted to it by the Economic and Social Council concerning the implementation of the Programme, and itself to review such implementation. In other words, whereas the Council had a co-ordinating role, the Assembly was responsible for over-all supervision.

9. The Economic and Social Council, at its fifty-sixth session, had exercised for the first time the functions assigned to it by the General Assembly under the Programme for the Decade. To assist it in its task, in accordance with the provisions of the Programme, the Secretary-General had submitted to the Council two documents (E/5474 and E/5475) containing information on the activities undertaken or contemplated. Since the Decade had only been launched a few months earlier, the information gathered was necessarily fragmentary, and could reflect only activities which in many cases were still in their initial stages. Realizing that fact, the Council by its resolution 1863 (LVI) had taken note with appreciation of the reports submitted by the Secretary-General, but had requested the latter to bring them to the attention of the General Assembly, together with a report containing information subsequently received concerning activities undertaken or contemplated in connexion with the Decade. Such informa-

¹ Subsequently circulated as document A/9618.

tion appeared in document A/9666/Add.1 before the Committee.

10. Taken as a whole, those documents made it possible to appreciate the interest in the Decade which had been aroused throughout the world, both at the governmental and non-governmental levels. More time would, of course, be necessary for the activities to materialize and develop. But there was already an acknowledged willingness firmly to support the goals and objectives of the Decade and a general desire to participate in the activities provided for under the Programme.

11. He noted that some 15 Governments had provided information on the measures which they had taken to give effect to the Programme. Several United Nations bodies had also expressed their special interest in the Decade, and indicated their wish to be associated, within the framework of their own activities, in the implementation of the Programme.

12. Moreover, many non-governmental organizations had taken steps to ensure their participation in the Decade. In addition to the information on their programmes and projects contained in the documents before the Committee, it should be noted that several recent meetings of non-governmental organizations in Europe had confirmed the collective determination of those organizations to do their utmost to mobilize public opinion in support of the objectives of the Decade.

13. He referred to the great number of studies on matters such as the protection of minorities, of indigenous populations, of aliens, and in particular of foreign workers, which were being conducted by human rights bodies, in particular the Sub-Commission on Prevention of Discrimination and Protection of Minorities. A study had been undertaken on the effect of aid received by southern African régimes on the human rights of the population of that region.

14. The Programme for the Decade assigned an important role to United Nations bodies. In that respect also, concrete measures had already been taken. The Programme for the Decade provided for the organization, at both the international and regional levels, of seminars on certain specific aspects of measures aimed at combating racism and racial discrimination and promoting racial harmony. In that connexion, he informed the Committee that the Secretary-General intended to plan the programme of advisory services in the field of human rights for the coming years, in such a way that several seminars could be held on those subjects.

15. He wished to draw the attention of the Committee to another point, namely the world conference on combating racial discrimination, which was to be one of the major events of the Decade. The Programme for the Decade provided for the convening of that conference by the General Assembly as soon as possible, but preferably not later than 1978. Its main theme had also been determined, namely the adoption of effective ways and means and concrete measures for securing the full and universal implementation of United Nations decisions and resolutions on racism, racial discrimination, *apartheid*, decolonization and self-determination, as well as the accession to and

ratification and enforcement of the international instruments relating to human rights and the elimination of racism and racial discrimination. The Economic and Social Council, which, under the Programme, served as preparatory committee for the conference, had indicated its wish to take without delay certain preliminary measures relating to the organization of the Conference. In the draft resolution which it recommended to the General Assembly for adoption—which appeared in the Council's resolution 1863 (LVI) and was also annexed to document A/9666—the Council asked that an appeal be made to all Member States to supply the Secretary-General with comments and views as to the draft agenda and timing of the world conference.

16. He emphasized that in order to carry out all the activities listed by the General Assembly in the Programme, substantial resources would be necessary on the national as well as on the international level. The Programme itself provided that sufficient resources should be placed at the disposal of the Secretary-General to enable him to undertake the activities entrusted to him. It also envisaged the establishment of a special fund to permit the attainment of some of its objectives, as had been the case with other programmes of considerable scope. Possibilities of financial contributions from voluntary private and governmental sources might be explored, and in case of positive responses, the Economic and Social Council would be informed at its fifty-eighth session, which would deal with questions of human rights.

17. He wished to conclude with a few words on the subject of the International Convention on the Elimination of All Forms of Racial Discrimination. The report of the Secretary-General (A/9719) provided up-to-date information concerning the Convention. It was a source of satisfaction that the Convention had already been ratified by more than 80 countries. The Committee on the Elimination of Racial Discrimination recommended the General Assembly to launch an appeal to the States Parties to the Convention, and to those which were not yet parties thereto, for the purpose of securing full compliance with all the provisions of the Convention. It was clear that universal participation in the Convention and its effective application would make a very positive contribution to the achievement of the objectives of the Decade.

18. Mrs. TAKLA (Egypt) said that her delegation had listened with great interest to the introductory statement by the Director of the Division of Human Rights, and accepted the fact that much remained to be done in the struggle against racism and racial discrimination. The offence of racial discrimination and the crime of *apartheid*, which were in violation of all basic human rights, posed a serious challenge to the dictates of the United Nations Charter and the Universal Declaration of Human Rights.

19. Inhumane treatment was now being inflicted on the citizens of Zimbabwe, Namibia, South Africa and other occupied Territories. It was even encouraged by imperialist Powers. It was incomprehensible that in 1974, when man was able to reach the moon, he stood incapable, or unwilling, to treat a bleeding wound which had been draining mankind spiritually, socially and economically. Thus, the Secretary-General had to report with regret, in

the introduction to his report on the work of the Organization, that there had been no improvement in the internal situation in Southern Rhodesia, that in Namibia conditions continued to deteriorate and that in South Africa there had not been any relaxation in the rigorous application of the policies of *apartheid*. Despite that gloomy picture, the efforts exerted by the United Nations, its specialized agencies and other organizations had not been without value. The world community was now more conscious of the atrocities of racial discrimination and more willing to take practical steps towards the elimination of all forms of racial discrimination.

20. There were many examples of the growing international consciousness of the evils of racial discrimination. One was the increase to 82 in the number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination. Another was the decision taken by the Committee on the Elimination of Racial Discrimination that the summary records of the public meetings of the Committee in their final form would be classified as documents for general distribution beginning with the tenth session of the Committee; that practice was expected to create a wider awareness of the need to eliminate all forms of discrimination. She noted with satisfaction the fact that the latter Committee, in its resolution 2 (X) on the Decade for Action to Combat Racism and Racial Discrimination (see A/9666/Add.1, para. 16), considered it necessary to concentrate its efforts on preparing recommendations with regard to the most flagrant and large-scale manifestations of racial discrimination, particularly in areas which were still under the domination of racist and colonial régimes and foreign occupation, and that it was ready to take an active part in the preparation for and conduct of the world conference on combating racial discrimination and in a world-wide information campaign with the aim of eliminating racial prejudices and educating society by such means as the publication of brochures, radio broadcasts, seminars and pilot studies. In that connexion, the Secretariat should be asked to work out a formula which would ensure the utmost co-operation between the Committee on the Elimination of Racial Discrimination and the General Assembly in implementing the Programme for the Decade.

21. Another positive sign was the increase in the number of Member States which had signed the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex). The forceful attitude against *apartheid* and all forms of racial discrimination taken by the World Population Conference, held at Bucharest from 19 to 30 August 1974, and by the International NGO Conference against *Apartheid* and Colonialism in Africa, held in Geneva in September 1974, was an added indication of the weight of such crimes on the human conscience, as were the activities enumerated in document A/9666/Add.1.

22. The Decade for Action to Combat Racism and Racial Discrimination, which had been initiated on the occasion of the twenty-fifth anniversary of the Universal Declaration of Human Rights, constituted a serious and practical response to the challenge posed by the persistence of racial discrimination. The Economic and Social Council had been entrusted with responsibility for co-ordinating the Pro-

gramme for the Decade and evaluating activities during the Decade and had approved unanimously the draft resolution now before the Committee (A/9666, annex). That draft resolution should not be regarded merely as another statement of good will but as the signal of an era of action and active determination. Egypt fully supported the draft resolution, of which it had been a sponsor, and hoped that it would be adopted unanimously.

23. Nationally and internationally, Egypt's stand on the issue of racial discrimination had been both firm and consistent. Equality regardless of race, sex or religion was both a constitutional right and a day-to-day practice in Egypt. The Government, expressing the genuine attitudes of the Egyptian people, had always supported the struggle to promote respect for human rights, denounced theories of racial superiority and condemned all practices of racial discrimination. Egypt had been one of the first countries to sign the International Convention on the Elimination of All Forms of Racial Discrimination and had always strictly implemented the decisions of the Security Council and the General Assembly concerning South Africa's policies of *apartheid*, the question of Southern Rhodesia and the situation in Namibia.

24. Since human beings were all created equal, racial discrimination was depriving mankind of its very essence. It was also depriving the world community and the world economy of potentialities that should be released to contribute fully to the wealth of the human heritage and world progress.

25. The world had for long been divided into two groups of countries—the developed and the underdeveloped—on the basis of purely economic and material criteria. She wished to suggest a different criterion; there were countries which were morally developed or underdeveloped regardless of their economic situation. A number of economically developed countries practised discrimination in various forms. Others encouraged such practices. In the system of international relations, which was based on interdependence, it was not possible for racist Governments to continue their practices without the support of colonialism, neo-colonialism and imperialism. The morally advanced countries were called upon to assist the underdeveloped members of the world community to achieve better living conditions. That was an obligation under Article 55 of the Charter, which called for international economic and social co-operation.

26. Enough had been said about the elimination of racial discrimination. It was now time to embark on a course of positive action. Words might alleviate the miseries of millions of human beings, but they did not eliminate their suffering.

27. Mr. BAL (Mauritania) said that his delegation considered that during the current session priority should be given to the measures aimed at promoting recognition of human rights. For that purpose it was essential that the United Nations should be kept informed of all activities undertaken or contemplated which served the cause of human rights.

28. There had been memorable dates in the history of the United Nations when the Organization had been particu-

larly concerned with the questions of racism and racial discrimination; for instance during the previous year the United Nations had celebrated the twenty-fifth anniversary of the Universal Declaration of Human Rights. In 1970, on the twenty-fifth anniversary of the establishment of the United Nations, those questions had also been considered, and that concern had been reflected in the Declaration adopted by the General Assembly in its resolution 2627 (XXV). During the quarter of a century which had elapsed since the adoption of the Universal Declaration of Human Rights, much progress had been made, but racism and racial discrimination were still rife in several parts of the world.

29. He recalled that within the framework of the Decade for Action to Combat Racism and Racial Discrimination, the General Assembly had, in its resolution 2919 (XXVII) adopted at the recommendation of the Third Committee, requested the Economic and Social Council to request the Commission on Human Rights to give the highest priority to the consideration of the draft programme for the Decade and to submit it to the General Assembly at its twenty-eighth session; at that session the Assembly, by its resolution 3057 (XXVIII), had requested the Economic and Social Council to assume, with the assistance of the Secretary-General, responsibility for co-ordinating the Programme and evaluating the activities undertaken during the Decade. He recalled the opposition of certain European delegations to the idea of establishing a special committee to organize the Programme for the Decade, mainly because of the financial implications.

30. He drew attention to the information on the deliberations of United Nations organs and bodies concerned with the question of racial discrimination and *apartheid* in chapter I of the report of the Secretary-General (E/5474). He wished, through the intermediary of the Chairman, to appeal to the international community to help the United Nations to put an end to the cancer of racism and racial discrimination, which was particularly rife in southern Africa. The Government of the United Kingdom obstinately continued to support Ian Smith's racist clique in Southern Rhodesia, instead of following the example of Portugal and introducing decolonization by a rapid process and in agreement with the legitimate representatives of Zimbabwe. Human rights included the right to justice, equality and liberty; and thousands of Africans still lived under the yoke of colonialism and *apartheid* and were seeking by all means in their power to win the right to life, liberty and equality. A handful of Britons were trampling underfoot the resolutions of the international community. The silence of the United Kingdom with regard to the African people of Southern Rhodesia represented a set-back and the sacrifice of democracy for anarchy, of justice for oppression and of liberty and dignity for obscurantism. For almost ten years a handful of British immigrants and retrograde Europeans had held sway in Southern Rhodesia, and mass imprisonments and summary executions were taking place there in violation of the most elementary rights of modern society. Africa did not condemn for the pleasure of condemning; it was calling for justice and equality as a matter of reason and common sense. He recalled the appeal which the Portuguese Minister for Foreign Affairs had made to the international community, at the 2239th plenary meeting of the General Assembly, for reconciliation and the

re-establishment of fraternal relations between Africa and the new Portugal. The wind of change was blowing across the continent; Salazar's obscurantist and dictatorial régime, the anachronistic régime which had always ignored reality, had ignored the call of free Africa.

31. He called on all the colonial powers in Africa, and particularly on the United Kingdom Government and the other members of the North Atlantic Treaty Organization (NATO), which had relations of all kinds with Southern Rhodesia—despite the resolutions of the United Nations—and also with the racist Government of South Africa, to put an end to the régimes of terror, racism and racial discrimination which still existed in that part of the African continent.

32. The Committee should shoulder its responsibilities courageously. If people were being oppressed in Africa, Asia and Latin America, it was against their will and with the connivance of the forces of evil. He called on the international community to become more sensitive to the distressing problems of racism and racial discrimination currently facing mankind, and thus ensure scrupulous respect for basic human freedoms.

33. Mr. PARTHASARATHY (India) said that as the Decade for Action to Combat Racism and Racial Discrimination was only a year old, its Programme had understandably not yet gained full momentum, and he was certain that in a year or two it would accelerate and there would be an opportunity to witness more purposeful activities around the world based on the Programme.

34. Since the Committee had discussed the item at the previous session, many significant events had occurred in Africa, and the work carried out in the General Assembly and in the Third Committee in particular had undoubtedly helped to supplement the efforts of the national liberation movements and the progressive forces in Portugal to bring about the dissolution of one of the oldest colonial empires in the world. It was a matter for satisfaction that Portugal had begun to dismantle its colonial possessions in Africa, and in view of the speed with which that process was being carried out, the final and total dissolution of the Portuguese colonies in Africa should be completed in a year or two.

35. He recalled that during the twenty-fifth anniversary commemorative session of the General Assembly the Prime Minister of India, Mrs. Gandhi, speaking at the 1881st plenary meeting, had said "where theories of racial superiority determine governmental policies, the United Nations must work for racial equality". His delegation was glad that the Programme for the Decade had undertaken that task. The Programme had been carefully thought out at meetings of the various Committees concerned and at plenary meetings of the General Assembly, and most delegations had been satisfied with it when it had been finalized and endorsed in 1973.

36. His delegation hoped that specific action was being taken to implement the suggestions in paragraph 15 (a) and (d) of the Programme for the Decade, concerning research and studies to be carried out. He also wondered what action had been taken on the suggestion contained in paragraph 15 (f), and whether an appeal had already been addressed

to various scientific international organizations. He wished to draw attention to the proposal in paragraph 16 (c) that students and the younger age group be made acquainted with current thinking on the subject of racial discrimination.

37. In the past, at successive sessions of the General Assembly the Indian delegation had actively participated in deliberations leading to the formulation of the Universal Declaration on Human Rights and to the approval of the various United Nations instruments on racial discrimination and racism. During those deliberations the Indian delegation had drawn on the rich heritage of its own country over the centuries and more recently from the practice and precepts of Mahatma Gandhi.

38. He hoped that the number of ratifications of the International Convention on the Elimination of All Forms of Racial Discrimination would increase in the near future. India had signed the Convention and deposited the instrument of ratification in 1968.

39. His delegation looked forward to an accelerated programme of work all over the world as the Decade proceeded, and also looked forward to the world conference which was supposed to take place during the Decade. India pledged its active support for any measure which would tend to eliminate the remaining vestiges of racial discrimination in various parts of the world. His delegation was confident that before 1983—the last year of the Decade for Action to Combat Racism and Racial Discrimination—the United Nations would be celebrating the full and total implementation of the first and cardinal article in the Universal Declaration of Human Rights.

40. Mrs. SHAHANI (Philippines) said that, from the outset, her country had consistently called for the elimination of racial discrimination wherever it existed, particularly in Africa. At present, the Philippines had only one embassy in Africa. At the United Nations it had unequivocally demonstrated its solidarity with the African nations in the fight against racial discrimination.

41. Several activities had been undertaken in the Philippines in the past year in connexion with the Programme for the Decade for Action to Combat Racism and Racial Discrimination. On 24 October, United Nations Day had been celebrated on a nation-wide basis, with special emphasis on the issue of racial discrimination. The International Day for the Elimination of Racial Discrimination had also been observed, and the Philippines continued to support the United Nations Trust Fund for South Africa, the United Nations Educational and Training Programme for Southern Africa, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East. For 1974-1975 her country had contributed \$2,500 to be used for scholarships on behalf of black African students.

42. Following the proclamation of martial law in the Philippines in September 1972, various measures had been adopted by the Government to safeguard the well-being of all foreign nationals in the country. Those measures included: Presidential Decree No. 194, of 17 May 1973, which authorized aliens as well as associations, corporations

or partnerships owned in whole or in part by foreigners to engage in the rice and corn industry; General Order No. 38, of 19 September 1973, which authorized the arrest and detention of any person involved in crimes committed against tourists and transients which were punishable under the Revised Penal Code and other special laws; General Order No. 39 of 19 September 1973, which gave military tribunals concurrent jurisdiction with civil courts over crimes committed against tourists and transients; and Letter of Instruction No. 133, of 24 September 1973, which instructed the Commissioner of Immigration and Deportation to conduct a general registration of all foreign nationals in the country within a period of three months and to adopt such measures as might be necessary to protect the welfare of foreign nationals in the country against harassment, unnecessary inquiries or unauthorized investigations.

43. The Philippines had been a member of the United Nations Special Committee on *Apartheid* from the outset and had shown its commitment to the aims of that Committee. It was at present the Rapporteur of that Committee. It was concerned at the intransigent attitude of South Africa, and in that connexion it had participated, by casting what was considered the decisive vote, in the important decision taken recently by the Credentials Committee to reject the credentials of the South African delegation.²

44. In conclusion, she commended for adoption the draft resolution submitted by the Economic and Social Council, of which her delegation intended to become a sponsor. She was pleased that paragraph 9 of the draft resolution commended the active involvement of the Committee on the Elimination of Racial Discrimination in the implementation of the Programme for the Decade within its competence under the International Convention on the Elimination of All Forms of Racial Discrimination. As was well known, her country had ratified the latter Convention. It had also ratified the International Covenant on Economic, Social and Cultural Rights, and had been one of the first signatories to the International Convention on the Suppression and Punishment of the Crime of *Apartheid*.

45. Mr. RAZA (Pakistan) expressed appreciation to the Director of the Division of Human Rights for his excellent introductory statement, which made it clear that, from the theoretical standpoint, much progress had been made in the fight against racism and racial discrimination. The need now was for practical achievements.

46. His country had signed the International Convention on the Elimination of All Forms of Racial Discrimination immediately after its adoption by the United Nations. Pakistan maintained no relations, direct or indirect, with the illegal racist régime in Southern Rhodesia or the racist Government of South Africa. The wind of change was now blowing in southern Africa and it was expected that Portugal, after centuries of colonialism, would soon relin-

² See *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 3, document A/9779, paras. 14 and 15.

quish its hold on Angola and Mozambique. However, if South Africa continued to flourish, it was because several countries maintained indirect relations with the racist régime, thus nullifying the effect of General Assembly resolutions. Pakistan, for one, was prepared to back up its

words with deeds, and had consistently provided moral and material assistance to the peoples struggling against racial discrimination in all its forms.

The meeting rose at 4.50 p.m.

2054th meeting

Tuesday, 1 October 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2054

AGENDA ITEM 53

Elimination of all forms of racial discrimination (continued) (A/9603, chap. I, chap. V, sect. C.1; A/9666 and Add.1, A/9719, E/5474, E/5475):

- (a) Decade for Action to Combat Racism and Racial Discrimination (continued):
- (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General (continued)

GENERAL DEBATE (continued)

1. Mr. DAHLÉN (Sweden) said that the chief reason why the Committee was compelled to discuss the subject of racial discrimination year after year was the existence of *apartheid* and institutionalized racism in southern Africa. His country's position on that question, with particular reference to the goals and objectives of the Decade for Action to Combat Racism and Racial Discrimination, as listed in paragraph 5 of the draft resolution (A/9666, annex), had been clearly stated in its reply to the Secretary-General¹ following General Assembly resolution 2784 (XXVI). Sweden had ratified the International Convention on the Elimination of All Forms of Racial Discrimination and had enacted the necessary legislation to implement it. It had accepted the right of the individual to petition the Committee set up in accordance with the Convention and was giving direct assistance to refugees and liberation movements in southern Africa, in addition to supporting the work of non-governmental organizations in that field. It was also working actively within UNDP, UNICEF and other specialized agencies to have broader support given to the liberation movements in question.

2. One of the basic human rights was that of people to unite and form a State. However, although a State might be formally independent, its freedom could be illusory if it was economically or politically dependent on another nation. Underdevelopment was in itself an injury to true independence and, as had been pointed out at the sixth special session of the General Assembly, it was the responsibility of all Members of the United Nations to produce a new international economic order so that the people of every nation in the world could have a decent standard of living. Sweden would do its best to take up that challenge.

¹ See E/CN.4/1093/Add.7.

3. Sweden had always taken a firm stand against racial discrimination and believed that it was essential also to combat discrimination against women. The battle for religious, cultural and political freedom was also urgent, since discrimination on such grounds was as intolerable as discrimination by reason of race or sex.

4. No country could honestly say that it had been able to implement fully the Universal Declaration of Human Rights and the International Covenants on Human Rights, since laws had to be continually adjusted to new situations. Moreover, special attention had to be given to the legal remedies of which the individual could avail himself if he considered that a governmental, regional or local authority had taken an unlawful decision. The Swedish institution of *ombudsman* had proved to be useful in that connexion.

5. It was likewise highly desirable that individuals in a country should have an opportunity to appeal to an international body when they believed their human rights had been violated or they had been discriminated against. For that reason a number of European countries, including Sweden, had set up the European Commission of Human Rights, to which Governments had to answer for their decisions in that sphere. His country held that the possibility of individuals appealing to an international institution was not a curtailment of national sovereignty. The United Nations had created similar machinery in connexion with racial discrimination whose rulings would have a significant impact if all States accepted the system. His Government hoped that more Governments would do so in the near future.

6. The International NGO Conference against *Apartheid* and Colonialism in Africa to consider the continuing violations of human rights in Africa had taken place from 2 to 5 September in Geneva. That Conference had clearly shown how important a role the non-governmental organizations played in influencing world opinion against racial discrimination. It was obvious that the United Nations had not yet made full use of the co-operation of non-governmental organizations and he believed it should do so.

7. The world still offered innumerable anonymous examples of racial discrimination; they were not limited to any particular geographical area or to any particular form of discrimination. It should be remembered that all human beings, all over the world, had the right to equal and fair treatment irrespective of their racial origin. All Govern-

ments should therefore maintain constant vigilance and should view the Decade within a broad global perspective. The racial discrimination still being practised in southern Africa was the most flagrant example of institutionalized racism, but even when that situation had changed the problem of racial discrimination would still have to be kept under constant review, since every new generation would have to pursue the struggle to maintain and deepen the achievements of earlier generations.

8. Mrs. YOTOPOULOS-MARANGOPOULOS (Greece) said that she was happy to be representing a democratic Greece after seven years of dictatorship and obscurantism. Throughout those years democracy had been suppressed and the Greek people had lost its fundamental rights. Every political force in the country had been persecuted and its representatives imprisoned or exiled. Throughout that time, however, the military dictatorship had been audacious and hypocritical enough to send a delegation to the United Nations to protect in words the human rights it was abolishing in practice. At the current session the Greek delegation could say with pride that its words reflected the facts, since there was not a single political prisoner in the country, all parties could carry on their activities normally and every citizen was free to express his ideas.

9. Painful experience had given Greece the privilege of learning exactly what other peoples felt when they lost their fundamental human rights. It was natural, then, that it should cordially welcome the countries which had recently gained freedom and been admitted to membership of the United Nations: Bangladesh, Guinea-Bissau and Grenada, and that it should support African peoples still enduring racism and racial discrimination.

10. In Greece problems of racism and racial discrimination were non-existent, but Greeks had learned what it was to feel oneself a second-class citizen. During the years of dictatorship Greeks had also come to understand that the great international organizations could do nothing effective to redress their situation. Only a few countries, among which Sweden and the other Scandinavian countries were outstanding, had assisted them in their struggle against oppression.

11. Words would not suffice to end the scourge of racism and racial discrimination. Indeed, they could at times be counter-productive, since they produced a false impression of a duty fulfilled. The signing and ratification of the two International Covenants on Human Rights was a prerequisite for real protection of those rights, but unfortunately the Covenants had not yet been signed and ratified by the majority of States. Her Government hoped to be able to announce at the following session that it had done so.

12. Moreover, even in countries such as Greece in which racial discrimination was non-existent, it was important to penalize acts which violated racial equality. Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination covered some of those acts and obliged the States parties—including Greece—to declare assistance to racist activities, including the financing thereof, to be a punishable offence. Nevertheless, Southern Rhodesia had received assistance from many countries, something that would notably not have happened if the

legislation of those nations had provided penalties for helping racist régimes. The Government of Greece, which had already enacted, through special laws, penalties for violations of the economic sanctions against Rhodesia, would do its utmost to have the Greek criminal code amended so as to make punishable any act of assistance, direct or indirect, to racist activities generally.

13. The adoption of legislation prohibiting all types of discrimination was not sufficient, however; more practical measures had to be taken, such as sanctions. Greece considered that, if the competent organs of the United Nations established the existence of acts which contravened the many decisions and recommendations on discrimination, they should impose appropriate sanctions, which might even go so far as to exclude the offending country from the United Nations. First might come the application of cultural sanctions, in other words, the breaking off of all cultural intellectual, artistic and athletic relations and the consequent isolation of a country which, because of its discriminatory or racist practices, did not reach the minimum level required of a civilized society. Should those sanctions produce no effect, economic measures should be applied; although they had produced no great impact in the case of Rhodesia, they had provided the necessary experience to identify the defects of the system and perfect it for future use. In the report entitled *The impact of multinational corporations on development and on international relations*² provision was made for that type of sanctions in the recommendation that home and host countries should ensure, through appropriate actions, that multinational corporations did not violate sanctions imposed by the United Nations Security Council, for example, on countries suppressing human rights and following racist policies. It even provided for a series of economic sanctions against host countries which violated human rights and, most particularly, the rights of workers.

14. There was also a third procedure, namely, that of not accepting as valid the credentials of the offending countries. In that connexion, the case of the Republic of South Africa was a landmark in the history of the United Nations, since until now the question of representation had been discussed only from a legal point of view. Now, for the first time, the substance of the question was being examined and it was openly being considered whether a particular country was worthy of being represented in a community committed to the struggle for fundamental rights and freedoms and human dignity.

15. Mrs. GUEYE (Senegal) said that, as the representative of a black African country which was proud of its origins, she was grieved to observe that, in the century of the atom and the exploration of outer space, the international community still had to deal with such outmoded problems as racial discrimination, particularly in its most cynical and intolerable form, namely, the policies of *apartheid* of the South African Government.

16. Since 1946, when India had submitted a complaint against the legislative measures adopted by South Africa against African citizens of Indian origin, the policies of *apartheid* had always been included in the agenda of the

² United Nations publication, Sales No. E.74.II.A.5.

General Assembly. In addition to various measures adopted against the South African régime, the International Convention on the Elimination of All Forms of Racial Discrimination had been adopted on 21 December 1965 by General Assembly resolution 2106 A (XX), had entered into force on 4 January 1969 and had so far been ratified by 82 States, including Senegal; the year 1971 had been declared the International Year for Action to Combat Racism and Racial Discrimination; and, in resolution 2919 (XXVII), the General Assembly had decided to proclaim a Decade for Action to Combat Racism and Racial Discrimination and to inaugurate its activities on 10 December 1973, on the occasion of the twenty-fifth anniversary of the Universal Declaration of Human Rights.

17. Nevertheless, after a quarter of a century and despite the efforts of the United Nations, questions of racism and racial discrimination were still burning issues in many parts of the world, particularly in southern Africa, where the majority of the people were being deprived of their most basic legitimate rights by a minority of racist dictators. The illegal Fascist régimes of Salisbury and Pretoria were intensifying their policies of oppression in the face of the inevitable progress of the national liberation movements which were fighting to regain the land of their ancestors and to restore their freedom and human dignity. In response to the negative policies and preposterous arrogance of Ian Smith and his clique of rebel racists, the United Kingdom Government had the historic duty to show that it was equal to its responsibilities, and so had all States which were still indirectly collaborating with régimes whose existence demeaned all mankind. One source of inspiration in that regard was the example of Portugal, which had just undertaken the decolonization of its former possessions.

18. Senegal was seriously determined to contribute to the establishment of a universal humanism and would do everything in its power, as it had always done, to support and encourage all the democratic and progressive forces in the world which were struggling for the establishment of a society without racism and racial discrimination. Thus, faithful to its concept of freedom and democracy in Africa and throughout the world, her Government had taken various measures for the promotion of the exercise of personal freedom, including the liberation of all political prisoners and the recognition of the existence of different political parties.

19. Her delegation fully supported the draft resolution recommended by the Economic and Social Council in its resolution 1863 (LVI) and contained in the annex to the note by the Secretary-General (A/9666), and it endorsed the programme for the Decade for Action to Combat Racism and Racial Discrimination (General Assembly resolution 3057 (XXVIII), annex). It invited the international community to take specific and energetic measures to destroy those evils at their roots and suggested a broad campaign of information on the subject and scientific studies which would prove beyond all doubt that there were no inferior or superior races but only a race of equal human beings possessed of human dignity.

20. Lady GAITSKELL (United Kingdom), paying tribute to the Portuguese Government for its courageous decision to grant independence to its colonies, said that, although

the Programme for the Decade should concentrate on the solution to the problems of southern Africa, where racism was institutionalized and regulated, a blind eye should not be turned to the existence of racial discrimination in other parts of the world. Moreover, the efforts of Governments to eliminate racism in other parts of the world could be convincing only in so far as they achieved racial harmony in their own countries. Consequently, dealing with that problem required a twofold approach, namely, trying to do everything possible to improve the situation in southern Africa without overlooking the problem of racial discrimination at the national level.

21. There was a tendency nowadays to stress the need for more and more research into man's behaviour. In her view what was necessary was research of a practical nature designed to overcome problems of racial discrimination, rather than purely theoretical research. There was a danger of becoming lost in the esoteric fields of philosophy, psychology and genetics, to the detriment of the adoption of urgent and necessary measures. Such measures should include expressions of international concern, as embodied in such instruments as the International Convention on the Elimination of All Forms of Racial Discrimination, which were of great importance for bringing about an increased awareness of the evils of racism. The Decade for Action to Combat Racism and Racial Discrimination provided a useful setting for the adoption of practical measures designed to eliminate racism and racial discrimination, and, while not agreeing with all the provisions of the Programme for the Decade, her delegation considered it sufficiently broad to take into account the diverse situations existing in different parts of the world. The immediate responsibility must, however, rest with national Governments, which must take the necessary political and legal steps to eliminate racial discrimination.

22. There were now about 3 million immigrants in the United Kingdom. Although it could not be claimed that racial prejudice did not exist, special laws making overt acts of racial discrimination illegal, such as the Race Relations Act, had been passed, and two official bodies, the Race Relations Board and the Community Relations Commission, had been established in order to try to solve problems before they required legal action. On the basis of that experience, the United Kingdom was glad that the Programme for the Decade made it a clear responsibility of each Member State to promote the elimination of racial discrimination at the national level. The measures suggested in paragraph 12 of the Programme provided a sound basis for all countries to use in formulating, if they had not already done so, national programmes and policies designed to achieve racial harmony. In conclusion, she expressed the hope that the Decade would help to create an attitude of constant vigilance on the part of each Member State with regard to its responsibility to those within its jurisdiction.

23. Miss ILIĆ (Yugoslavia) congratulated the representatives of Bangladesh, Grenada and Guinea-Bissau on their countries' admission to the United Nations. Their membership brought the Organization close to universality. The fact that Grenada and, more particularly, Guinea-Bissau had achieved independence at the beginning of the Decade for Action to Combat Racism and Racial Discrimination was of

both real and symbolic significance to peoples still under colonial and foreign domination, which could find in it a source of inspiration in their struggle for liberation and independence. It was to be hoped that the process which had begun in the former Portuguese Territories would spread throughout southern Africa and put an end to the degrading and inhuman policies of *apartheid*. It was also to be hoped that that process would help to accelerate the liberation of the last colonialist strongholds, wherever they might exist, and bring freedom, self-determination and independence to all the peoples and countries still under racist, colonial and foreign domination.

24. Although racism and *apartheid* were examples of the most radical form of racial discrimination, determined action must also be taken to combat by every possible means all the other forms of discrimination, as defined in the International Convention on the Elimination of All Forms of Racial Discrimination.

25. It was an honour for her delegation to take part in the first examination of the observance of the Decade for Action to Combat Racism and Racial Discrimination proclaimed by the General Assembly at its previous session. Although less than a year had passed since the launching of the Decade, it was gratifying to note the readiness of Governments and various bodies and organizations of the United Nations system to help in every way to achieve the goals and objectives of the Decade. It was to be hoped that the following year would provide an opportunity for an analysis not only of the activities contemplated but primarily of those already completed and for substantive comments on the observance of the Decade.

26. It was not for lack of interest that her Government had not replied to the questionnaire sent by the Secretary-General in accordance with paragraph 18(e) of the Programme concerning activities undertaken or contemplated in connexion with the Decade but only for lack of sufficient time to do so. Her Government's activities had included, firstly, the organizing, in co-operation with the United Nations, of a world-wide seminar on the promotion and protection of human rights of national, ethnic and other minorities, held at Ohrid from 25 June to 8 July 1974, which was mentioned in paragraph 64 of document A/9666/Add.1. Her delegation believed that the conclusions adopted by that seminar would be a source of inspiration for the future activities of many United Nations bodies dealing with those matters. Secondly, Yugoslavia had established the nucleus of a national body which would be responsible for the observance of the Decade throughout the country. Furthermore, it had been proposed that the competent authorities should sign and ratify the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex), and they would doubtless adopt a favourable decision in the matter.

27. Her delegation appealed to the members of the Committee to reaffirm their support for activities aimed at combating all forms of racism and racial discrimination, by adopting unanimously the draft resolution recommended by the Economic and Social Council (A/9666, annex).

28. Mrs. WATANABE (Japan) said that her country attached the highest importance to the fundamental ques-

tion of human rights and, together with other Member States, would continue to intensify its efforts to eliminate all forms of racism and racial discrimination. Japan had taken that position in conformity with the Constitution of Japan, which provided that no one should be prevented from enjoying the fundamental human rights and that those rights would be recognized as eternal and inviolable. The Constitution also provided that all persons were equal and that there would be no discrimination in political, economic or social relations on the ground of race, sex, creed, social status or family origin.

29. Her delegation was convinced that racism and racial discrimination were incompatible with human relationships determined by the principles on which the Charter of the United Nations was based. It was therefore very pleased to inform the Committee that her Government had assumed a number of obligations required of states parties to the International Convention on the Elimination of All Forms of Racial Discrimination and was carrying out a study on its possible accession to that Convention.

30. Mrs. GRINEVICH (Byelorussian Soviet Socialist Republic) said that the elimination of racism was one of mankind's greatest tasks. It was therefore gratifying to note that Governments and public opinion in many countries had stepped up the struggle against racial discrimination. The World Congress of Peace Forces, held in Moscow in October 1973, had condemned racism and proposed that South Africa and Southern Rhodesia should be isolated. Colonialism and racism had also been condemned by the eleventh session of the Assembly of Heads of State and Government of the Organization of African Unity, held at Mogadiscio from 12 to 15 June 1974, and by many other international meetings. The United Nations was involved in the struggle against racism and had designated the years 1973 to 1983 as the Decade for action to combat Racism and Racial Discrimination. Paragraph 8 of the Programme for the Decade stated that the ultimate goals of the Decade were to promote human rights and fundamental freedom for all, without distinction of any kind on grounds of race, colour, descent or national or ethnic origin, to arrest any expansion of racist policies and to counteract the emergency of alliances based on mutual espousal of racism and racial discrimination.

31. The decision to launch a Decade for Action to Combat Racism and Racial Discrimination had been inspired by the fact that there had been and there still were racist régimes in southern Africa and States which supported them. The decisions of the United Nations were not being fully implemented, and that was why the system of exploitation prevailing in South Africa and Southern Rhodesia persisted. The Salisbury régime continued its policy of racial segregation and oppression of the indigenous population. It had promulgated laws designed to make Southern Rhodesia a land of *apartheid* and to worsen the already lamentable position of the indigenous population, which was subjected to a policy of discrimination in the political, educational, social and all other spheres. The political and social organizations combating racism were being persecuted and their members imprisoned. Moreover, capital punishment had been instituted. World public opinion viewed with concern that intensification of racist policies and called for an end to such repression.

32. The United Nations General Assembly had adopted resolutions condemning the refusal of the Government of the United Kingdom to take steps against Southern Rhodesia, and the right of the people of Zimbabwe to fight for their liberation had been recognized.

33. Europeans living in South Africa were becoming increasingly aware of the injustice of the inhuman system of *apartheid* and were taking action against the racists. A struggle was being waged for political rights, not simply for wage increases or better working conditions for the black population. The racial discrimination situation would be resolved with the solution of the main problem, which was the political problem.

34. Her delegation supported the high ideals of the Programme for the Decade to Combat Racism and Racial Discrimination. Soviet power established at the time of the triumphant October Revolution had led to the proclamation and practical achievement of full equality in every area. That was the essence of socialism since if there was no economic exploitation, there could be no grounds for racial discrimination. The Constitution of the Byelorussian SSR established the equality of all citizens in every area. Any limitation of rights or establishment of privileges was punishable by law. The population was educated in the ideals of friendship with all the peoples of the world and of internationalism.

35. In 1974 the Byelorussian people had demonstrated its support for the struggle being waged by the peoples of the world against racial discrimination, and had observed the Week of Solidarity With the Colonial Peoples of Southern Africa and the International Day for the Elimination of Racial Discrimination. In the same year, the Government of the Byelorussian SSR had ratified the International Covenants on Human Rights and signed the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. His delegation was in favour of any measure designed to combat racism, and supported the United Nations decisions establishing sanctions against racist régimes and calling for the elimination of racial discrimination. Accordingly, at the twenty-eighth session of the General Assembly it had urged all Members of the Organization to accede to the International Covenants on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. Similarly, it supported the Decade for Action to Combat Racism and Racial Discrimination, and was in favour of the draft resolution on that question recommended by the Economic and Social Council to the General Assembly for adoption (A/9666, annex).

36. The Byelorussian SSR would continue to support the struggle against racism. The success of that struggle and the solidarity of the world community showed that an irrevocable decision had been taken to put an end to racism and racial discrimination.

37. Mrs. SÄLZLER (German Democratic Republic), after welcoming the representatives of Bangladesh, Grenada and Guinea-Bissau and congratulating them on their countries' admission to the United Nations, noted that the German Democratic Republic, like the other socialist States, had in accordance with its consistent past policy opposing colo-

onialism, racism and *apartheid*, supported at the twenty-eighth session of the General Assembly the text which was subsequently adopted as resolution 3057 (XXVIII), concerning the Decade. The German Democratic Republic Committee for the Decade, composed of Government representatives and eminent personalities in her country, had been established on 25 June 1974. The task of that Committee was to co-ordinate scientific, educational and artistic activities in support of the struggle against the racist régime in South Africa and against all remnants of colonialism which still existed.

38. Racism and racial discrimination were incompatible with socialism. The people of the German Democratic Republic respected all human beings and all peoples, irrespective of race or religion, and felt linked to them by close ties of friendship. At the first of the meetings held in Berlin, the capital of the German Democratic Republic, by the Special Committee on *Apartheid* (285th meeting) – during its special session in various European capitals in 1974 – the Acting Minister for Foreign Affairs of the German Democratic Republic had stated that the value of a human being was not determined by the colour of his skin or by his creed, but rather by the stand he took with regard to the social problems of his people and by his contribution to the social development of his country. That statement reflected a concept which governed the policy of the German Democratic Republic and every-day life in that country, and during that series of meetings of the Special Committee, the solidarity of all its citizens with those fighting against racism, racial discrimination and *apartheid* had been demonstrated clearly.

39. The policy of racist oppression practised by the Pretoria régime threatened peace and constituted a crime against humanity. The German Democratic Republic recognized and supported the right of the liberation movements to employ all means in resisting imperialist and racist exploitation and oppression and to exercise the right of colonial peoples to self-determination, and had always provided moral and material assistance to liberation movements in southern Africa. Since it had always held that the Pretoria régime was not entitled to represent the people of South Africa, it welcomed the decision of the Credentials Committee not to recognize the credentials of the delegation of South Africa.³ It also supported the admission of representatives of the liberation movements to various international conferences and the decision taken by the General Assembly at its 2254th meeting to invite them to participate as observers in meetings of the Fourth Committee.

40. The German Democratic Republic regarded as a self-evident duty the strict observance of all resolutions adopted by the United Nations against the racist régimes in southern Africa. It maintained no relations whatsoever with either the Republic of South Africa or Southern Rhodesia, and therefore had no representation in those countries or in Namibia. It was a party to the International Convention on the Elimination of All Forms of Racial Discrimination, and

³ See *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 3, document A/9779, paras. 14 and 15.

had been one of the first States to ratify the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. It therefore supported the draft resolution recommended by the Economic and Social Council.

41. Her delegation shared the indignation of other delegations with regard to the fact that there were still certain Powers which failed to comply with United Nations resolutions and continued to co-operate with the racist régimes in southern Africa. *Apartheid*, which was the most brutal form of racial discrimination, could only survive because a few NATO Powers did not observe United Nations decisions and continued to support the racists. It was the big multinational corporations which profited most from *apartheid* by exploiting the African workers, and it was particularly important that the Programme for the Decade should demand an end to all such support for the racist régimes, as had been emphasized at the Fourth Conference of Heads of State or Government of Non-Aligned Countries held at Algiers in September 1973, when the Conference had demanded the withdrawal of invest-

ments from South Africa.⁴ Her delegation therefore suggested that paragraph 6 of the draft resolution presented by the Economic and Social Council (A/9666, annex) should be amended to include an appeal to the Governments of all States which had made investments in the Republic of South Africa to withdraw them or to bring their influence to bear on their nationals who acted as private investors to do so.

42. In conclusion, her delegation expressed the hope that all States Members of the United Nations would accede as soon as possible to the International Convention on the Elimination of All Forms of Racial Discrimination.

43. The CHAIRMAN said that since there were no names on the list of speakers, the afternoon meeting of the Committee would be cancelled. The Committee would resume consideration of the item the following day at 10.30 a.m.

The meeting rose at 12.35 p.m.

⁴ See A/9330 and Corr.1, p. 32.

2055th meeting

Wednesday, 2 October 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2055

AGENDA ITEM 53

Elimination of all forms of racial discrimination (*continued*) (A/9603, chap. I, chap. V, sect. C.1; A/9666 and Add.1 and 2, A/9719, E/5474, E/5475):

- (a) Decade for Action to Combat Racism and Racial Discrimination (*continued*);
- (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General (*continued*)

GENERAL DEBATE (*continued*)

1. Mr. RÍOS (Panama) said that his delegation fully agreed with the priority given to the item concerning the elimination of all forms of racial discrimination and with the number of meetings allocated to it. In a just world, with equality for all, such as the United Nations was attempting to build, there was no place for racial discrimination in any of its forms or manifestations. The human race was one and indivisible; and it followed from that indisputable premise that it was odious to practise racial discrimination either openly or covertly. The painful experience of nazism, which was based on the supposed superiority of one race, had alerted the world to the urgent need to eradicate all traces of racial discrimination, and the United Nations was committed to that task. The principle of respect for human rights and for fundamental freedoms for all without distinction as to race, sex, or religion, was laid down in

Article 1, paragraph 3, of the Charter. In 1966 the General Assembly had, by resolution 2142 (XXI), proclaimed 21 March as International Day for the Elimination of Racial Discrimination, and on 10 December 1973 the Decade for Action to Combat Racism and Racial Discrimination had been launched in accordance with General Assembly resolution 3057 (XXVIII). Both decisions reflected an irrevocable commitment obliging all peoples to promote fundamental freedoms and full respect for the inherent dignity of all human beings.

2. Mankind seemed to be passing through one of the most critical stages of its history, and could find adequate solutions and dispel the danger of the many problems threatening it only by means of co-operation, and neither co-operation nor harmony were possible if the hatred and hostility engendered by racial discrimination persisted. The Panamanians had been the victims of racial discrimination at the hands of a foreign Power on their own soil, and therefore knew how painful that inhuman practice was; and they would always speak out against any system based on discrimination between races. With the intelligent use of modern means of communication and methods for the dissemination of culture, the Decade could produce tangible results in the campaign to extirpate the scourge of racism as an obstacle to the happiness of peoples and to harmony between them.

3. Mr. NOTHOMB (Belgium), after welcoming the representatives of the three new Members of the United Nations,

namely, Bangladesh, Grenada and Guinea-Bissau, expressed his delegation's strong support for the efforts being made by the various organs of the United Nations within the framework of the Decade for Action to Combat Racism and Racial Discrimination. Since receiving the note by which the Secretary-General had transmitted the Programme for the Decade (General Assembly resolution 3057 (XXVIII), annex), his Government had been working towards the adoption of measures to meet the requirements of that Programme. It was not a question of reviewing laws, since Belgian legislation contained no provisions based on racial discrimination, but rather of creating a state of mind and of making the public aware of one of the grave problems of the modern age.

4. Some of the measures undertaken were primarily connected with education and teaching, and were a continuation of earlier efforts. The role of education was of the utmost importance for the elimination of racism and racial discrimination, since nobody was born a racist. It was necessary not only to warn children about the evils of racism but also to ensure that the educational system was free from all unconscious racism.

5. The official curricula of secondary schools therefore included questions concerning racism and racial discrimination as subjects for study in social and moral education courses and in geography and biology courses. Many colleges had been asked to include the topic of racial discrimination in their educational activities, as a matter of priority, and the Belgian authorities had informed UNESCO of the results of those activities. Education and information meetings had also been organized on racial and human rights problems for history and social education teachers, and it had been decided that such activities would continue throughout the Decade. In that regard it should be noted that a group of teachers had undertaken a study of racial prejudice and other forms of prejudice which might still be reflected in Belgian history textbooks. The textbooks in question would be revised accordingly. The non-governmental organizations, whose dedication and unselfishness deserved the highest praise, were also assisting in the whole campaign, organizing lectures, radio and television programmes and debates.

6. The Programme for the Decade suggested that States should encourage the preparation and publication of studies on the elimination of all forms of racial discrimination and the use of all available media of information to educate the public, continuously and systematically, in that field. In 1972 UNESCO, Belgium's Ministry of Culture (Dutch) and its Dutch-speaking radio and television network had granted subsidies to a Belgian team to make a film in the country on the subject of race, racism and racial discrimination. Moreover, a group of Belgian teachers was co-operating with the United Nations Information Centre in Paris in the preparation of pamphlets on the subject in Dutch.

7. In the field of immigration, the Government had studied the case of many aliens working clandestinely in Belgium and had regularized their status. Belgian public opinion condemned racism, and that condemnation was reflected in the warm welcome given to the 700,000 aliens residing in the country. The best proof was furnished by the large number of foreign students attending Belgian

primary and secondary schools and universities, where they encountered an atmosphere of true friendship. It was particularly interesting to note that 10,000 African students were currently studying in Belgium.

8. Mrs. ABANKWA (Ghana) said that her Government's stand on the policies of racial discrimination and *apartheid* of which the African peoples were victims, was well known. It was vehemently opposed to racism and racial discrimination and was committed to the total eradication of those evils. It therefore considered that the launching of the Decade for Action to Combat Racism and Racial Discrimination was a very significant measure; but the objectives of the Decade could only be achieved through positive action by Governments, international organizations and governmental and non-governmental bodies. Her delegation had therefore taken note with appreciation of the activities described in documents E/5474, E/5475 and A/9666/Add.1.

9. Among the measures adopted or contemplated by her Government, outlined in document A/9666/Add.1, was the creation of a national committee comprised of representatives of the relevant Ministries—such as the Ministries of Foreign Affairs, Education, Information and Justice—and of organizations such as the National *Apartheid* Committee and the Ghanaian Assembly of Women, to ensure the successful implementation of the Programme for the Decade. The Programme had also been distributed to the relevant governmental and non-governmental organizations for information and action. As a result, some 50 schools had already included the subject of human rights in their civics, history and general knowledge courses.

10. Other measures involved continued assistance to the National *Apartheid* Committee, which had been given direct responsibility for the implementation of the Programme for the Decade. The Government would also continue to co-operate with the Organization of African Unity to provide financial, material and moral support for the liberation movements in Africa—and it should be mentioned that during the celebration of the twenty-fifth anniversary of the Universal Declaration of Human Rights funds had been collected for those liberation movements—and to collaborate in the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. Her Government was also considering the possibility of hosting the mid-Decade world conference. In order to ensure that the Programme was implemented effectively, the relevant Ministries would ensure that the country's economic policies against racism remained unimpeachable. Religious organizations would also be encouraged to incorporate in their sermons and lectures issues relating to racial discrimination.

11. Although the horrors of racism were to be found in their crudest and most brutal form in southern Africa, they also existed in other regions of the world: there was a need to fight them on a global basis. Her delegation urged those States which had not yet become parties to the International Convention on the Elimination of all Forms of Racial Discrimination to accede to it as soon as possible, and appealed to all Governments to prevail upon South Africa to abandon its *apartheid* policies.

12. Mr. ELTAYEB (Sudan) said that the subject of racism had always been given high priority in the Third Committee, since it was connected with the right of everyone to live in dignity. The racist régime of South Africa continued to humiliate human beings, and the consequence of that policy had been isolation. However, it was necessary for the entire world community to condemn those who practised racism and to take appropriate measures and implement the General Assembly's resolutions, putting a stop to all co-operation with South Africa and supporting the liberation movements.

13. There were various ways in which the enjoyment of human rights could be ensured: promulgation of national and international legislation, support for the liberation movements, education of young people in respect for human beings, and dissemination of information to influence public opinion. The Sudan was applying all those measures. Its Constitution stated that all men were equal and prohibited all discrimination; moreover, it provided for equality of opportunity for all citizens, taking into account the fact that human rights could not be guaranteed without considering all the social, religious and economic factors involved. The people and Government of the Sudan were working together to maintain the system of free education, assistance was being given to the rural population to ensure that it had equal opportunities, and women had the same rights as men in all fields and could participate in political and economic life of the country under conditions of equality. Legislation in the Sudan protected individual rights, and that protection was reflected in actual practice.

14. At the international level, the Government of the Sudan attached great importance to the resolutions of the United Nations and to the International Convention on the Elimination of All Forms of Racial Discrimination, and was strictly implementing their provisions. Furthermore, it repudiated racism and imperialism, and supported all the African liberation movements. The independence of Guinea-Bissau showed that the efforts of those movements would end in victory, and that imperialism would disappear altogether. The Government of the Sudan condemned those countries that were supporting the racist régimes in southern Africa.

15. It was important to disseminate information on human rights. For that reason Sudanese schools provided courses dealing with the efforts that were being made by the United Nations in that field. UNESCO should distribute human rights publications at all levels, since that would be of considerable assistance to countries which included that subject in their school curricula. Another means of promoting human rights was the enlightenment of public opinion. In the Sudan, seminars had been held to celebrate and observe Human Rights Day, and those activities would continue so that the celebration would become an annual event. The United Nations Office of Public Information must continue to publish material on human rights, and it was also useful to hold conferences on that subject. The Sudan had always protected human rights by such means, and had supported and would continue to support all efforts aimed at their promotion.

16. Mr. NTEZILIZAZA (Rwanda) welcomed the new Members of the Organization, namely, Bangladesh,

Grenada, and Guinea-Bissau, and expressed his delegation's special satisfaction over the fact that Guinea-Bissau, a sister African country, had finally achieved independence and national sovereignty after waging a long and fierce struggle against the oppression of Portuguese colonialism. It was encouraging to note that the new Portugal regretted its unhappy past, which had taken a toll of so many human lives, and it was to be hoped that the agreements concluded at Lusaka between the Frente de Libertação de Moçambique (FRELIMO) and Portugal would be strictly observed and that in the near future it would be possible to celebrate the proclamation of the independence of Mozambique and Angola and their entry into the United Nations. The achievement of independence by those Territories would be a new milestone in the history of decolonization.

17. However, at a time when the twenty-fifth anniversary of the Universal Declaration of Human Rights had just been celebrated and it was possible to look forward with confidence to the liberation of Mozambique and Angola, it was most distressing to note that in some places in the world, especially in southern Africa, entire peoples were still deprived of the enjoyment of fundamental rights. In Southern Rhodesia the white racist rebels continued to deny to the majority of the indigenous population the right to self-determination. His delegation considered that the United Kingdom was the only Power responsible for guaranteeing the rights of the Rhodesian people, and that as such it should fully assume its responsibilities with regard to the administration of the Territory. The fascist Government of Pretoria continued to apply its odious policy of *apartheid*, which denied any freedom to the indigenous peoples of South Africa, and persisted in its arrogant attitude to the relevant Security Council and General Assembly resolutions requiring it to end its illegal presence in Namibia. It was difficult to understand how South Africa could claim to be a Member of the United Nations, while at the same time flouting the fundamental principles of the Organization. The historic vote of 30 September 1974, by which the General Assembly had adopted resolution 3207 (XXIX), on the relationship between the United Nations and South Africa, was a serious warning to the white minority of South Africa.

18. His delegation welcomed the proclamation of the Decade for Action to Combat Racism and Racial Discrimination, and hoped that during those 10 years the last bastions of colonialism and racism would disappear.

19. Since no racism whatsoever existed in Rwanda, his Government would spare no effort to contribute to the achievement of the goals and objectives of the Programme for the Decade. The people of Rwanda would continue to support their African brethren who were still victims of racism, racial discrimination, *apartheid*, colonialism and foreign domination. In that spirit, his delegation would support the draft resolution recommended by the Economic and Social Council (A/9666, annex).

20. Mr. POEDJIOETOMO (Indonesia), after welcoming the three new Member States, Bangladesh, Grenada, and Guinea-Bissau, said that, in order to promote the principles of human rights, it was of the utmost importance for the United Nations to ensure the success of the ideals of the decade for Action to Combat Racism and Racial Discrimi-

nation. To that end, his delegation supported the draft resolution recommended by the Council. The Decade had been proclaimed in commemoration of the twenty-fifth anniversary of the adoption of the Universal Declaration of Human Rights. That Declaration was not meant as a utopian concept but as a common aim, closely linked to the safeguarding of peace and the promotion of the sovereign equality of all States and stated in Articles 1 and 55 of the Charter of the United Nations.

21. Although Angola, Guinea-Bissau and Mozambique had gained their right to self-determination, the Secretary-General had reported that the internal situation in Southern Rhodesia, Namibia and South Africa continued to deteriorate. The international campaign against colonialism and racial discrimination carried on by the United Nations and non-governmental organizations had had little impact because of the unwillingness of certain States to give effect to many of the measures called for. At the previous session his delegation had stated in the Third Committee (1983rd meeting) that in order to solve the problem it was necessary to persuade all nations and peoples to recognize the dignity of the human person and to fulfil all the obligations which that recognition entailed. Racism as a social system defined and maintained group boundaries, and created within those boundaries a structure of privileged and underprivileged classes. Such differences existed in every society, but when accompanied by racism they took on broader social meaning and were used to justify the unequal treatment of different groups. In contrast, human rights as a social system defined no group boundaries, and did not create a structure of privileged and underprivileged classes. Human rights—simply defined—meant respect and consideration for all human beings regardless of sex, race or religion. In that connexion, his delegation praised and supported the efforts of the Secretary-General and his staff in their fight against the evils of racism, and would continue to do so until the final victory.

22. Indonesia had long recognized that imperialism and colonialism were the motivating factors of racial discrimination. Since its independence, the process of national

awareness and education had united the Indonesian people and had helped them to achieve racial harmony among the different ethnic and religious groups. Education was the best tool for helping the younger generations to gain a better understanding of all peoples of the world. In Indonesia children were taught from primary school the doctrine of Panca Sila, based on five philosophical principles embodied in the Constitution of the State. One of those principles, that of democracy, protected the human rights of citizens with regard to political, social and cultural equality.

23. Indonesia had always been firm in its belief that racial discrimination must be eradicated. His Government had made modest contributions to the United Nations Trust Fund for South Africa, the United Nations Educational and Training Programme for Southern Africa, the United Nations Fund for Namibia and the Liberation Committee of the Organization of African Unity, and was actively participating as a member of the United Nations Council for Namibia and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. In 1973 Indonesia had been one of the 11 Member States offering scholarships and training facilities to the inhabitants of two Trust Territories. It was therefore doing its utmost to eliminate the scourge of racism and racial discrimination at both the national and international level.

24. Indonesia hoped that the implementation of the Programme for the Decade would help to build a future in which all mankind would enjoy fundamental rights and all nations, large and small, would understand and cherish the dignity and worth of the human person.

25. The CHAIRMAN said that if she heard no objections, the list of speakers on the items under consideration would be closed at 11 a.m. the following day.

It was so decided.

The meeting rose at 12 noon.

2056th meeting

Thursday, 3 October 1974, at 10.50 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2056

AGENDA ITEM 53

Elimination of all forms of racial discrimination (*continued*) (A/9603, chap. I, chap. V, sect. C.1; A/9666 and Add.1 and 2, A/9719, E/5474, E/5475):

- (a) **Decade for Action to Combat Racism and Racial Discrimination (*continued*)**;
- (c) **Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General (*continued*)**

GENERAL DEBATE (*continued*)

1. Mr. SMIRNOV (Union of Soviet Socialist Republics) observed that the United Nations had been considering the question of the struggle against colonialism and racial discrimination for many years. The policies of colonialism and racism, which constituted a weapon of imperialist exploitation, had been condemned in numerous resolutions by a number of United Nations bodies, including the Security Council and the General Assembly. All of those

decisions had had as their aim the total elimination of colonialism and racism. The landmarks of that campaign had included the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly (resolution 1514 (XV)) in 1960 at the initiative of the USSR, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (resolution 1904 (XVIII)), the International Covenants on Human Rights (see resolution 2200 A (XXI)) and the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (resolution 3068 (XXVIII), annex). Those instruments reflected the firm decision of peoples to put an end to racism and colonialism. Important victories had already been won in the efforts to achieve that objective. The forces engaged in the struggle had grown stronger and were now extremely powerful; the liberation of the peoples still suffering under colonialism and racism was very near. Those victories of the liberation movements were cause for satisfaction and pride to his delegation, which was especially gratified to welcome the new States Members of the United Nations.

2. The proclamation by the General Assembly, in resolution 3057 (XXVIII), of the Decade for Action to Combat Racism and Racial Discrimination and the approval of the Programme for the Decade annexed to that resolution constituted a new contribution by the United Nations to the elimination of racism and discrimination. The Programme for the Decade was very broad in scope and included a great variety of measures, the application of which should serve to promote the noble goal of eradicating racism. It was therefore necessary to ensure its full and strict implementation.

3. Racism and racial discrimination had been condemned by all mankind. Nevertheless, some countries had expressed reservations concerning the Programme for the Decade. That fact raised the question how the strength and resistance of the policies of *apartheid* and racism could be explained. There were some who justified them with antiquated theories of the inferiority of certain races, but that was totally unacceptable to his delegation. In the introduction (A/9601/Add.1) to his report on the work of the Organization the Secretary-General reported with regret that there had been no improvement in the internal situation in Southern Rhodesia and that in Namibia conditions continued to deteriorate. He also stated that in South Africa there had not been any relaxation in the rigorous application of the policies of *apartheid*. The Secretary-General added that there was a growing international campaign against colonialism and racial discrimination by the United Nations and by governmental and non-governmental organizations but that the impact of those efforts had been blunted by the unwillingness of States to give effect to many of the measures advocated by the United Nations, a circumstance which was particularly evident in the case of the application of mandatory sanctions against Southern Rhodesia. It was obvious that some NATO member countries continued to maintain political relations with the racist régimes and were giving them assistance, as shown by the data in the report of the Special Committee on *Apartheid* submitted to the twenty-eighth session of the General Assembly relating to the implementation by States of United Nations resolutions on

apartheid.¹ While the developing countries, disregarding the disadvantages to themselves, had broken off trade relations with the racist régimes, the trade of the Western countries with those régimes continued to increase. The Western countries were refusing to implement United Nations resolutions and were increasing their private capital investments in the region; those investments yielded high profits, as a result of the low wages paid to the indigenous population, and were also helping to maintain the white racists in power.

4. At its fifty-sixth session, the Economic and Social Council had adopted resolution 1864 (LVI), in which it stated that it considered the States giving assistance to the racist and colonial régimes in southern Africa to be accomplices of those régimes in respect of their criminal policies of racial discrimination, *apartheid* and colonialism and condemned the activities of those States. His delegation endorsed such resolutions against colonialism and racism.

5. Moreover, the General Assembly at its twenty-eighth session had adopted resolution 3068 (XXVIII), in which it adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. That Convention represented an important step towards the elimination of the policies and practices of *apartheid*, and States should sign it and ratify it as early as possible. It declared that *apartheid* was a crime against humanity and specified responsibilities in connexion with it. For those reasons, it constituted a warning to the racist régime of South Africa. It was regrettable that some States, such as Australia, Belgium, Israel, Italy, Japan, the United States and, of course, South Africa, had neither signed nor ratified the Convention. The General Assembly should appeal to those States which had not signed or ratified the Convention to do so as soon as possible.

6. The objective of the Programme for the Decade was the elimination of the social causes of racial discrimination and racism. In spite of the demands of the world community, racial discrimination persisted, and its manifestations were not isolated facts but mass phenomena. Racial discrimination and racism resulted from the social structure of exploitation of man by man, and its eradication was part of the peoples' struggle for independence, self-determination and equality. That noble goal required the commitment of the united strength of all anti-racist elements in the world.

7. The Soviet Union's position of condemnation of *apartheid* and colonialism was well known. The social structure of the USSR guaranteed full equality to all its inhabitants. Lenin's prediction that socialism would create a new and higher form of community life had been fulfilled. The USSR had ratified the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) and the International Covenants on Human Rights and had signed the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. The Soviet Union had always opposed colonialism, racism and racial discrimination and, for that reason, had given and would continue to give its full support to the liberation movements. The

¹ A/9168.

United Nations had adopted many resolutions with a view to eliminating racism and racial discrimination at the initiative of the USSR. In conformity with that policy, his delegation had supported the draft resolution recommended by the Economic and Social Council in its resolution 1863 (LVI) and annexed to document A/9666, a document whose merit lay in the fact that it called upon States to take measures to eliminate racism and racial discrimination.

8. Mr. BATIBAY (Turkey) welcomed the representatives of Bangladesh, Grenada and Guinea-Bissau and said that their presence symbolized the victory of the national liberation movements and was a significant milestone on the road to the elimination of colonialism and racial discrimination.

9. In the face of the world community's condemnation and indignation, the deliberate practice of racial discrimination had become institutionalized and systemic in southern Africa. However, although racism took on its most virulent form in that region, more subtle forms of it existed in many parts of the world. It was a complex phenomenon which must be considered in the context of human relationships, since it was rooted in fear and ignorance and often served to justify economic oppression.

10. Turkey fully supported the principle of the Decade for Action to Combat Racism and Racial Discrimination. At the international level, it had never supported racist Governments and did not have relations with them. At the national level, Turkish society was free from the prejudices of racism and racial discrimination, maintaining an attitude inherited from the Ottoman Commonwealth and bolstered later by the innovations introduced by the Turkish Republic. Discrimination and the dissemination of ideas based on racial superiority and hatred were criminal offences in Turkey. His Government was extensively implementing the Programme for the Decade, and the country's information media and educational system were concerning themselves not only with the evils of racism but also with matters of human rights in general and the equality of all human beings. Turkey had signed the International Convention on the Elimination of All Forms of Racial Discrimination, and he was confident that at the next session of the Committee he would be able to announce that Turkey had ratified the Convention. Turkey would also continue to contribute to the United Nations Educational and Training Programme for Southern Africa, within the limits of its resources, by providing scholarships.

11. In the previous week, the General Assembly had once again rejected the credentials of the racist régime in Pretoria and had, by its resolution 3207 (XXIX), taken the historic decision to call upon the Security Council to review the relationship between the United Nations and South Africa. His delegation had fully supported that measure and had voted for it. It would also support the draft resolution recommended by the Economic and Social Council. More than a quarter of a century after the adoption of the Universal Declaration of Human Rights, racism and racial discrimination were still plaguing mankind. His delegation hoped that those evils would be eradicated by the end of the Decade, and it pledged its full co-operation to that end.

12. Mr. HAUGSTVEDT (Norway) said that the Government and people of Norway were firmly opposed to all forms and manifestations of racial discrimination. Such manifestations constituted violations of basic human rights and were contrary to the fundamental principles of the United Nations Charter and of several other international instruments. His Government had therefore warmly welcomed the unanimous adoption by the General Assembly of resolution 3057 (XXVIII) and had endorsed the Programme for the Decade annexed to that resolution. It had noted with particular satisfaction that a recurrent theme in the Programme was the need for education and information concerning racial discrimination and racism, since the illusion of racial superiority was unquestionably nourished by prejudice and ignorance. Since those evils were universal phenomena, his delegation wished to emphasize the fundamental importance of the provisions of the Programme relating to measures at the national level to enlighten public opinion on racial problems and educate it in the spirit of respect for human rights.

13. As a contribution to the world community's efforts in support of the victims of colonialism and *apartheid* in southern Africa, Norway had acted as host to the International Conference of Experts organized by the United Nations and the OAU, held in Oslo in April 1973. In recent years his Government had also made substantial contributions to the various United Nations funds established with a view to alleviating the plight of the victims of racial discrimination and *apartheid*, and it would continue to do so in the year to come.

14. Mr. TRAVERT (France) said that the principle of non-discrimination was embodied in the Constitution, laws and customs of France, and it was for that reason that his country had played a major role in drafting the Universal Declaration of Human Rights. On 28 July 1971, acting in that spirit, France had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination, which had then been unanimously ratified by the National Assembly, thus demonstrating the support which French public opinion gave to the noble objectives of that international instrument. On 1 July 1972, a law had been enacted in France which made it a crime punishable by a fine or even by imprisonment to offer incitement to discrimination, hatred or violence against a person or group of persons for reasons of ethnic, national, racial or religious origin. The law also prescribed penalties for public officials, businessmen or employers who practised discrimination.

15. It should be pointed out, however, that any law could have only a limited effect unless it was supported by the citizenry, and that could be brought about only through knowledge of what racism was and of its historical origins, causes and motivations. That task of enlightenment must start in the schools, and the French Ministry of National Education therefore saw to it that the curricula prepared by the National Institute of Pedagogy included information on the subject. A similar function was performed with regard to university courses by the Institute of Human Rights. One result was the influence which those teachings had had on social legislation in behalf of aliens, which reflected the Government's continuing effort to reduce and eliminate in practice the inequality which was repudiated by French national law.

16. At the international level France had consistently opposed the concept and policy of *apartheid*, which it regarded as contrary to the basic articles of the United Nations Charter, particularly Articles 55 and 56. His delegation had been in favour of the adoption of General Assembly resolution 2054 B (XX), which had set up the United Nations Trust Fund for South Africa, and his country contributed to that Fund as well as to the United Nations Educational and Training Programme for Southern Africa. The position which France had occasionally been forced to adopt for purely legal reasons and out of respect for the principle of State sovereignty should not therefore be interpreted as implying support for the policy of *apartheid*, regarding which his Government reaffirmed once again its profound revulsion and total opposition.

17. Mr. HSING Sung-yi (China) said that the struggle of the third world countries and peoples against imperialism, colonialism and hegemonism was surging forward. The peoples of Africa had won new victories: the arduous armed struggle in the Portuguese colonies had brought about the downfall of the fascist régime in Lisbon and had led to the glorious birth of the Republic of Guinea-Bissau and the conclusion of the agreement on the independence of Mozambique.

18. None the less, the racist authorities in South Africa were still frantically practising their policy of racial discrimination and *apartheid*, depriving the indigenous people of their political and economic rights and even of their basic right to existence. At the same time, the South African colonialists had intensified their repressive measures against the people of Namibia, arresting, torturing and slaughtering large numbers of patriots. The racist régime in Rhodesia was also continuing its war against the guerrillas of Zimbabwe and had declared that life imprisonment or the death penalty would be meted out to those Africans who had contacts with the guerrillas. What caused the greatest indignation was that the Rhodesian authorities were pursuing a policy of genocide, forbidding the growth of the black population and trying to replace the African inhabitants with large numbers of white immigrants in order to maintain their colonialist rule.

19. His delegation strongly condemned the crimes perpetrated by the colonialist and racist régimes and expressed its conviction that the heroic people of southern Africa would never be cowed by the brutal oppression of colonialism, neo-colonialism and racism. Over a long period they had remained firm and undaunted and, with intelligence and courage, had dealt heavy blows to the colonial authorities, winning one victory after another. Following the important triumph of the 300,000 people of Ovamboland in their struggle to boycott the election farce directed by the reactionary South African authorities in 1972, the people of Namibia had won another victory the following year in their boycott of the elections to the "constitutional parliament". In the meantime, their armed struggle had developed further. The same thing was happening in Zimbabwe, where besides organizing strikes and demonstrations, the people had strengthened their military organizations and created a new dimension for the continued development of armed struggle.

20. All those facts demonstrated vividly that the racist and colonialist régimes in southern Africa, which were running

against the tide of history, were bound to perish and that the national liberation movements, which represented the trend of the time, would grow stronger and achieve final victory. However, the racist and colonialist régimes in southern Africa would never abandon the struggle of their own accord. As the situation was developing in a manner unfavourable to the colonialist authorities, the latter, in addition to the continued use of violent repression, were resorting to all kinds of tricks and schemes to lull the people, such as setting up puppet authorities, splitting the liberation movement and promising what they called "autonomy". That called for increasing vigilance on the part of the international community.

21. It should be pointed out that the prolonged existence of *apartheid* and racial discrimination in southern Africa was entirely due to the political, economic and military support given by imperialism, colonialism, neo-colonialism and hegemonism to the South African and Rhodesian régimes and their reactionary alliance. The numerous declarations, conventions and resolutions against colonialism, *apartheid* and racial discrimination adopted by the United Nations had remained unimplemented as a result of obstruction and sabotage by colonialism and neo-colonialism, whose criminal actions must be strongly condemned. His delegation maintained that, in order to uphold the principles and spirit of the United Nations Charter, the Organization must severely condemn the South African and Rhodesian racist régimes and denounce imperialism, colonialism and neo-colonialism. All peoples which were devoted to justice must give firm support and assistance to the people of southern Africa in their just struggle against racial discrimination and national oppression. His delegation therefore supported the Programme for the Decade and felt that effective, practical measures should be taken to implement it.

22. Miss VOLLMAR (Federal Republic of Germany) said that her country attached great importance to the elimination of all forms of racial discrimination, as the Minister for Foreign Affairs of the Federal Republic of Germany had recently stated at the 2239th plenary meeting of the General Assembly. Document A/9666/Add.2 contained a summary of her Government's contributions to the objective of eliminating all vestiges of racism at the national and international level. In that connexion, it attached particular importance to the International Convention on the Elimination of All Forms of Racial Discrimination, and an independent expert from the Federal Republic of Germany was a member of the Committee established under the Convention. That body had so far considered three reports from the Federal Republic of Germany and had found them satisfactory. Moreover, her country had been one of the first to ratify the two International Covenants on Human Rights and, as was reported in the above-mentioned document, the Federal Republic of Germany was contributing to the Trust Fund for South Africa, the United Nations Fund for Namibia and the United Nations Educational and Training Programme for Southern Africa. Her Government would continue to lend its active support to the Programme for the Decade and would spare no effort to contribute to the achievement of its objectives.

23. Mr. CRESPO (Portugal) said that his country condemned and rejected *apartheid* and all other forms of racial

discrimination because it considered them an affront to human dignity. As the Minister for Foreign Affairs of Portugal had stated at the 2239th plenary meeting of the General Assembly, the Portuguese people, now free from the burdens of internal oppression and colonial domination, had recovered their traditional character and universal humanism.

24. It was regrettable to find that human rights were still being violated in many countries which had subscribed to the Universal Declaration of Human Rights. Portugal was opposed to all forms of oppression and racial discrimination and categorically condemned the existence and perpetuation of discriminatory social systems such as *apartheid*. The Portuguese Government's recognition of the right to self-determination and independence of all countries and peoples under Portuguese administration stemmed from its deeply rooted belief in the basic equality of all human beings. The Portuguese Government wished to declare its willingness to abide by the Universal Declaration of Human Rights and to take the necessary measures to eliminate racism and racial discrimination in all its forms and manifestations.

25. Mr. LEHTIHET (Algeria) said that the criminal practice of *apartheid* as an established system and the continuing oppression of African peoples by racist minorities continued to be the main concern of his country and of all the independent nations of Africa. Algeria would do everything in its power to combat racial discrimination wherever it occurred and would strongly condemn the Fascist régimes and those who supported them. In that connexion, it welcomed the elimination of Fascism in Portugal because it had enabled that country to re-establish its former democratic traditions and had helped bring about the independence of Guinea-Bissau. It expressed the hope that the liberal trend would spread to the rest of the Territories under Portuguese administration.

26. Ian Smith's Rhodesia and Vorster's South Africa nevertheless continued to defy the United Nations, ignoring its resolutions and methodically applying the system of separate development, as a result of the silence of the administering Power and with the support of certain western European countries. The Programme of Action for the Decade for Action to Combat Racism and Racial Discrimination must not again serve as an alibi for those who pretended to respect the recommendations of the United Nations while continuing to collaborate with the supporters of racism and *apartheid*. Algeria—which had ratified the International Convention on the Elimination of All Forms of Racial Discrimination, had been the second country after the Syrian Arab Republic to sign the International Convention on the Suppression and Punishment of the Crime of *Apartheid* and had outlawed the practice of racism—was firmly determined to contribute to the success of all aspects of the Programme for the Decade.

27. His delegation noted with satisfaction that 82 States had now ratified or acceded to the International Convention on the Elimination of All Forms of Racial Discrimination. With regard to the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, it hoped that an equally large number of States would soon do the same. The struggle of the oppressed peoples, which was being waged with the support of concrete international

action by those who believed in human freedom and equality, would ensure the triumph of law and justice in the regions of the world which were still under the yoke of racism and *apartheid*.

28. Mr. VARCHAVER (United Nations Educational, Scientific and Cultural Organization) said that developments in the contemporary, post-colonial and post-industrial world had led to a re-examination of the usefulness of a model of social development which assumed that, through a variety of processes, all the different groups in society would be assimilated into a more or less homogeneous whole. Attention should also be directed towards other models so that understanding might be gained of phenomena such as the insistence of some groups on maintaining a sense of internal cohesion.

29. The relatively new wave of migrants seeking work in the industrial societies of northern Europe had led to reconsideration of one of the characteristic features of racism and racial discrimination, namely, the clash of cultures. A group of experts from the host countries and the migrants' countries of origin had met in October 1973 at UNESCO headquarters, with the participation of representatives of the ILO, UNICEF, UNHCR and several interested non-governmental organizations, to discuss the education of foreign workers and their families. Subject to the approval of the eighteenth session of the General Conference of UNESCO, which would be held in late October 1974, the Director-General would, on the recommendation of that group of experts, implement the following programme: in view of the immense gaps in basic information, he would initiate a research programme on the educational difficulties encountered by migrant workers and their families, including the problem of the language used in instruction; he would convene a meeting of educational planning experts to deal with the needs of migrant workers and their families in the formulation of national educational policies; he would organize an international seminar for educators and social workers with a view to seeking solutions to the educational problems of migrant workers and their families, both during their stay abroad and upon their return home; and he would stimulate a campaign to inform the general public about the problems of migrants and the substantial contributions they could make to the countries which received them. UNESCO hoped that that programme, envisaged for migrant workers in northern Europe, would serve as a basis for the solution of similar problems in other regions of the world.

30. For a long time, UNESCO had also been concerned about another kind of migrant, namely, the migrant from political tyranny, who was better known as a refugee. UNESCO had co-operated closely both with UNHCR and the OAU in providing educational assistance of many kinds for African refugees and peoples struggling to free themselves from colonialism and *apartheid*. As a necessary complement to those necessarily limited direct assistance efforts, UNESCO was trying to promote public awareness of the effects of racism on the quality of life in southern Africa and, to that end, had published a book entitled *Apartheid: its effects on education, science, culture and information*² which was already a classic in its field. That

² UNESCO, Paris, 1972.

publication would soon be accompanied by three similar volumes dealing, respectively, with Namibia, Southern Rhodesia and the Territories formerly and currently under Portuguese administration. In addition, seven volumes of a general history of Africa prepared by African scholars and Africanists, with the assistance of the national liberation movements, would be published in the next two years.

31. Another related task of UNESCO in the cultural field was the development of the social sciences to deal with the problems of racial and ethnic discrimination which confronted the world today. In that connexion, it was proposed to conduct a series of pilot studies on racial and ethnic relations which would cover, in addition to the African peoples, a number of Latin American and Caribbean countries as well as some Asian nations. It was also proposed to explore the effects of migration, internal and external, on race and social structure in four western European countries.

32. The term "culture" meant nothing more nor less than the vast reservoir of a people's values, fears and hopes. As such, culture lay at the very heart of the war against racism and racial discrimination. For that reason, UNESCO intended to bring together artists from liberation movements recognized by the OAU, along with sociologists and artists from other regions, to discuss the interaction between social structure, revolutionary change and the role of the artist in southern Africa. The organization was also continuing to study the role of the mass media in relation to minority problems.

33. At its eighteenth session, the General Conference of UNESCO would consider two proposals of importance to the Decade. The first was a draft Declaration of Fundamental Principles on the Role of the Mass Media in Strengthening Peace and Understanding and in Combating War Propaganda, Racism and *Apartheid*. The draft contained a variety of articles which directly supported the objectives of the Decade. The second proposal was a preliminary study of the legal and technical aspects of a draft Declaration on Race and Racial Prejudice which would enable a committee of governmental experts to prepare a new international instrument. That new Declaration would be based upon the Statement on Race and Racial Prejudice³ adopted by a committee of experts on the subject convened by UNESCO in September 1967 and also upon subsequent research by UNESCO on racial and ethnic relations. While it would complement the International Convention on the Elimination of All Forms of Racial Discrimination, unlike the United Nations Convention it would not set forth a number of practical measures for the elimination of discrimination through the exercise of civil and political rights. Instead, it would illuminate the origins of racist theories, demonstrate their causes and expose their fallacies. Further, the draft would emphasize the dangers of latent racism, the role of the mass media with respect to the promotion of equality and other means of eliminating racial prejudice and discrimination.

34. Referring to the increasing complexity and danger of racism, the Director-General of UNESCO had said that in the struggle against that evil, UNESCO, which had neither

the means nor the responsibility for political or economic action, would continue to use its own weapons, namely, those of education, science, culture and communication. Those weapons had their own effectiveness which, although indirect, was none the less deep and durable. It was to be hoped that the concerted efforts of the Decade would make them even more so.

35. Mr. NEYTCHEV (Bulgaria), after extending a welcome to the representatives of the new Members of the United Nations, said that the elimination of racism and racial discrimination was one of the more urgent and important tasks confronting mankind. The United Nations had played an important role in the struggle against those evils, and his delegation noted with satisfaction that at the current session the question was being considered on a priority basis. The very proclamation of the Decade for Action to Combat Racism and Racial Discrimination had been an encouraging development and it was now possible, one year after that proclamation, to note an intensification of that struggle by Governments, peoples and international organizations. None the less, that did not mean that all possibilities of intensifying efforts had been exhausted.

36. Various international meetings and congresses, as well as a number of national and international bodies, had condemned colonialist and racist practices. At its fifty-sixth session, the Economic and Social Council had carried out an examination of the activities undertaken or planned in connexion with the Decade and had approved a draft resolution which it recommended for adoption by the General Assembly (A/9666, annex). His country was closely following the Council's work on the question and shared the views set out in the afore-mentioned draft resolution.

37. There was no prejudice or discrimination whatever in Bulgaria against other races in the political, social or economic spheres. The Constitution prohibited the granting of any privileges or restriction of rights on grounds of race. Any manifestation of racial intolerance was punished under the Penal Code. In addition to the usual activities carried on in Bulgaria against racism and racial discrimination, other steps had been taken that were directly connected with the Programme for the Decade. They included lectures to educate young people in a spirit of solidarity and equality with all peoples, the study of documents and the dissemination of information on the question. For example, on 21 March, the Bulgarian people had celebrated the International Day for the Elimination of Racial Discrimination. Furthermore, the Bulgarian Government had been one of the first to sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. Similarly, his country was strictly implementing the decisions of the United Nations and other international bodies aimed at eliminating the racist and colonialist policies of Southern Rhodesia and South Africa. Bulgaria had always provided material and moral support to oppressed peoples and to the liberation movements and would continue to do so in implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination.

38. Mrs. DE ALBA (Dominican Republic) said that the people and Government of the Dominican Republic con-

³ UNESCO SHC/CS/122/8, appendix 4.

demned the practice of racial discrimination, since the Constitution of the country laid down that all citizens were equal before the law without distinction as to sex, race, political ideology or religious belief. The Dominican Republic was peopled by a multiracial society in which no type of racial discrimination had ever existed or existed at present. Since the beginning of the colonial era, it had witnessed a process of amalgamation, not only of races but also of customs and beliefs. The result had been a multicoloured and multiracial society in which blacks constituted 10 per cent, whites 20 per cent and persons of mixed race 70 per cent. That process of racial integration had been so authentic and natural that it was difficult for the Dominican people to imagine or comprehend that a person was discriminated against because of the colour of his skin. They were aware, however, that there was no country in the world in which all forms of discrimination had been completely and definitively eradicated, since although the struggle against racial discrimination had been won in some cases, there were other discriminatory practices that were more subtle and difficult to eradicate, such as economic, educational, social and cultural discrimination. It was therefore necessary for every country to examine its discriminatory practices and to take measures to eliminate all conditions which were detrimental to human dignity and justice.

39. The Dominican Republic was in favour of and supported the Programme for the Decade for Action to Combat Racism and Racial Discrimination, and hoped that the resolutions on the question would be effectively implemented in order to ensure the beginning of a new phase in the struggle for social progress, for human liberty and dignity and for harmony among peoples.

40. Mr. BAROODY (Saudi Arabia) said that the efforts made by the various bodies of the United Nations, the specialized agencies and non-governmental organizations to put an end to racism and racial discrimination were commendable. However, experience showed that the worst enemies of the oppressors were the oppressors themselves. The international community was not seeking to eliminate South Africa; it was the South Africans who made the use

of force necessary and who could ignite the spark that would cause the conflagration.

41. There were various aspects to the problem posed by the situation prevailing in southern Africa. There was a social facet characterized by the contrast between the poverty of the masses and the wealth of a minority. The poor were being systematically subjected to discrimination and poverty was being systematically perpetuated to ensure that the people had no opportunity to escape from their sad plight. There was also the political aspect: it was paradoxical to find that, in the present day and age, there were still millions of human being who were deprived of their fundamental rights and freedoms and were subject to the dictates of a racist minority that was doing nothing to adapt to historical change. Portugal had recognized in time the inevitability of the liberation of its Territories and had acted accordingly. The blindness of South Africa and Rhodesia and the vested interests of other Powers which supported them in their foolhardy adventure could only lead in the long run to a disaster that would benefit no one in the end. In operative paragraph 6 of the draft resolution recommended by the Economic and Social Council (A/9666, annex) all States were urged to ensure immediate termination of all measures and policies as well as activities—military, political, economic and other—which enabled racist régimes in the southern part of Africa to continue the repression of the African people. Attention should be drawn in that regard to the double game being played by some countries which proclaimed and defended human rights and freedoms in certain forums and secretly entered into financial and economic arrangements with the same régimes whose policy they professed to condemn publicly.

42. Nevertheless, methods of persuasion should not be abandoned. Although the establishment of the United Nations Council for Namibia had not brought peace for the Namibians, that did not mean that there had to be bloodshed. It might still be possible to convince those who were helping South Africa and to awaken the South Africans who were oppressing their people.

The meeting rose at 1.15 p.m.

2057th meeting

Friday, 4 October 1974, at 3.10 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2057

AGENDA ITEM 53

Elimination of all forms of racial discrimination (*continued*) (A/9603, chap. I, chap. V, sect. C.1; A/9666 and Add.1-3, A/9719, E/5474, E/5475):

- (a) **Decade for Action to Combat Racism and Racial Discrimination (*continued*);**
- (c) **Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General (*continued*)**

GENERAL DEBATE (*continued*)

1. Mr. FERGUSON (United States of America) said it was fitting that the General Assembly, by its resolution 3057 (XXVIII), launched the Decade for Action to Combat Racism and Racial Discrimination on the twenty-fifth anniversary of the adoption of the Universal Declaration of Human Rights, and equally fitting that, at the current session of the General Assembly, it should be the first item on the agenda of the Third Committee. His delegation had

participated in the discussions in both the Committee and the Economic and Social Council which had resulted in the launching of the Decade. It had endorsed the Programme for the Decade and promised the support of its Government to the goal of the Decade, namely the elimination of all forms of racism and racial discrimination.

2. United States concerns in that respect were real and immediate. The United States was a multiracial society and had to deal with the problem of racism on a day-to-day basis. Thus its support of the Programme, in particular those aspects involving national action by Member States, was but a part of an on-going domestic effort. In that connexion, he had thought that most delegations were aware of the action taken by the United States to solve its racial problems and of the general progress of that endeavour. He had therefore been taken aback when, a few days earlier, the Minister for Foreign Affairs of a Member State had asserted that blacks in the United States existed in a condition akin to slavery. He himself had taken part in the struggle to eliminate injustice in his country and was in the forefront of those recognizing the persistence of racism. Moreover, he and many of his colleagues were concerned with removing the last vestiges of racism from the United States foreign policy establishment. In that connexion, however, it should be noted that a large part of the problem lay in the attitudes of some in countries other than the United States.

3. Some instructive examples might be drawn from the United States in the fight against racism in the past decade. Just 10 years earlier the President of the Mississippi Chapter of the National Association for the Advancement of Colored People had been assassinated for having insisted that blacks could exercise the constitutionally protected right to vote. However, in the very region of the country which had resorted to every possible means to deny blacks that basic political right of citizenship, there were currently more than 500 elected black officials. Ten years earlier non-whites in the United States had been denied access to many places of public accommodation and had been excluded, as a result of racist doctrines and regulations, from the enjoyment of almost every basic right. Since then, however, most of those vestiges of racism had been eliminated, and major efforts to remove them entirely were continuing. Such examples showed that a decade of sustained action should change the human condition, while at the same time illustrating the difficulty and complexity of completely eradicating the disease of racism. The sustained struggle of the past decade had benefited the entire society, as evidenced by the resurgent movement for the full equality of women and the participation of United States citizens of Indian or Latin American origin in the fight to eliminate racism from the social fabric. Another lesson of the past decade was that freedom, equality and justice did not flow automatically from high-sounding declarations, but required constant vigilance, concern and action. Accordingly, the United States was now concentrating its efforts on translating words into reality.

4. There could be little doubt that at the international level the evils of racism were most evident in South Africa and Rhodesia. Although his delegation disagreed in some respects on the methods of promoting change, it shared the outrage expressed in the Committee at the continued

existence of *apartheid*. He wished to emphasize that his country's relations with South Africa were designed not to support the current régime, but to promote peaceful evolution toward the goal of full participation by all South Africans in the social, economic and political rights of their country. That was why his Government insisted that United States companies doing business in South Africa should wherever possible give equal pay for equal work. With reference to Rhodesia, he said that the Administration in Washington was attempting to secure the repeal of the Byrd Amendment, which allowed the import of Rhodesian chrome into the United States.

5. The goal of the Decade was the elimination of racism and racial discrimination not only in southern Africa, but wherever they existed throughout the world. With reference to the international activities of his Government in support of the Decade, he drew attention to the establishment by the United States National Commission for UNESCO of a working committee to organize a major conference in 1975 for the purpose of highlighting United States participation in the Decade. In conclusion, he reaffirmed his country's commitment to the Decade, and expressed the hope that the Committee would be able to move swiftly to approve the draft resolution before it, recommended by the Economic and Social Council in its resolution 1863 (LVI), and begin preparations for the important world conference on combating racial discrimination provided for in the Programme for the Decade (General Assembly resolution 3057 (XXVIII), annex).

6. Mr. VARGA (Hungary) said that the launching of the Decade for Action to Combat Racism and Racial Discrimination and the unanimous adoption of its Programme were a clear indication that the international community considered it necessary to intensify the struggle against racial discrimination and to apply strict and specific measures in order to eradicate all its forms. Racism and racial discrimination constituted not only the most flagrant violation of fundamental human rights but also a serious obstacle to social and economic progress and a threat to peace among peoples. It was imperative to intensify the struggle against those practices, for despite the long and persistent struggle waged against racism, racial discrimination and *apartheid*, various forms of racial discrimination were still rife in many parts of the world, especially in Africa, and caused immense suffering to millions of people. The imperialist countries and international monopolies which, in open violation of the relevant United Nations resolutions, provided comprehensive assistance to the régimes pursuing the policies of racism and *apartheid* bore a heavy responsibility for the suffering of those people.

7. The Hungarian people, who had created a new socialist society free from any discrimination or social injustice, shared the concern of progressive world opinion over the continuing existence of racism, racial discrimination and their most brutal form, *apartheid*, and strongly condemned those practices. The Hungarian people had always supported and would continue to support to the fullest extent of their capabilities the peoples fighting for independence, freedom and the elimination of racial discrimination.

8. Representatives of the Hungarian Government, in accordance with its anti-imperialist and anti-colonialist for-

eign policy, speaking in various international forums, had always categorically demanded the complete and final elimination of all forms of colonial exploitation, racism and racial discrimination and the immediate end of all types of assistance to the régimes pursuing racial policies. Hungary had been among the first to accede to the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) and had been the first to ratify the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex). His delegation had given its wholehearted support to the launching of the Decade for Action to Combat Racism and Racial Discrimination and expressed the hope that the Decade would promote the liberation of African and other peoples still under colonial subjugation from the yoke of colonialism, neo-colonialism and racism.

9. To further the success of the Decade in accordance with General Assembly resolution 3057 (XXVIII) the competent Hungarian institutions had prepared a comprehensive draft national programme. With a view to involving the broadest possible mass of the people in the programme the Hungarian Solidarity Committee, which was in charge of the elaboration and co-ordination of the programme, was assisted by a number of public authorities and social organizations. Hungarian radio and television were also taking an active part in the Decade in order to ensure the wide dissemination of information about the Decade and to discuss its objectives, and the results achieved. The draft programme also aimed at increasing the effectiveness of active solidarity, and Hungary continued to extend material aid to the various revolutionary organizations carrying on armed struggle against colonialism, neo-colonialism and racism, to grant scholarships for young people from countries suffering from colonial oppression and racism and to provide medical treatment for the fighters of the organizations struggling against colonial oppression and racism.

10. His delegation was pleased to note in the report of the Secretary-General (see E/5474 and A/9666/Add.1) that many United Nations organs were taking an active part in the execution of the Programme for the Decade. It was also very encouraging that several specialized agencies had expressed their readiness to participate in the execution of the Programme.

11. His delegation supported the draft resolution annexed to the note by the Secretary-General (A/9666), particularly operative paragraph 6 (a) and (b).

12. Mr. AL-HINAI (Oman) said that it was very distressing that racism and racial discrimination continued to be practised in spite of the many resolutions of the United Nations calling for an end to those evils. The racist régimes in South Africa and Southern Rhodesia in particular continued to violate all the basic rights of the indigenous peoples of those two countries. The time had come to translate words into action; much had been said and written about the evil practices of those two minority Governments, but very little had been done to stop them from persecuting the peoples of the two countries.

13. The Government of Oman, on the basis of its firm recognition of the inalienable rights of all peoples to

self-determination and independence, had always supported the General Assembly resolutions calling for an end to racism, racial discrimination and *apartheid*. It had time and again expressed deep sympathy with the peoples of southern Africa struggling for independence from colonial rule. It did not have diplomatic, consular or any official relations with South Africa or Southern Rhodesia.

14. The Government of Oman would continue to give wide publicity to the African cause; arrangements had been made for special radio broadcasts on the evils of racism, racial discrimination and *apartheid*, and articles would continue to be published in the local press. Oman would do everything in its power to develop moral and material support for the victims of racism and racial discrimination among all sections of the public in the country.

15. His delegation fully supported the draft resolution recommended by the Economic and Social Council (A/9666, annex).

16. Mr. JACHEK (Czechoslovakia) said that his delegation considered that the Programme for the Decade for Action to Combat Racism and Racial Discrimination included a number of constructive recommendations and proposals and that the consistent implementation of the provisions of the Programme by Member States, United Nations bodies, specialized agencies and other international organizations would effectively promote the implementation of the aims set forth in General Assembly resolution 3057 (XXVIII). His delegation welcomed the fact that the Programme for the Decade concentrated mainly on those areas where racism continued to exist despite the many measures taken by the United Nations, where the illegal régimes pursuing a policy of racism derived constant support from certain States Members of the United Nations, and where the criminal policy of *apartheid*, the most terrible and dangerous form of racism, was pursued. His delegation also considered that the draft resolution rightly did not view racism as an isolated phenomenon but stressed the need to study the social, economic and colonialist roots of racism, *apartheid* and racial discrimination.

17. In Czechoslovakia the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination were strictly implemented, and the requirements of other international agreements concerning the problem of racism and *apartheid*, adopted by the United Nations or the specialized agencies, were also respected.

18. The Czechoslovak people, who had no experience of racial discrimination themselves, expressed their solidarity with the just struggle of the peoples for liberation and against colonialism and exploitation, racism, racial discrimination and *apartheid*. It had shown and would continue to show its solidarity in action by providing comprehensive assistance to the national liberation struggle and the struggle against racism.

19. Czechoslovakia had no diplomatic or other relations with the racist régimes of South Africa and Southern Rhodesia. It was prepared to support the adoption of all measures which would hasten the process of decolonization and the complete elimination of racism and *apartheid*. His delegation would vote for the draft resolution recommended by the Economic and Social Council.

20. Mrs. DE JARAMILLO (Colombia) congratulated Portugal on its decision to renounce colonialism and on its appeal to those still practising discrimination to follow its example. By taking such action it had won the sympathies of many Member States. Noting that many of the delegates in the Committee were women, she expressed satisfaction that the first Women's International Conference would be held in 1975 at Bogotá, the capital of Colombia, a country in which women enjoyed the same rights as men. She stressed the importance of that Conference, which would discuss such problems as the elimination of all forms of discrimination on grounds of sex or colour, equality of remuneration and opportunity, the right to freedom of choice in family planning and the legal protection of women. It offered a unique occasion for a reassessment and defence of human rights and a search for solutions to human rights problems. Another item to be dealt with at the Conference, and one which was closely linked to the subject under discussion, was the commitment of women throughout the world to co-operation in strengthening peace and eliminating racial discrimination.

21. The Colombian Constitution guaranteed equality before the law, the right to life, dignity and property, and freedom of thought, opinion, assembly and association. Those freedoms were not only embodied in the Constitution but also applied in practice. Her delegation therefore found it anachronistic that the United Nations still had to deal with problems which should by now have been completely overcome.

22. The efforts and achievements of the United Nations in the field of human rights and the elimination of all forms of racial discrimination had covered the entire range of human experience. Nevertheless, racial discrimination still existed, and the time had come for the Security Council to take the measures required by the gravity of the situation. If the United Nations failed to act, its prestige would suffer and the oppressed peoples would feel abandoned and lose hope for the future. Moreover, peace might be endangered if international justice was disregarded. The United Nations should therefore take appropriate steps to ensure that all mankind enjoyed the fundamental rights and freedoms enunciated in the Universal Declaration of Human Rights. Attention should also be given to the plight of countries victims of economic discrimination. Such countries would never emerge from their age-old backwardness unless the great Powers modified their policies with regard to the developing countries. By selling them products at high prices in order to make bigger profits and purchasing their raw materials at imposed prices or subjecting them to unfair terms of trade, the developed countries were creating conditions of disequilibrium which prevented the developing countries from implementing economic and social reform plans designed to benefit millions of human beings.

23. Vigorous efforts should be made to ensure that by the end of the Decade the crimes of racism and racial discrimination which were an anachronism in an age of progress and international integration would be completely eliminated.

24. In conclusion, she said that her delegation wholeheartedly supported the draft resolution under consideration.

25. Mr. POZNYAKOV (Ukrainian Soviet Socialist Republic) said that racial discrimination and its most extreme form—*apartheid*—constituted the weapon of reaction in preserving colonialism and protecting the racist régimes in the struggle against national liberation movements. Over the years which had passed since the Second World War the racists and the racist ideology had been considerably weakened, and the United Nations, which had condemned racism and colonialism in many resolutions and decisions, had made a considerable contribution to the struggle against those evils. However, unremitting effort was necessary to provide maximum support for the peoples who were engaged in that struggle and to achieve the complete isolation and elimination of the racist régimes. Only a constant struggle against all forms of racial discrimination would lead to their full eradication.

26. The Republic of South Africa was one of the remaining strongholds of racism and practised it in its most cruel form, *apartheid*, which divided the population on the basis of colour into citizens with full rights and slaves with no rights at all. The South African régime was exerting all the power of its military and police machine and was intensifying repression against the African fighters for freedom and the abolition of *apartheid*. *Apartheid* also existed in Namibia, which was illegally occupied by South Africa, and in Southern Rhodesia, which was ruled by the white settlers headed by Ian Smith. The recent events in Portugal, which were one of the results of the growth of the national liberation movement in Africa and the collapse of the long-term strategy of the colonialists, had dealt a serious blow to the racists. However, racism continued to constitute a threat and no racial harmony or liberalization could be achieved by the racist régimes, which had not made any changes in their policy, despite their attempt to give the impression that they had done so. They were supported by financial and monopolistic circles in the capitalist States and above all by the transnational corporations, which derived considerable profits from the racist preserves, as could be seen from the data of the Special Committee on *Apartheid*, and which obtained cheap labour and raw materials and mercilessly exploited the local population. The monopolies of the Western countries were helping the racists to remain in power by generous financial, military and political support.

27. The struggle against the racist régimes and racial discrimination was continuing and intensifying, and the United Nations, through the efforts of the African and Asian countries in particular and with the active support of the socialist countries, was continuing to seek effective means of waging that struggle. One such means was constituted by the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. It was the duty of the international community to achieve the speediest possible implementation of that very important international instrument and the punishment of all persons who were guilty of the crimes of *apartheid* and racial discrimination. His delegation hoped that those States which had not yet signed the Convention would sign and ratify it.

28. His delegation supported the Programme for the Decade for Action to Combat Racism and Racial Discrimination and considered that the implementation of its

provisions was unquestionably contributing and would continue to contribute to the intensification of the actions of States and of the entire world community against racial discrimination and colonialism. The Programme rightly stressed in paragraph 6 (a) that full adherence to the purposes and principles of the Charter was essential.

29. In the Ukrainian SSR the principle of the equality of its citizens irrespective of their national or racial origin was not only enshrined in the Constitution but also implemented in practice in the life of its socialist society. The Ukrainian people, who were educated in the principles of internationalism, understood the aspirations of the peoples of Africa and their desire to free their continent from the evils of racism and colonialism. As in previous years, a number of events had been organized in 1974 on the occasion of the International Day for the Elimination of Racial Discrimination, Africa Liberation Day and the Week of Solidarity with the Colonial Peoples of Southern Africa, and public meetings had been held in the towns of the Ukraine and in higher educational establishments. The problems of the struggle of the African peoples were systematically examined in periodicals and scientific studies and were discussed in the press and on radio and television. Lectures and meetings concerned with the Decade were organized in factories, collective farms and educational establishments. The Ukrainian people's work in support of the peoples of Africa was part of its general international activity.

30. The discussions in the Third Committee had shown that there were many different forms of struggle in support of the national liberation movements, but his delegation felt that the decisive factor in the complete eradication of racism and colonialism from Africa was the national liberation struggle of the African peoples. The Organization of African Unity also played an important role.

31. His delegation noted with satisfaction that an increasing number of countries were ratifying the International Convention on the Elimination of All Forms of Racial Discrimination, and hoped that those States which had not yet ratified it would soon do so.

32. His delegation would support the draft resolution recommended by the Economic and Social Council.

33. Mrs. NTIRO (Uganda) observed that there was nothing new to be said about the elimination of all forms of racism and racial discrimination and her delegation could only reiterate what it had said in the Committee in the past and in the General Assembly, especially at the current session (2245th plenary meeting). The peoples of the African continent had for centuries suffered more than those of any other continent from the scourge of racism and racial discrimination. They had been oppressed, exploited, tortured and humiliated by foreigners in their own land. The Government of Uganda had consistently condemned, both at the United Nations and in many other international forums, racism and racial discrimination in all its forms and manifestations, wherever it existed. In that connexion, it had condemned those countries which stubbornly continued to defy the Charter of the United Nations, world opinion and international law. Moreover, her delegation had recently introduced a draft resolution in the General

Assembly (2248th plenary meeting) aimed at taking effective action against the racist régime in South Africa; the Assembly had adopted the draft as resolution 3207 (XXIX). It had appealed to all countries having any influence over that régime to desist from giving it, either directly or indirectly, any form of support or encouragement in its activities.

34. Uganda had consistently given material and moral support to the just struggle of all peoples fighting against racism and racial discrimination. It would continue to channel assistance through the Liberation Committee of the OAU to those who were still struggling against racial discrimination, and would maintain its support of the various liberation movements.

35. In conclusion, she paid a tribute to all Governments, specialized agencies, intergovernmental and non-governmental organizations which had over the years sought, and were continuing to seek, solutions to the problems faced by the victims of racism and racial discrimination.

36. Mr. SPEEKENBRINK (Netherlands) said that his delegation's active participation in the work leading to the launching of the Decade had sprung from its conviction that racism and racial discrimination were a serious danger to the international community and, even more important, an intolerable denial of the dignity of human beings throughout the world. Now, a year later, the Committee had before it documentation prepared by the Secretary-General on activities undertaken or contemplated in connexion with the Decade and a draft resolution recommended by the Economic and Social Council for adoption by the General Assembly concerning the co-ordination of such activities (A/9666, annex). That text, with certain reservations, had his delegation's support.

37. The documentation submitted suggested that the beginning of the Decade had been marked by a period of introspection, in which all parties concerned had given thought to the way in which they could best contribute to the achievement of the goals of the Decade. In that connexion, he noted with satisfaction that the responses received had been positive, and he commended the non-governmental organizations for the manner in which they had followed up the invitation of the General Assembly to participate in the Decade. His delegation considered their full and active participation indispensable for its success. As a first initiative, the International NGO Conference against *Apartheid* and Colonialism in Africa had been held from 2 to 5 September 1974 in Geneva, with the participation of over 100 international, regional and national organizations, including representatives from the Special Committee on *Apartheid* and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the United Nations Council for Namibia and the secretariats of the United Nations and the specialized agencies. His delegation understood that the non-governmental organizations were actively considering the possibility of other initiatives to be taken in connexion with the Decade.

38. In commending the non-governmental organizations for holding that Conference, he did not wish to imply that

the struggle against the abhorrent system of *apartheid* in South Africa should be the only goal of the Decade, although it warranted major attention. Racial discrimination existed in many parts of the globe, and, in that connexion, his delegation wished to draw attention to the work of the Committee on the Elimination of Racial Discrimination (CERD) which it considered to be a positive contribution to the attainment of the proposed goals. While the work of CERD was well known within the United Nations, its influence and effectiveness might be greatly enhanced if information about its deliberations was more widely publicized. Consideration might be given to that question, and also to the possibility of making an analysis and an evaluation of the impact on national legislation and practice of the International Convention on the Elimination of All Forms of Racial Discrimination. Furthermore, many of the national reports submitted to CERD contained information which might assist other States in dealing with their particular problems. Some of those ideas were reflected in resolution 2 (X) adopted at the most recent session of CERD (see A/9666/Add.1, para. 16). While his delegation could not support all of the suggestions made by CERD, it wished to comment most of them to the General Assembly. Special attention should be given to paragraph 1 (d) of that resolution, drawing attention to article 14 of the Convention, on the basis of paragraph 1 of which a State party could at any time declare that it recognized the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by that State party of any of the rights set forth in the Convention. Article 14, paragraph 9, provided however that such competence could be exercised only when at least 10 out of the more than 80 States parties to the Convention had made that declaration. The Netherlands, as one of the four States which to date had made such a declaration, felt that the General Assembly should appeal to the other States parties to do so.

39. The documentation before the Committee gave considerable attention to activities designed to increase public awareness of the Decade. Attention should not be focused exclusively on the eradication of *apartheid* while other problems of racial discrimination were neglected. His delegation therefore felt that the Office of Public Information could be invited to intensify its activities by exposing, in addition to *apartheid*, all forms of racial discrimination, possibly through a wider dissemination of information about the work of CERD.

40. Referring to the activities currently under consideration by the Netherlands in connexion with the Decade, he said that General Assembly resolution 3057 (XXVIII) and its annex, the Programme for the Decade, had been translated into Dutch in order to give them wider dissemination. Moreover, several ministries were considering ways of stimulating awareness of, and participation in, the Programme for the Decade. In that connexion, he noted that the 1975 budget of the Netherlands allocated funds to support the activities undertaken.

41. Mrs. SHAHANI (Philippines) said that the statement made at the previous meeting by the representative of UNESCO and the report of the Secretary-General (see E/5474) convinced her that UNESCO and the Office of

Public Information should make a special effort to prepare suitable material for use during the Decade, especially for countries like the Philippines, where the evils of racial discrimination were virtually non-existent but which nevertheless felt deeply concerned about the problem. For such countries, the main difficulty was finding materials with which to educate the public, and especially the young, about the indignities of racial discrimination. She had been struck by the fact that the UNESCO programme dealt with in the Secretary-General's report focused primarily on scholarly and specialized documentation. While her delegation did not wish to minimize the usefulness of such documentation, it felt that the problem should not be dealt with in such abstract terms. In order for the Programme for the Decade to make an impact where it counted most, namely, among children and at the grassroots level, it was essential to provide material which could be easily duplicated and was simple and inexpensive. She therefore appealed to UNESCO and the Office of Public Information to take those criteria and the specific needs of countries like the Philippines into account when planning their activities in connexion with the Decade.

42. Mr. AZIZ (International Labour Organisation) said that the Programme for the Decade for Action to Combat Racism and Racial Discrimination had been brought to the notice of the Governing Body of the International Labour Office at its one hundred and ninety-first session in November 1973 and would be borne in mind in carrying out ILO activities in that field during the Decade. The measures taken or contemplated by the ILO in connexion with paragraphs 13 to 17 of the Programme were set forth in document E/5474.

43. He wished to lay stress on the problem of migrant workers, which often raised questions of discrimination and seemed to be growing in size and becoming more acute. A number of international instruments aimed at alleviating the difficulties of migrant workers and ensuring equality of treatment had been adopted by the ILO over the years. One of them was the Recommendation concerning the Protection of Migrant Workers in Underdeveloped Countries and Territories, of 1955,¹ which applied to both internal and international migration; it set forth the principle that any discrimination against migrant workers should be eliminated and contained provisions advocating equality of opportunity and treatment for migrant workers. Moreover, the Convention and Recommendation concerning Discrimination in respect of Employment and Occupation, of 1958,² dealt expressly with discrimination based on race, colour, sex, religion, political opinion or social or national origin.

44. The ILO had welcomed the visit in June of Mrs. Warzazi, whom the Committee undoubtedly knew was the Special Rapporteur on the question of exploitation of labour through illicit and clandestine trafficking for the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights. The ILO considered such visits to reflect the close co-operation existing between the United Nations and the

¹ International Labour Organisation, *Conventions and Recommendations, 1919-1966* (Geneva, 1966) Recommendation No. 100.

² *Ibid.*, *Convention and Recommendation No. 111*.

ILO and was certain that that co-operation would also continue in the arrangements for the supervision of the new instruments once they were adopted. The ILO was very pleased that the Director of the Division of Human Rights had been able to address the Conference Committee on Migrant Workers.

45. At its fifty-ninth session, the International Labour Conference had considered the texts of a proposed Convention and a proposed Recommendation dealing with migration under abusive conditions and equality of opportunity and treatment. The two instruments were expected to be adopted by the Conference in 1975. He wished to stress that the preamble to the proposed Convention would refer to the Universal Declaration of Human Rights. The ILO hoped that the United Nations would be fully associated with the implementation of the Convention once it was adopted. It would call on States parties systematically to determine whether there were any movements of migrants departing from, passing through or arriving in their territories for employment in which the migrants were subject to conditions contravening relevant international, multi-lateral or bilateral instruments or agreements. It would call for several penal sanctions against any individual or group organizing movements of migrants for employment involving the above-mentioned abuses.

46. A parallel Recommendation would specify the policy by which equality of opportunity and treatment should be assured and would call on Member States to foster public understanding of the principle of equal opportunity. It would urge countries to adopt social policies in favour of migrant workers, including, in particular, aid in reuniting migrants with their families and in warning migrant workers about safety and health hazards. The proposed Recommendation would provide that migrant workers lawfully resident in the territory of a member country and the members of their families should enjoy effective equality of opportunity and treatment with nationals of the member country concerned in respect, *inter alia*, of access to vocational guidance and placement services, security of tenure of employment, remuneration for work of equal value, membership in trade unions, conditions of work and living conditions.

47. The ILO looked forward to continuing the close co-operation it had enjoyed with the United Nations in the years to come.

48. Mrs. DE BARISH (Costa Rica) said that her delegation attached great importance to the question under consideration and applauded the Committee's decision to place it first on the agenda. There was no doubt that, as a result of the inauguration of the Decade for Action to Combat Racism and Racial Discrimination, there had been a marked upsurge in the activities of all the organs of the United Nations system, the specialized agencies, non-governmental organizations and the Member States themselves. Her delegation hoped that that trend would continue and be intensified as the various stages in the Programme for the Decade were put into effect. The Decade should be marked by an ever firmer will to overcome the obstacles to the genuine implementation of the principle that all men were equal, leading to the eradication of the myth of racial superiority, which all knew to have no foundation in fact.

Racial discrimination was one of the most shameful blots on the history of mankind and had caused unspeakable suffering and the sacrifice of many human lives. When it was condoned by the State, as was the case with *apartheid* in South Africa, Namibia and Southern Rhodesia, it became an evil policy which had been vigorously repudiated and condemned by the international community as a crime against humanity.

49. Among the measures to implement the Programme for the Decade, her delegation had been particularly interested in those taken or contemplated by specialized agencies such as the ILO, FAO, UNESCO, WHO and UPU (see E/5474 and A/9666 and Add.1 and 2). A salient point touched upon in the Programme concerned the question of elimination of discrimination against migrant workers in respect of employment. In that connexion, she had listened with interest to the remarks made by the representative of the ILO. The Freedom from Hunger Campaign of FAO was a positive contribution to the Decade, as were the activities of UNESCO, including the preparation of a draft declaration based on the 1967 Statement on Race and Racial Prejudice, referred to by the representative of UNESCO at the previous meeting. The latter had also referred to a concerted programme of research and had announced that UNESCO would continue activities aimed at promoting a better understanding of the systems of racial discrimination prevailing in southern Africa. That whole range of activities would be of great value in assisting Governments in the task of providing information and education and in adopting remedial measures within their own systems. It was essential that future generations should be imbued with a genuine appreciation of the concept of equality of human beings in respect of race, colour, sex or national origin and that the old myths and prejudices of racial superiority should be eliminated.

50. The Programme for the Decade emphasized the importance of accession by States to international instruments aimed at eliminating racial discrimination, including the International Convention on the Elimination of All Forms of Racial Discrimination, which had already entered into force and which Costa Rica had ratified as early as 1967. Her Government had participated in the work of the Committee on the Elimination of Racial Discrimination since its inception, and had already supplied two reports and two additional reports requested of it by the body, which had been judged satisfactory.

51. One month after the inauguration of the Decade on 10 December 1973, her Government had declared that Costa Rica recognized the competence of CERD, under article 14 of the Convention, to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by Costa Rica of any of the rights set forth in the Convention. Her Government had thereby wished to demonstrate its intention of co-operating in a sustained effort to ensure the success of the Decade.

52. Her Government was currently preparing plans to co-ordinate activities among various ministries and the University of Costa Rica with a view to carrying out activities recommended in the Programme.

53. In conclusion, she said that Costa Rica was making every effort to intensify the work of education and information on the subject of racial discrimination and *apartheid*, as a preventive rather than a remedial measure, with a view to promoting respect for the dignity of human beings, one of the loftiest purposes embodied in the Charter of the United Nations.

54. Miss DUBRA (Uruguay) expressed concern that the problem of racial discrimination, an affront to human dignity which flagrantly violated the purposes and principles of the Charter, continued to exist at the present day.

55. Uruguay had not only ratified, as far back as 1968, the International Convention on the Elimination of all Forms of Racial Discrimination, but it had been one of the first four countries to make the declaration provided for in article 14 of the Convention and it enthusiastically supported the Programme for the Decade for Action to Combat Racism and Racial Discrimination. It would do everything in its power to assist in the co-ordination of efforts between the United Nations, its specialized agencies and Member States to implement the basic strategy for the final eradication of an evil which posed a challenge to the moral conscience of mankind.

56. Uruguay repudiated all forms of racial discrimination. Its traditions and its positive law were incompatible with any discriminatory practice on grounds of race, sex, religion or ethnic origin. Article 8 of the Uruguayan Constitution stated that all persons were equal before the law. Racial discrimination did not exist in Uruguay, nor was it tolerated by the laws of the country. In conformity with its consistent stand on the issue under consideration, Uruguay was studying the possibility of elaborating additional educational programmes at the national level to promote respect for human rights and to give the widest possible publicity to the principle of non-discrimination.

57. In conclusion, she expressed the hope that the current Decade for Action to Combat Racism and Racial Discrimination would be the first and last such decade. The international community, now more than ever, was called upon to unite in order to eliminate evils like racism, racial discrimination, *apartheid* and colonialism, so that in the future it could direct its efforts to the elimination of other great scourges of mankind, such as underdevelopment, hunger, disease and war.

58. Mr. RAZA (Pakistan) recalled that at the 2053rd meeting he had made clear the position of his Government with regard to the question under consideration. His Government faithfully adhered to the tenets of Islam, which had from the outset excluded all distinctions based on race or colour and promised the brotherhood of man throughout the world.

59. At the previous meeting, the representative of Saudi Arabia had made a moving statement warning the present Governments of South Africa and Southern Rhodesia to see the writing on the wall, as Portugal had already done, and to bow to the dictates of international opinion. However, the representative of South Africa had not attended that meeting or any other meetings of the Committee. As a practical suggestion, therefore, he appealed to the Chairman

to call on the South African delegation to send a representative to attend the meetings of the Committee, so that the latter's views might eventually be heard by the Pretoria régime.

60. Mr. HUSSAMY (Syrian Arab Republic) said that the great achievements of the Committee in the past formed a solid foundation on which it could build its work at the current and future sessions. In his comprehensive introductory statement at the 2053rd meeting, the Director of the Division of Human Rights had thrown light on the questions that would constitute the essence of the Committee's future work, and his delegation agreed with the Director's remarks on the need for all Member States to accede to and implement the various international instruments on human rights, to adhere to the principles set forth in the Universal Declaration of Human Rights and to participate in the work of the Decade for Action to Combat Racism and Racial Discrimination. His delegation also shared the Director's view that priority should be given to the question of guaranteeing the right of colonial peoples to self-determination.

61. The concept of race had never been recognized as a constituent element of Arab nationalism. The social structure of the Syrian Arab Republic, based as it was on the integration of the population regardless of origin or colour and on the co-existence of the various religions, left no loop-hole for the appearance of any form of discrimination in any area. At the national level, its Permanent Constitution provided for full equality among all citizens in the political, economic and cultural spheres as well as in the field of public and individual rights. The Syrian Penal Code provided for the punishment of any individuals who or groups which advocated discrimination or sought to provoke communal strife.

62. At the international level, the Syrian Republic had consistently supported the struggle of all peoples to realize their right to self-determination and rid themselves of colonialism and racial discrimination. It had been the first country to sign the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. It had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination and to the two International Covenants on Human Rights. It had also expressed its willingness to participate fully in the Decade for Action to Combat Racism and Racial Discrimination.

63. The Zionist entity, based essentially on racism and colonization, continued to engage—with regard to the population of the occupied Syrian territory—in practices motivated by the racist objective of negating the national and individual existence of the Arabs. The successive reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories attested to the fact that Israel, which persisted in its refusal to accede to the International Convention on the Elimination of All Forms of Racial Discrimination, had violated the internationally recognized principles on which that Convention was based. Moreover, the Zionist entity had prevented the Syrian Arab Republic from fulfilling its obligations under the Convention in the occupied territory of Syria even though, according to the

principles of international law, occupation did not abolish sovereignty. The Committee on the Elimination of Racial Discrimination had confirmed that fact as well as the obligation to apply the provisions of that Convention in the occupied territory of Syria when, during its tenth session, it had considered the third report of the Syrian Arab Republic on the application of the Convention. Following the Syrian representative's statement containing supplementary information, the Committee by its decision 1 (X) had unanimously expressed concern over the deteriorating condition of the population in the occupied Syrian territory as a result of the inability of the Syrian Arab Republic, owing to Israeli occupation, to fulfil its obligations under the Convention in part of its territory. It had also asked the General Assembly to take the necessary steps in order to enable the Government of the Syrian Arab Republic to take over full responsibility for the implementation of its obligations under the Convention on its whole national soil. His delegation hoped that the report of CERD on its ninth and tenth sessions³ would soon be distributed to the Third Committee.

64. In conclusion, while thanking the Secretary-General for the reports he had submitted to the Committee in connexion with the item under consideration, his delegation wished to point out that in the documents containing the replies of Member States to two notes by the Secretary-General requesting them to provide information on the measures they had taken to eliminate all forms of racial discrimination and on their willingness to participate in the observance of the Decade for Action to Combat Racism and Racial Discrimination, no reference was made to the reports on those two issues communicated to the Secretary-General by the Syrian Arab Republic in two memoranda of 20 May and 5 June 1974. His delegation

³ Subsequently issued as document A/9618.

hoped that mention would be made of those reports in future documentation.⁴

65. Miss HARELI (Israel), speaking in exercise of the right of reply, expressed surprise that a representative of the Syrian Government, which barely a year earlier had launched a vicious military attack on Israel, had seen fit to bring up completely unwarranted allegations in the Committee.

66. The areas which as a result of war were administered by the Israeli Government were accessible to the Red Cross, the press and all persons who had a legitimate interest in visiting them. Anyone visiting those areas would discover for himself that the allegations made by the representative of the Syrian Arab Republic were unfounded. Such allegations were justified, however, in respect of the persecuted Jewish minority that lived in that country and suffered in silence. It had been rightly pointed out in the Committee that racism and racial discrimination should be eliminated wherever they occurred. In the Syrian Arab Republic, those evils were suffered by a truly helpless minority of Jews.

67. The CHAIRMAN suggested that the time-limit for the submission of draft resolutions on the item under consideration and amendments to the draft resolution already before the Committee should be 3 p.m. on Tuesday, 8 October.

It was so decided.

The meeting rose at 5.15 p.m.

⁴ A summary of the information provided in those reports appears in A/9666/Add.4, dated 7 October 1974.

2058th meeting

Monday, 7 October 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2058

AGENDA ITEM 53

Elimination of all forms of racial discrimination (*continued*) (A/9603, chap. I, chap. V, sect. C.1; A/9666 and Add.1-3, A/9719, E/5474, E/5475):

- (a) Decade for Action to Combat Racism and Racial Discrimination (*continued*);
- (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General (*continued*)

GENERAL DEBATE (*continued*)

1. Ms. NURU (United Republic of Tanzania) said the fact that the item under consideration was perennially on the agenda of the General Assembly was a clear manifestation

of the grave concern felt by the world community in respect of racism and racial discrimination. The Decade for Action to Combat Racism and Racial Discrimination had the full support of the Tanzanian Government and people. It had been the task of the Tanzanian Government to fight against racism, racial discrimination and *apartheid* since independence and the people of Tanzania would not rest until those evils were eradicated.

2. The fight against racism, racial discrimination, *apartheid* and colonialism was waged through the external service of Radio Tanzania, whose broadcasts were specifically beamed to southern Africa. The racist régime in South Africa was working hard to frustrate those efforts. Measures had been taken in South Africa and Namibia to end the importation of short-wave wireless receivers so as to prevent the local

population from hearing anything except the racists' propaganda. The Vorster régime also went out of its way to jam frequencies of broadcasts to South Africa from Zambia and Tanzania. Despite those handicaps, the United Republic of Tanzania would continue the fight until freedom and justice prevailed in southern Africa. Her delegation would welcome the co-operation of the United Nations Office of Public Information in strengthening those services to southern Africa in the service of humanity.

3. She commended the exemplary work being done by the United Nations Commissioner for Namibia in strengthening the broadcasting services to Namibia from various African centres. However, her delegation would like the United Nations to take greater interest in extending such broadcasts to the rest of southern Africa.

4. It was intolerable that, despite the condemnation and indignation expressed by the international community, the racist régimes of South Africa and Southern Rhodesia continued not only to flout United Nations decisions but also to strengthen their atrocious policies of racial discrimination and *apartheid*. Southern Africa was the only place in the world where racial discrimination and *apartheid* were regarded as part and parcel of the legal system. In South Africa, a man's destiny was determined by the colour of his skin. The rich areas of the country, which actually belonged to all, were reserved for the small minority of whites. The black majority had no civic rights or the right to vote.

5. It should be asked why South Africa continued to be a Member of the United Nations. A member of any club was required to abide by the principles and rules of that club, and yet the Vorster régime, which had constantly violated the fundamental principles of the Charter, was still represented at the United Nations. The rejection by the General Assembly of the credentials of the racist minority régime of South Africa was definitely a step in the right direction. The General Assembly, by its resolution 3207 (XXIX), had called upon the Security Council to review the relationship between the United Nations and South Africa in terms of the Charter. It was her delegation's hope that the Council would see fit to expel South Africa from the United Nations.

6. As long as South Africa perpetuated the evil practice of *apartheid*, every effort should be made to ensure its total isolation. It was no secret that the survival of the racist régimes of South Africa and Southern Rhodesia depended largely on the moral, economic and military support they received from some Western European countries and the United States. She appealed to those countries seriously to consider dissociating themselves from those régimes. The assistance which they now extended to the racist régimes should be channelled to the liberation movements, which fought for human dignity, justice and peace.

7. She recalled that as early as 1969 the Lusaka Manifesto had stated: "But it appears that for many countries international law takes precedence over humanity; . . . Yet even if international law is held to exclude active assistance to the South Africa opponents of *apartheid*, it does not demand that the comfort and support of human and commercial intercourse should be given to a Government which rejects the manhood of most humanity. South Africa

should be excluded from the United Nations . . . It should be ostracized by the world community."¹

8. The delegation of the racist South African régime to the twenty-ninth session of the General Assembly included two black stooges. Their presence should deceive no one, since they were but puppets of the racist régime and betrayed the whole of the black majority in South Africa.

9. In conclusion, she congratulated the Secretariat on its efforts to publicize the Programme for the Decade. Her delegation expected that concerted action would be taken to combat racism and racial discrimination and that those evils would have been eliminated by the end of the Decade. It fully supported the draft resolution contained in the annex to document A/9666. However, she felt that the use of the word "*apartheid*" in paragraph 5 (d) of the draft resolution was inappropriate, since it might be construed as implying that *apartheid* was not exclusively the policy of South Africa. The word "*apartheid*" should therefore be deleted; alternatively, the paragraph could be reworded so as to refer specifically to the South African situation.

10. Mr. LUBIK (Poland) said that in launching the Decade for Action to Combat Racism and Racial Discrimination and approving the Programme for the Decade by its resolution 3057 (XXVIII) the Assembly had once again underlined the need for continued and increased moral, material and political support for peoples under colonial and alien domination suffering from racial discrimination and *apartheid*. His delegation welcomed the admission to the United Nations of Bangladesh, Guinea-Bissau and Grenada. The presence of the delegation of Guinea-Bissau, in particular, was evidence that the goals of the Decade were valid and could be achieved. He expressed the hope that no effort would be spared to meet the critical needs of the peoples in the remaining colonial Territories, to assist the national liberation movements in the struggle for freedom and independence and to bring about the total eradication of colonialism and *apartheid*.

11. His delegation attached importance to the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex), which thus far had been signed by 18 States, including Poland. The Convention provided for the punishment of those who continued to perpetrate or abet the crime of *apartheid*. There could be no compromise with those who constantly trampled on the principles of the United Nations Charter and still sought to enslave the peoples of South Africa and Southern Rhodesia. Poland had always recognized that the principal role in the struggle for the liberation of those countries belonged to their peoples and their liberation movements. Poland supported them politically, materially and morally.

12. His country strictly complied with all United Nations decisions and resolutions relating to the item under consideration. It had presented its position on the subject in its reports to the Committee on the Elimination of Racial Discrimination and in a communication to the

¹ Official Records of the General Assembly, Twenty-fourth Session, Annexes, agenda item 106, document A/7754, para. 22.

Secretary-General concerning activities undertaken in connexion with the Decade (see A/9666/Add.1).

13. Poland had always supported the formulation of international instruments aimed at suppressing and punishing war crimes and crimes against humanity. The policy of *apartheid* had been described as a crime against humanity in the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity (resolution 2391 (XXIII)), which had been adopted by the General Assembly on the initiative of his delegation. He expressed the hope that the Decade would be marked by the adherence of many more States to the various international instruments aimed at eliminating racial discrimination and *apartheid*.

14. His delegation was confident that the peoples of South Africa and Southern Rhodesia would triumph in their just struggle against oppression and exploitation.

15. Mr. CHOTA (Zambia) said that the question under consideration, especially as it related to southern Africa, was of paramount importance to Zambia. He wished to reiterate that the Party, Government and people of Zambia were vehemently opposed to racism and racial discrimination in all their forms. Racial equality was both a constitutional right and a living practice in Zambia. The Constitution provided that there should be no discrimination based on sex, race, colour or creed. Zambia had achieved a non-racial society in which there was development, peace and security for all peoples.

16. It was disheartening to note that the situation in Zimbabwe, Namibia and South Africa, instead of improving, had deteriorated. The United Nations had long been concerned about the inhuman conditions in those countries and in other parts of the world. Much had been said on the subject in the United Nations and other bodies, but millions of people continued to live under racial oppression, mainly because there were States Members of the United Nations which believed that one race had a divine right to oppress other races and were supported in that crime against humanity by other States.

17. The conditions of the Africans in Zimbabwe was a source of shame for all mankind. A minority of white rebels was holding an overwhelming African majority in slavery-like conditions. It was shameful that that challenge to the authority of the United Nations had been allowed to persist for so long. However, the desperate acts of the Smith régime showed that the racist rebels were not unaffected by the winds of change blowing through Africa and by the efforts of the liberation movements. His delegation urged the United Kingdom Government to fulfil its responsibilities to the millions of Africans in that Territory before it was too late.

18. *Apartheid* was neither an ideology nor a philosophy of life; it was a ridiculous form of subjugation of the African people. The South African racists lived in a dream world and it was to be hoped that they would awaken to the realization that a system of Government based on racism had a limited life-span. The events in the Portuguese Territories were sounding the death-knell for *apartheid*. It now only remained for the South African fascists and

racists either to change their ways or to perish. The Western Powers which supported South Africa, while paying lip service to fundamental rights and freedoms, were also opposing the tide of history. The continued illegal occupation of Namibia by South Africa would be impossible without the support South Africa received from NATO Powers.

19. His delegation was encouraged by Portugal's recognition of the independence of Guinea-Bissau and by the developments in Mozambique. It looked forward to the attainment of independence by Mozambique and Angola in the near future.

20. Zambia fully supported the Programme for the Decade for Action to Combat Racism and Racial Discrimination. Although it had not replied to the Secretary-General's note verbale on activities undertaken in connexion with the Decade, Zambia was doing its best to realize the goals of the Decade. It had ratified the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) at an early stage and urged those countries which had not yet done so to become parties to the Convention as soon as possible.

21. His delegation had participated in the formulation of the draft resolution that the Economic and Social Council had, by its resolution 1863 (LVI), recommended for adoption by the General Assembly and that was now before the Committee (A/9666, annex). It urged members to support the draft resolution which would constitute a major step towards the achievement of the objectives of the Decade.

22. Mr. FØNS BUHL (Denmark) said that his country's position on the problems of racism and racial discrimination was well known. Denmark was a party to the International Convention on the Elimination of All Forms of Racial Discrimination, as well as to the International Covenants on Human Rights and the Optional Protocol to the International Covenant on Civil and Political Rights. The Decade for Action to Combat Racism and Racial Discrimination should represent a major step towards the liberation of peoples suffering under racial oppression and the elimination of other forms of racial discrimination.

23. In the 25 years that had elapsed since the adoption of the Universal Declaration of Human Rights, peoples everywhere had become conscious of their fundamental rights and freedoms. The recognition and protection of those basic human rights had been encouraged by the appropriate organs of the United Nations and precise standards had been adopted as a yardstick by which to measure domestic legislation and practices.

24. Despite the progress that had been achieved, many discriminatory practices persisted, posing a problem of grave concern to the international community. Racial discrimination and *apartheid*, which deprived men and women of equal opportunities in society and destroyed their human dignity, were the most flagrant forms of such practices. The communiqué issued on 30 August 1974 by the five Nordic Ministers for Foreign Affairs confirmed that the Nordic countries would continue to work in the United

Nations for increased international pressure against the policy of *apartheid* and that their Governments would continue to provide humanitarian assistance to the populations and the victims of *apartheid* in southern Africa.

25. As far as *de jure* discrimination was concerned, it was of paramount importance that the laws and regulations of each State should be thoroughly reviewed so that any discriminatory statutes could be amended. In addition, the active co-operation of Governments was needed to enact such legislative measures as might be necessary to eliminate the social and economic causes of racial discrimination and to protect the rights of ethnic minorities.

26. His delegation considered the periodic reports required of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination to be an extremely important factor in bringing about necessary legislative changes. The thorough examination of those reports by the Committee established under the Convention was of great value, as were the periodic reports on human rights and reports on freedom of information provided for by Economic and Social Council resolution 1596 (L). In calling the attention of the competent Governments to specific humanitarian and legal issues, those reports were instrumental in ensuring equal treatment of individuals in accordance with standards adopted within the United Nations system.

27. The *Ad Hoc* Working Group of Experts established under resolution 2 (XXIII)² of the Commission on Human Rights whose mandate had been extended and enlarged by subsequent resolutions had done important work in its observation of racially discriminatory practices, especially those arising from the Bantu homeland policies and the disclosure of the payment of wages below the poverty line to black African workers in South Africa.

28. Much of the racial discrimination that existed in the world was based on prejudices, historical development or certain specific social and economic circumstances. Further study of the root causes of such *de facto* discrimination should be undertaken. His delegation welcomed the fact that the Special Rapporteur of the study entitled *Racial Discrimination*³ was updating that study. He had noted with interest the draft outline programme for UNESCO's participation in the Decade (see E/5474, paras. 55-59), and looked forward to the results of the study regarding exploitation of migrant workers undertaken by Mrs. Warzazi as Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. His delegation also welcomed the fact that the ILO intended to organize a symposium in Europe in 1975 which would deal with the elimination of discrimination affecting migrant workers (*ibid.*, para. 51).

29. Several previous speakers had pointed to the importance of preparing well in advance the programme for the world conference which, as a major feature of the Decade, was to take place in 1978 at the latest. His delegation felt that the theme of the Conference should be based on a

comprehensive approach to all problems relating to racial discrimination. The Conference would thus have an important role to play in promoting human rights and fundamental freedoms for all. The report by the Secretary-General to the twenty-ninth session of the Commission on Human Rights⁴ set forth valuable guidelines for the preparation of the Conference.

30. The vast machinery which had been assembled and put into operation by the United Nations following the inauguration of the Decade could undoubtedly represent a turning point in the struggle against racism and racial discrimination. His delegation, for its part, considered it essential to approach the problem in an open-minded and comprehensive manner. It should be borne in mind that the success of the Decade would be measured not by what was said, but by what was done.

31. Ms. SHAHKAR (Iran) said that although the long-standing debate on the problem of racism and racial discrimination in various international bodies, particularly the Third Committee, might not have produced entirely satisfactory results, it could not be said that it had been in vain. Declarations had been made, resolutions adopted, and conventions prepared and opened for signature. However, the adoption of the Programme for the Decade for Action to Combat Racism and Racial Discrimination at the twenty-eighth session of the General Assembly (resolution 3057 (XXVIII), annex) had certainly given new impetus to activities in that sphere. The time was ripe for action rather than words. If the Programme for the Decade was carried out in good faith, racism and racial discrimination would be totally eliminated by 1983. However, it was still too soon to assess the results of activities undertaken in connexion with the Decade.

32. According to the Secretary-General's report on the status of the International Convention on the Elimination of All Forms of Racial Discrimination (A/9719), 82 States had ratified or acceded to the Convention as of 1 September 1974. That was encouraging, but it was high time for all States to ratify the Convention, for it was so complete and so well conceived that its implementation would ensure the elimination of all forms of racial discrimination. In that connexion, the role played by the Committee on the Elimination of Racial Discrimination established under article 8 of the Convention was particularly noteworthy.

33. Iran, a country whose traditional opposition to all forms of discrimination was well known, had been one of the first States to ratify the Convention. In March 1974 it had submitted to the Committee on the Elimination of Racial Discrimination a report on legislative and other measures that gave effect to the provisions of the Convention; that report had been judged eminently satisfactory. However, Iran had not rested on its laurels and steps had already been taken to study the possibility of elaborating new laws and regulations which would more fully comply with the provisions of the Convention, particularly article 4. Moreover, the International Covenants on Human Rights were currently under study by the appropriate organs of the Iranian Parliament, and it was hoped that

² See *Official Records of the Economic and Social Council, Forty-second Session, Supplement No. 6*, p. 76.

³ United Nations publication, Sales No. E.71.XIV.2.

⁴ E/CN.4/1105.

they would be ratified in 1975. The implementation of the Covenants would certainly strengthen measures aimed at eliminating racism and racial discrimination and all States should be encouraged to ratify them.

34. Another aspect of the problem to which her delegation had always attached importance was that of education. Conventions, laws and regulations would not suffice to protect future generations from the scourge of racism unless a real effort was made to train young people and re-educate adults in respect for human rights. Accordingly, her delegation attached particular importance to paragraphs 15 and 16 of the Programme for the Decade. It had also been particularly interested to learn of the proposed activities of the specialized agencies in the struggle against racial discrimination (see E/5474 and A/9666/Add.1), especially the draft outline programme for UNESCO's participation in the Decade.

35. Lastly, her delegation supported the draft resolution recommended by the Economic and Social Council and was prepared to co-operate to the best of its ability to ensure the success of the Decade.

36. Miss CABALLERO (Mexico) said that Mexico, in keeping with its humanist tradition, had always condemned racial discrimination in all its forms and wherever it occurred. It had therefore supported United Nations resolutions calling for an end to discriminatory practices which still existed, and which were particularly notorious in southern Africa. Virtually unanimous condemnation by the international community had had little impact on those Governments, which had, solely on grounds of colour, institutionalized inequality in their countries. Her delegation felt that the States maintaining political, economic or cultural relations with South Africa or Rhodesia must comply fully with the measures adopted by both the Security Council and the General Assembly or face the prospect of the continued existence of a shameful and inhuman situation in which millions of human beings were deprived of their most basic human rights. All financial and commercial transactions and foreign investments in South Africa, whether official or by transnational corporations subject to the jurisdiction of their respective States, must be terminated in order to secure the international isolation and consequent elimination of the hateful minority régime.

37. The argument that such investments provided employment for the oppressed majority was no longer acceptable, because in fact they served to strengthen the Governments which maintained the inhuman conditions in which the majority lived. That proposal sprang not from impatience, but from recognition of the fact that the protests and appeals of the international community would remain ineffective so long as the racist States had adequate resources at their disposal and enjoyed the support of major foreign economic interests. Not only should the activities of private interests be condemned, but also the attitude of Governments which were accomplices of those interests and which provided the arms needed to perpetrate the exploitation of human beings and natural resources. Her delegation urged the international community to take immediate and direct action against those who were responsible for the existing situation, failing which the suffering of the oppressed and the enrichment of the oppressors would continue unabated.

38. Although Mexico was fortunate enough to have no racial problems, for some years Mexican workers had been migrating to developed countries where they were often subjected to discrimination, harassment and exploitation, denied the enjoyment of their basic human rights and treated in a manner which was not consonant with the norms of international labour law. That situation created resentment and inequities contrary to the spirit of the Charter, and should receive priority consideration by those bodies which the international community had entrusted with responsibility for dealing with such problems. In that connexion, she commended the representative of Morocco, Mrs. Warzazi, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, for the study which she had prepared on the exploitation of labour through illicit and clandestine trafficking⁵ and which she was now continuing at the request of the Sub-Commission. In view of the importance of finding solutions to the problem, she recommended the widest possible distribution of the documents setting forth the results of that study. They included not only an analysis and evaluation of the facts but also a thorough study of comparative law. In that connexion, her delegation hoped that fuller information would be provided by the Latin American countries for the purpose of the study so that the problem of migrant workers in the Americas could be examined more thoroughly since it had specific characteristics which distinguished it from the phenomenon as it appeared in Europe.

39. Since Mexico had always believed in the rule of law and rejected senseless violence, her delegation supported the draft resolution recommended by the Economic and Social Council (A/9666, annex), on the understanding that the reference in operative paragraph 6 (b) to liberation movements meant those which had been duly recognized by the respective regional organizations. In conclusion, she said that her delegation would submit at the appropriate time two draft resolutions embodying principles which the international community had sought to establish.

40. Mrs. BAZARKHAND (Mongolia) said that the Mongolian People's Republic fully endorsed the decision to designate the 10-year period beginning on 10 December 1973 as the Decade for Action to Combat Racism and Racial Discrimination. The world community should resolutely carry out a broad campaign for the complete elimination of racial discrimination and in particular its most severe form, the policy of *apartheid*. Her delegation hoped that the successful implementation of the Programme for the Decade would constitute an important contribution to the struggle for the final liquidation of colonialism and racial discrimination. It considered that one of the basic aims of the Decade was to liquidate the racist régimes by refusing them military and economic assistance and by providing practical aid to the liberation movements. It noted with satisfaction that a number of measures were being taken by the United Nations and its specialized agencies, particularly UNESCO and the ILO, in the context of the Decade. The Special Committee on *Apartheid* and the International NGO Conference against *Apartheid* and Colonialism in Africa, held in Geneva in September 1974, had also contributed to the mobilization of the inter-

⁵ See E/CN.4/Sub.2/351 and 352.

national community in the struggle against *apartheid*. The delegation representing the public organizations of Mongolia had taken an active part in the work of that Conference.

41. Her delegation joined others in appealing to those countries which had not yet signed the International Convention on the Elimination of All Forms of Racial Discrimination to do so as soon as possible. Mongolia had been one of the first countries to sign and ratify that Convention. It had also signed the International Convention on the Suppression and Punishment of the Crime of *Apartheid* and had recently ratified the International Covenants on Human Rights. Mongolia fully supported the implementation of United Nations recommendations concerning the application of economic sanctions against the racist régimes in southern Africa.

42. Her delegation supported the draft resolution annexed to the note by the Secretary-General (A/9666).

43. Mrs. KINYANJUI (Kenya) said that her delegation noted with satisfaction the information contained in the documents before the Committee concerning the activities undertaken or contemplated by Governments, international organizations and non-governmental organizations.

44. Kenya had been a victim of racism and racial discrimination for nearly three quarters of a century, and on gaining independence it had abrogated all the discriminatory laws contradicting the principle of equality which had been enacted by the colonial Government. Discrimination between Europeans, Asians and Africans with respect to education, employment, housing and so forth had been eliminated, and the equality of the various races was guaranteed in article 82 of Kenya's Constitution. Kenya was building up a multiracial society where people of different racial and ethnic origins could work and live together peacefully. It would continue to fight alongside other African countries until the African continent was freed from racism, racial discrimination, colonialism and *apartheid*.

45. Kenya had welcomed General Assembly resolution 2919 (XXVII) concerning the Decade for Action to Combat Racism and Racial Discrimination, and had been happy to witness the launching of the Decade on the occasion of the twenty-fifth anniversary of the Universal Declaration of Human Rights. The progress that had been made so far in the field of decolonization was encouraging, and the studies prepared by the Special Rapporteurs had been very useful and had shown to what extent the assistance provided to the South African Government enabled it to maintain its racist policy of *apartheid*.

46. Kenya had signed the International Convention on the Suppression and Punishment of the Crime of *Apartheid* and was currently taking the necessary steps to ratify it as soon as possible.

47. Her delegation was not discouraged by the fact that the racist régime of South Africa was paying no attention to the appeals addressed to it by the United Nations to abandon its racist policy of *apartheid* and to grant freedom and the enjoyment of their fundamental rights to the

African majority, for it was confident that the world community would triumph in its struggle. The collaborators of the white racist régimes in southern Africa should also realize that although they had provided Portugal with weapons through NATO they had failed to suppress the movements for freedom and independence in the Portuguese colonial Territories in Africa and that victory would be achieved for the people of southern Africa despite the massive quantities of armaments now being sold to South Africa by some of the major Powers who paid lip service to the ideals of the United Nations.

48. Kenya would continue to honour and execute the United Nations resolutions concerning the embargo against South Africa and the Security Council resolutions on sanctions against the illegal racist régime of Southern Rhodesia. It would also continue to provide assistance to victims of racial discrimination in southern Africa and would use all the means at its disposal in the fight against racism, racial discrimination and colonialism until all those evils had been eradicated on the African continent and wherever else they existed.

49. Her delegation supported the draft resolution annexed to document A/9666.

50. Mrs. BERTRAND DE BROMLEY (Honduras) said that she doubted whether anyone had imagined the previous year, when the Decade for Action to Combat Racism and Racial Discrimination had been launched, that during the first year of the Decade there would be such an immense change in the policy of Portugal, and that a free and independent Guinea-Bissau would become a Member of the United Nations within such a short time. Her delegation considered that to be an encouraging sign, given the close relationship between colonialism and racial discrimination.

51. She hoped that as a result of the activities undertaken during the Decade by United Nations bodies, the specialized agencies, intergovernmental and non-governmental organizations and Governments, and in particular the projected world conference on combating racial discrimination, would leave an indelible mark on the human conscience. All attention was currently focused on the situation in South Africa, where the most repugnant form of racial discrimination was a government institution. But discrimination did not end in South Africa; it existed in many countries, not because of systematic government policy, but because of poverty and the educational disadvantages of certain minorities. It was therefore a problem which required ceaseless vigilance, and should be attacked in all its aspects. Moreover, there was a need to combat discrimination *per se*, whether practised on grounds of sex, religion or for any other reason, since the existence of discrimination in any form entailed the risk that it might arise in another form.

52. Although no racial discrimination existed in Honduras, owing to its racially mixed population, activities in connexion with the Decade would be undertaken in her country in order to enlighten the population on the problems of discrimination. Those activities would involve educational programmes and the dissemination of information through the press, radio and television.

53. Mr. BAENA SOARES (Brazil) said that it was generally recognized that the different races in Brazil lived together freely and harmoniously. That was not the consequence of the application of legislation but was the product of the unprejudiced Portuguese approach towards different cultures and of the pervasive African contribution which in some parts of the country had been a predominant factor in building the Brazilian nation. There had also been complementary European and Asian contributions to that socio-cultural mainstream. The anti-discriminatory provisions of Brazilian law merely confirmed a pattern of social behaviour which was already embedded in history, custom and conscience. For example, article 153 of the Constitution provided that racial discrimination was punishable by law and it prohibited salary or employment discrimination for reasons of sex or colour. References to colour and race were omitted from Brazilian identification cards and passports, and demographic censuses did not record information on race.

54. On the international scene, Brazil was playing a prominent role in activities to eliminate racism, on the basis of its consistent and frequently expressed opposition to all forms of racial discrimination. It was prepared to maintain and intensify its international co-operation to eliminate racial intolerance in the world. It considered that to be one of the most noble objectives of the United Nations.

55. Much had been accomplished by the United Nations in its efforts to eliminate all forms of racial discrimination, but it had not succeeded in overcoming the most inhuman and cruel form—*apartheid*. The resistance it had encountered should not defeat it but should stimulate it to redouble its efforts to eradicate that repressive policy. The Programme for the Decade for Action to Combat Racism and Racial Discrimination had launched a strategy for the struggle which would be fought first within each country through internal measures which would reach the social conscience of individuals and assure economic and political participation for all. In southern Africa that kind of struggle would have to break down long-established psychological barriers as well as solidly entrenched social and economic interests.

56. The Programme for the Decade was being taken into full consideration by the Brazilian Government, and it would be widely publicized in Brazil, with special emphasis on educational and training activities. Various projects were being studied with a view to bringing the Programme to the attention of Brazilian public opinion, and Brazil intended to launch its contribution to the Decade in 1975. The Decade was the time for the international community to co-operate and unite its efforts to strengthen the anti-racist conscience of the world. His delegation believed that efforts should be aimed mainly at the younger generation by any means appropriate to local conditions in each country. International pacts and covenants and national laws were important, but they did not serve the vital purpose of influencing individual behaviour and instilling individual consciousness of racial harmony. Abhorrence of racial and discriminatory policies and practices should be ingrained in the behaviour of all human beings, and the world community should first reach out to those whose attitudes were more open and generous—the young people—who accepted quite naturally the idea that races should intermingle and

live together. The world community had to ensure that the despicable practices of racism and racial discrimination met with increasing repudiation and rejection until they became completely untenable. Racial harmony would be established as the result of conscience, conviction and faith in the common destiny of man.

57. Mr. TSERING (Bhutan) said that the practices of racism and racial discrimination were unknown in Bhutan, as fundamental rights had always been guaranteed to every citizen of the country without any discrimination. However, his delegation attached great importance to the item under consideration because the people of Bhutan respected the dignity of human beings and the principle of self-determination. Bhutan condemned those régimes which practised racism, racial discrimination and *apartheid*, as those practices undermined human dignity and constituted a threat to world peace. As a mark of its desire to make a useful contribution to the realization of the ideals of the Universal Declaration of Human Rights, Bhutan had signed the International Convention on the Elimination of All Forms of Racial Discrimination and would ratify it in due course. His delegation wholeheartedly supported General Assembly resolution 3057 (XXVIII) which had proclaimed the Decade for Action to Combat Racism and Racial Discrimination, and strongly believed that racism, *apartheid*, colonialism and the denial of the right to self-determination would be completely eradicated by the end of the Decade. The implementation of the Programme had already registered some progress and he hoped that it would gain momentum in the years that were to follow. Non-governmental organizations were contributing much to the Programme, and there was also scope for the common people to identify themselves with its main objectives.

58. The events in Portugal which had resulted in the independence of Guinea-Bissau and the change of administration in Mozambique should be regarded as part of the Programme, and his delegation hoped that the Cape Verde Islands and Angola would attain their independence soon. It welcomed the statement made by the Foreign Minister of Portugal in the General Assembly (2239th plenary meeting) setting forth his Government's enlightened and realistic policy of decolonization.

59. It was very disheartening that, despite the efforts of the United Nations and Member States to eliminate all forms of racial discrimination, millions of people—especially in Africa—were still under the yoke of oppressive and obnoxious laws and were denied their inalienable right to self-determination and freedom. The problems of racism and *apartheid* in South Africa and Southern Rhodesia still existed despite the countless resolutions passed by the General Assembly and the system of economic, political and moral sanctions instituted by the United Nations, and those problems had become a threat to international peace and stability. His delegation firmly believed that those problems could only be solved if all Member States fulfilled their obligations under the United Nations Charter and other United Nations instruments on human rights.

60. His delegation supported the draft resolution recommended by the Economic and Social Council.

61. Mr. SIMITXHIU (Albania) noted that despite the numerous resolutions adopted by the United Nations and

other international organizations condemning racial discrimination and *apartheid* and the racist régimes which practised those policies, racism and *apartheid* still prevailed in southern Africa and elsewhere. The peoples of Azania, Zimbabwe and Namibia continued to be persecuted, imprisoned and massacred, and were denied all their political, economic and social rights by a handful of white racists. They were despised and treated as inferior beings solely because of their colour and race. The fascist forces of the white colonists in Mozambique were trying to ferment racial conflict so as to maintain their domination in that country. Racial discrimination was not confined to African countries. In the occupied Arab territories Israel had for several years been practising racial discrimination against the Palestinians and had gone so far as to drive them forcibly from their land. In the United States the policy of racial discrimination continued to be brutally applied and the black population lived in poverty.

62. The monstrous crimes perpetrated in South Africa and Southern Rhodesia as a result of the policy of racial discrimination and *apartheid* and the open support and assistance provided by certain imperialist Powers to the racist régimes of those countries should be rigorously condemned as crimes against the whole of mankind. The racist régimes of South Africa and Southern Rhodesia would never heed world opinion or the relevant United Nations resolutions. Certain members of NATO, such as the United States and the United Kingdom, were also defying world opinion by providing multilateral political, economic and military support to the racist régimes. Racial discrimination and *apartheid* were closely linked with the aggressive and hegemonistic policies of the imperialists, colonialists and neo-colonialists. Racism would exist as long as there was colonialism. In Africa and elsewhere racism had been established and was being defended by the former colonialists, and the imperialist Powers were trying, through racism, to perpetuate the barbaric exploitation of the indigenous population of the African countries and, at the same time, to use those countries as military bases against the liberation movements and as bases for the expansion of neo-colonialism. But the people of Africa, who for centuries had been oppressed and exploited, were now gaining victory after victory in their resolute struggle for complete national liberation. The era of the colonial empires had gone for ever and the struggle of the African peoples against colonialism and its roots was inextinguishable and would undoubtedly one day demolish the cruel colonialist and racist régimes which still dominated South Africa and Southern Rhodesia.

63. The number of independent African States was constantly increasing as a result of the armed struggle of the African people against the colonialist Powers. His delegation commended the resolute stand of the free African countries in defending their national rights and the efforts they were making to strengthen their solidarity and unity in the incessant struggle for the liberation of their brethren from the yoke of the racist cliques and the old and new colonialists. The African peoples and countries were making a great contribution to the struggle of all peoples against imperialism, colonialism and neo-colonialism, and that contribution could also clearly be seen at the United Nations. The Albanian people hailed the victorious struggle of the peoples of Azania, Zimbabwe, Angola, Namibia and

others against racial discrimination and *apartheid* and for their national liberation and social rights, and assured those peoples of its solidarity in their just struggle. His delegation resolutely condemned the policy of racial discrimination and *apartheid* as a crime against humanity and against the legitimate and inalienable rights and liberty of all peoples. It would support all specific measures for liberty, independence and the defence of human rights, and all measures directed against racial discrimination, *apartheid* and the other forms of colonialism and neo-colonialism and against the racist and fascist régimes and their defenders of all kinds.

64. Mr. PIERCE (Jamaica) noted that when the question of racism and racial discrimination had been considered by the Committee at the previous session, there had been general agreement on the need for a programme of action to bring about the elimination of those two evils. Members were fully aware that policies of racism and racial discrimination continued to exist despite the efforts made by the United Nations since its very inception, despite General Assembly resolutions proclaiming that all human beings were equal in dignity and rights and urging that racial and religious discrimination should cease, and despite the Charter, the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1514 (XV)), the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 1904 (XVIII)) and the International Convention on the Elimination of All Forms of Racial Discrimination. In view of the ineffective, unsystematic and incomplete nature of the steps taken previously, an attempt had to be made to achieve better co-ordination of the activities of Governments, United Nations bodies, the specialized agencies and other intergovernmental and non-governmental organizations in order to achieve the desired results. It was against that background that resolution 3057 (XXVIII) had been adopted by the General Assembly.

65. The various reports currently under consideration by the Committee showed that the action already undertaken or being contemplated tended to fall into two categories: the dissemination of information and the co-ordination of steps taken to that end. While recognizing that such action rightly fell within the Programme for the Decade as approved by the General Assembly, his delegation wished to draw attention to a third category. At the twenty-eighth session of the General Assembly it had stated in the Committee (1982nd meeting) that the questions of political and financial will were of the greatest concern in discussing the Programme. Accordingly, it had been one of the sponsors of the draft resolution adopted by the Economic and Social Council and annexed to document A/9666, in paragraphs 5 and 6 of which States were urged to take a number of positive steps.

66. In the introduction (A/9601/Add.1), to his report on the work of the Organization, the Secretary-General provided a stark and realistic assessment of the matters before the Committee. The Secretary-General had noted with regret that there had been no improvement in the internal situation in Southern Rhodesia, while the situation in Namibia continued to deteriorate. In South Africa there had been no relaxation in the policy of *apartheid*, and

despite the growing international campaign by the United Nations and by governmental and non-governmental organizations against colonialism and racial discrimination, the impact of those efforts had been blunted by the unwillingness of States to give effect to many of the measures advocated by the United Nations. That was particularly evident in the case of the application of mandatory sanctions against Southern Rhodesia. The Secretary-General's assessment went to the heart of the matter, namely, what could be done to combat the twin evils of racism and racial discrimination. His delegation felt that it required political and financial will. That did not in any way detract from measures designed to inform, educate and co-ordinate, but such efforts must be supplemented by the withdrawal of support to régimes which inflicted racism and racial discrimination on their subject peoples, and by concrete aid, encouragement, support and assistance to the hundreds of thousands of people who were being denied their basic rights by Governments and authorities which made racism and racial discrimination a part of their way of life.

67. His delegation felt that a number of practical steps must be taken at the national level in order to achieve the goals of the Decade. The International Convention on the Elimination of All Forms of Racial Discrimination must be acceded to and applied. A continuing effort must be made to educate the public concerning the evils of racism and racial discrimination. In view of the need for substantial resources at both the national and international levels, all Governments must endeavour to contribute as much as their resources would allow, either through the various United Nations funds, through the intergovernmental organizations working in the field in question, or, if possible, through the various indigenous movements. In addition, no opportunity should be lost to take all necessary steps not only to deny support to régimes practising *apartheid* and racial discrimination, but also to refrain from taking any action, such as participation in athletic events, that could lend an element of credibility to such régimes. Accordingly, his delegation was pleased to have been a sponsor of the text adopted by the General Assembly as resolution 3027 (XXIX), which had called upon the Security Council to review the relationship between the United Nations and South Africa in the light of the constant violation by South Africa of the principles of the Charter and the Universal Declaration of Human Rights. His delegation also noted with satisfaction the decision by the Indian authorities that the Indian team should not play against South Africa in the Davis Cup Finals.

68. In conclusion, he stressed that the success of the Programme would be measured not by what was said, but by what was done in the pursuit of the elimination of all forms of discrimination based on race, colour, descent, or national or ethnic origin.

69. Mr. SARCEÑO MORGAN (Guatemala) recalled that the General Assembly, in its resolution 2919 (XXVII), had decided to launch the Decade for Action to Combat Racism and Racial Discrimination and to inaugurate the activities thereof on 10 December 1973, the twenty-fifth anniversary of the Universal Declaration of Human Rights. That resolution was of historic significance, since it showed the will of the peoples of the world to eradicate racism and

racial discrimination through the promotion of respect for human rights. At the close of the first year of the Decade, there was sincere and widespread interest, if not total identification with that campaign of vindication. Many States had indicated their willingness to co-operate to ensure the success of the Programme, the guidelines for which provided the basis for more effective action against the policies of racism and racial discrimination practised in some parts of the world. Miscegenation, the biological value of which extended into social life also, had acted as a natural catalyst, but even where there was no racial discrimination as such there was a need for greater integration of economically and culturally underprivileged sectors of the population, who with proper assistance could be motivated to improve their standard of living. Such policies were both morally unjust and scientifically false, since it had been shown that the mixing of races constituted a powerful natural catalyst for progress. Efforts should therefore be directed towards the goal of increased integration of all sectors of society and the improvement of the living conditions of all, regardless of race or colour.

70. The Guatemalan Constitution proclaimed that all human beings were free and equal in dignity and rights, and prohibited discrimination on the grounds of race, colour, birth, economic or social status or political opinion. Moreover, the Government and people of Guatemala respected those provisions of the Constitution not only in theory, but in practice. In keeping with those principles, therefore, his delegation would continue to support any measures taken by the United Nations to combat racism and discrimination, on whatever grounds it was practised.

71. Mr. KEITA (Mali) welcomed the important documentation provided for the Committee's consideration, and took note of the action undertaken by the United Nations and the specialized agencies in connexion with the Decade for Action to Combat Racism and Racial Discrimination. His delegation supported the programmes and measures proposed in the report of the Economic and Social Council (A/9603) as part of the fight against racial discrimination, and wished to emphasize that the achievement of the goals of the Decade would depend on the application of the Programme by all Member States. The United Nations should therefore urge all Member States which practised or supported racial discrimination to comply with the provisions of its resolutions and recommendations on racial discrimination and *apartheid*.

72. Mali had always condemned racism, racial discrimination and *apartheid* in its press, in lectures and in radio broadcasts. It commemorated Human Rights Day each year, and was prepared to co-operate in the search for practical means of combating racial discrimination and *apartheid*. In that connexion, his delegation considered that the historic decision of the General Assembly to request the Security Council to review the relationship between South Africa and the Organization was an important step in the struggle against those evils.

73. Mr. PARDOS (Spain) said that since his delegation had on various occasions made its position clear on the item under consideration, it would confine its remarks to some reflections on the lessons of the past and the current state of the problem. The role played by Spain in the past could

be seen in the Committee itself. The geographical position of Spain, its culture, concept of man and philosophy of existence made it a cross-roads of humanity where race had no meaning. That was also characteristic of Spain's influence in Latin America, to which reference had already been made at the current meeting.

74. With regard to the current situation, the continuing existence of racism in the world was a sad reality, but it was a reality which contained the seeds of hope. The ratification of the International Convention on the Elimination of All Forms of Racial Discrimination by many countries, including his own, and the periodic reports submitted under the provisions of the Convention to the Committee on the Elimination of Racial Discrimination, were important first steps towards the education of world public opinion and

the promotion of national awareness of the problem. Each country acceding to the Convention committed itself to eradicating the evils of racial discrimination. The means to that end consisted in enlightening the public, at both the national and international levels, on the subject and on the legal and economic measures required to fulfil the provisions of the Convention. In that connexion, the measures called for in the draft resolution recommended by the Economic and Social Council and annexed to document A/9666 represented a significant contribution to the fight to eliminate racial discrimination. His delegation was therefore prepared to support that resolution, and looked forward to the day when the problem of racial discrimination would no longer exist.

The meeting rose at 12.50 p.m.

2059th meeting

Tuesday, 8 October 1974, at 3.10 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2059

AGENDA ITEM 53

Elimination of all forms of racial discrimination (continued) (A/9603, chap. I, chap. V, sect. C.1; A/9666 and Add.1-4, A/9719, E/5474, E/5475):

- (a) Decade for Action to Combat Racism and Racial Discrimination (continued);
- (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General (continued)

GENERAL DEBATE (continued)

1. Miss WILLIAMS (Sierra Leone) assured the three new Members of the United Nations, Bangladesh, Grenada and Guinea-Bissau, that they could count on Sierra Leone's fraternal co-operation within the Organization.

2. It was undoubtedly the goal of all countries represented in the Committee to lend effective meaning to the Decade for Action to Combat Racism and Racial Discrimination. Her delegation, for its part, unreservedly supported the draft resolution concerning the Decade which the Economic and Social Council, by resolution 1863 (LVI), had recommended to the General Assembly for adoption. However, it wished to submit the following two amendments.¹ First, an additional preambular paragraph should be inserted, reading as follows:

"Calling attention to paragraph 18(e) of the Programme for the Decade under which the Secretary-General will circulate a questionnaire on the basis of which the Economic and Social Council will consider every two years action undertaken or contemplated by

Governments in implementation of their programmes for the Decade."

Secondly, she would like a new operative paragraph 11 to be inserted after paragraph 10. The new paragraph would read as follows:

"Expresses the hope that adequate resources should be made available to the Secretary-General to enable him to undertake the activities entrusted to him under the Programme for the Decade."

3. She recalled that violation of human rights and fundamental freedoms stemmed from colonialism and subjugation. When those conditions came to an end, it unfortunately became apparent that the newly-emerging State was left with a situation characterized by inequalities—malnutrition, disease and illiteracy. That problem should be given close scrutiny in the Programme for the Decade of Action to Combat Racism and Racial Discrimination (General Assembly resolution 3057 (XXVIII), annex). Her delegation would welcome the use of scientific and technological skills on both the national and regional level to help the victims of those inequalities win their rights and fundamental freedoms. It was assumed that those rights and freedoms were recognized everywhere, but that was not the case, particularly in southern Africa. Although the International Convention on the Elimination of All forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) had provided guidelines for the international community, certain countries had seen fit to disregard its provisions. The sanctions which had been passed by the United Nations had failed dismally.

4. The attitude taken recently by the supporters of *apartheid*—judging, *inter alia*, by the reaction of the South African delegation and its allies who said that they too,

¹ The text of these amendments was subsequently circulated as document A/C.3/L.2104.

were Africa's friends—was enough to dispel all hope of a speedy and happy solution. The Permanent Representative of South Africa to the United Nations, in a letter dated 26 September 1974 addressed to the Chairman of the Special Political Committee,² had insisted that *apartheid* was an internal affair which the United Nations was not competent to discuss. He had even raised objections to the participation of the representatives of the liberation movements in the work of the Special Committee, alleging that they did not qualify for recognition, nor did they represent anyone in South Africa. Under the circumstances the Third Committee must concentrate, within the framework of the objectives of the Decade, on ensuring support for those struggling for racial equality through the liberation movements in South Africa and on bringing pressure to bear on all countries aiding the South African Government militarily, politically and economically, so that they would cease all support. It was no longer honourable for those countries to advance the reasoning that their economy would suffer too much if they broke off relations with South Africa. In fact, experience had shown that when those countries wished to sever relations with other countries for political reasons, they did so by creating substitute markets or creating pretexts to compromise politically. They were fully aware on the other hand, that the South African régime was wholly dependent on their support and that without it South Africa would have to yield to the just demands of the United Nations.

5. Her delegation would not fail in its duty to associate itself with the call to concerted African action against South Africa and to urge all States to take appropriate action to ratify the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex).

6. Her delegation also noted the work done by the specialized agencies involved in the activities of the Decade (see E/5474 and A/9666/Add.1). It was to be hoped that they would continue, within the framework of their programmes, to monitor legislative provisions safeguarding human rights. In that connexion her delegation was concerned over the status of migrant workers in Europe and America, particularly unskilled workers, regardless of whether or not they had migrated with a work contract. It had noted the work of the ILO in relation to labour legislation and UNESCO's efforts regarding the educational standards applicable to migrant workers. It particularly applauded the study entitled "Exploitation of labour through illicit and clandestine trafficking",³ prepared by Mrs. Warzazi, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. She expressed the hope that in its appraisal of the reports submitted to it, in accordance with paragraph 18 of the Programme for the Decade, the Economic and Social Council would take that study into consideration.

7. Mrs. BALDÉ (Guinea) welcomed the new members of the United Nations, Bangladesh, Grenada and Guinea-Bissau, and assured them that her country was prepared to collaborate with them.

² A/SPC/169.

³ See E/CN.4/Sub.2/351 and 352.

8. The problem of racial discrimination was of grave concern to Guinea just as it was for the international community as a whole, as could be seen from the fact that it was the first question to be considered by the Committee. It was high time to draw up and effectively apply measures which would make it possible to eradicate that scourge completely. Guinea therefore unreservedly supported the Programme for the Decade, and it paid a tribute to the Governments, specialized agencies and intergovernmental organizations for all that they had undertaken within the framework of the Programme. The Government of Guinea, which had always opposed all forms of racial segregation, had signed the International Convention on the Elimination of All Forms of Racial Discrimination in March 1966. Guinea was, moreover, an active member of the Special Committee on *Apartheid*. Her delegation unreservedly supported—and had co-sponsored—the draft resolution (A/9666, annex) which the Economic and Social Council was recommending to the General Assembly for adoption, and she appealed to all members to give it their support.

9. She deplored the fact that the fascist régimes of South Africa and Rhodesia, benefiting from the strong support of the imperialist Powers, continued to defy all the decisions taken by the United Nations. The resolutions of the United Nations remained a dead letter also with those Powers, which continued to maintain trade relations with South Africa and even to supply it with weapons. And yet, logically, all those who had adhered to the principles contained in the United Nations Charter should condemn South Africa and Rhodesia and cease supporting those régimes. As for South Africa, it could not legitimately claim to be part of the United Nations, since it flouted the latter's Charter. Her delegation wished, in that connexion, to congratulate the Credentials Committee for the unequivocal attitude that the majority of its members had taken with regard to South Africa. It was time to accept the fact that the hour had passed for dialogue with the fascist Governments of South Africa and Rhodesia and that the United Nations must now take radical, concrete measures to implement its decisions. There must no longer be any hesitation to resort to force in order to restore the right to freedom and self-determination of the peoples who laboured under the yoke of oppression.

10. Those two countries were not, however, the only ones where racial discrimination prevailed: in Europe too, Africans were forced to accept deplorable working conditions and live at the mercy of white racists.

11. The demand must be made of all the Governments concerned to take specific measures to combat racial discrimination, each at its own level. For example, action could be taken in the educational field by teaching young children about racism and by using posters and publications which illustrated its evils. The Constitutions of such countries should also include articles making any act of discrimination in the field of education a punishable offence.

12. Racism and racial discrimination were not bound by frontiers, and there was no region of the world that was not exposed to those evils. It was therefore the duty of the international community to work towards their total eradication.

13. Mrs. POKHAREL (Nepal) welcomed the delegations of Bangladesh, Grenada and Guinea-Bissau to the Committee and expressed the certainty that their contribution would be of immense value.

14. She said that the proclamation of the Decade for Action to Combat Racism and Racial Discrimination, beginning on 10 December 1973, was a very significant event. The Secretary-General, in the excellent report he had submitted in accordance with paragraph 18(f) of the Programme for the Decade (E/5474), had clearly shown how important it was. The Economic and Social Council had also done a remarkable job in co-ordinating the Programme and evaluating the activities to be undertaken during the Decade. Despite all of those efforts, racism and racial discrimination still prevailed in the world today, and particularly in southern Africa.

15. Even after the adoption of the Universal Declaration of Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, discrimination against women still existed. Her delegation welcomed the decision taken by the General Assembly in resolution 3010 (XXVII) to proclaim the year 1975 "International Women's Year", and it expected considerable progress to be made in promoting equality between men and women. Women in Nepal were not subjected to any form of discrimination. Men and women were equal before the law and had equal access to education and public office. Discrimination based on race, religion or culture was likewise alien to Nepal. Although several ethnic groups existed, Nepal had never experienced any conflicts of a racial nature.

16. Nepal believed that all the countries of the world should unite and support the action to combat racism and racial discrimination. Her delegation felt that the non-governmental organizations could make a specific contribution to the struggle by educating the masses—for example, through publications which would make them aware of the evils of racial discrimination.

17. Her delegation whole-heartedly joined the General Assembly in condemning racial discrimination, racism and the policy of *apartheid* practised by South Africa and Southern Rhodesia. Racism and racial discrimination had led to narrow-mindedness which was a serious obstacle to international peace and security. All countries should unite to do away with such evils and establish equality among all peoples, great or small.

18. Mr. KARHILO (Finland) said that the launching of the Decade for Action to Combat Racism and Racial Discrimination was an important decision which reflected the efforts of the international community to combat one of the basic enemies of mankind's well-being. His Government was opposed to racial discrimination in any form because racism was incompatible with the principle of equality of all human beings.

19. The situation prevailing in the world was far from encouraging. The existence in southern Africa of an institutionalized form of racism, *apartheid*—the most cruel and repugnant manifestation of inequality based on race—was a source of constant concern to his Government and

people. His Government had not only expressed its concern in words, but also in contributions to the United Nations Trust Fund for South Africa, the United Nations Fund for Namibia and the United Nations Educational and Training Programme for Southern Africa. Likewise, it contributed to the Assistance Fund for the Struggle against Colonialism and *Apartheid* established by the Organization of African Unity. His Government had decided to increase its contributions to those funds in the coming year. Finland also provided humanitarian assistance, through the liberation movements, to men and women struggling against racism.

20. The Economic and Social Council had been entrusted with the responsibility of co-ordinating and reviewing the activities of the Decade. The ultimate goal of the work of the Council was a harmonious development process leading to the advancement of economic and social development and of human rights. Abolishing racism was a fundamental prerequisite for the achievement of that goal. The variety of aspects of the problem of racism called for a coherent and co-ordinated approach. Since the Decade had been launched less than a year previously, the Council was not yet in a position to examine the whole range of activities contemplated by the international community. The coming year would be crucial from that point of view because the programmes of the specialized agencies and member Governments would be known, and the Council could then suggest ways and means to secure full co-ordination of activities.

21. Research and study were important for a better understanding of the reasons for and consequences of racism. The matter had been dealt with in detail in the Programme for the Decade. The preliminary information received from UNESCO concerning its participation in the activities of the Decade (see E/5474 and A/9666/Add.1) were extremely interesting, and he stressed the importance of the decisions to be taken by the General Conference of UNESCO at its eighteenth session in October/November 1974.

22. The roots of racism, and its social causes and consequences, should be studied in order to find remedies for different situations in different societies. Research work should be intensified both at the national and international levels. The future role of the United Nations University could be of particular importance in that context. The Second Committee was currently employed in defining that role. His delegation hoped that that aspect of the question would be taken into account in the discussions in the Second Committee and in the deliberations of the Economic and Social Council when it considered in detail the role of the University in 1975.

23. He found the information provided by the representatives of UNESCO and the ILO concerning their programmes for the study of the racial problems caused by international migration of labour particularly interesting. Even those countries where racism seemed to be non-existent, and where legislative measures provided guarantees against racial discrimination at the *de jure* level, were not exempt from outbursts of racism when the economic situation brought about changes in the composition of the population and the labour force. Those changes should be carefully studied with a view to preventing any possible

manifestations of racism through appropriate measures, particularly in the field of education.

24. Finland had ratified, at an early stage, the International Convention on the Elimination of All Forms of Racial Discrimination, and consequently the necessary legislative measures had been taken to prevent the occurrence of *de jure* discrimination. It was at present in the process of formulating its national programme of action for the Decade and that programme would provide for measures in the field of public information, studies on the problem of racism, the training of teachers and the preparation of educational material concerning racial discrimination. The general aims of the Finnish national programme would be to increase the level of knowledge concerning racism and racial discrimination and thus to influence the basic attitude of all segments of the population with a view to completely eradicating discrimination.

25. Mr. AL-SHAMSI (United Arab Emirates) said that since joining the United Nations his country had signed all United Nations instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination. It applied the principles of equality and non-discrimination, and its society was one in which people of different nationalities and religions lived together in peace. It was a country where there were many foreign workers, who were not subjected to any discrimination and whose children enjoyed, on a par with the indigenous population, free education and health services. Education was one of the weapons in the fight against racial discrimination. Many public schools had been opened; pupils were taught to feel distaste for discrimination and to respect human rights. In addition, Human Rights Day was duly celebrated, and there were frequent radio and television programmes dealing with the evils of racial discrimination.

26. Consequently, his delegation could not remain silent when certain people were victims of violent acts of racial discrimination. It joined with other delegations in denouncing the acts of any Governments that were imperialist or racist. His country supported the struggle of the Palestinian people and the peoples of southern Africa to recover their rights and their national sovereignty. It appealed to the whole international community to act together to make South Africa give up its racist policies. It was regrettable that the measures taken so far by the United Nations had come to nothing because certain Governments continued to support the *apartheid* régime and disregarded even the United Nations resolutions calling upon Member States to place an embargo on arms shipments to South Africa. He urged those Governments to stop their policy of collaboration.

27. Mr. EVANS (Australia) stressed that the Programme for the Decade had action as its keynote and that all Governments must account for the way in which they were fulfilling their commitments. Australia had noted with interest the practical action being taken to implement the Programme for the Decade, for it was concrete efforts rather than resolutions or conventions adopted with great publicity which demonstrated the willingness of Governments to achieve the goals of the Decade. As the Australian Prime Minister had stated at the 2249th plenary meeting of

the General Assembly, Australia, conscious that its own record was flawed, was determined to remove all forms of racial discrimination within its territory, notably against the aboriginals.

28. Over the centuries there had always been a disposition for groups of people to try to assert superiority over other groups, for various reasons; that had often manifested itself as racial discrimination. There were probably few countries represented in the Committee which could say with absolute confidence that their records were without blemish. However, the United Nations had recognized by its debates and recommendations that such short-comings in human nature need not be immutable.

29. Australia had signed the International Convention on the Elimination of All Forms of Racial Discrimination and intended to ratify it as soon as enabling legislation had been passed. It could state in clear conscience that it would be able to carry out fully the obligations laid down in the Convention once the Australian Parliament had considered and enacted—as it would shortly be doing—a Human Rights Bill and a Racial Discrimination Bill which aimed at incorporating those obligations into Australian law. The Bills would make illegal any discrimination based on race, colour, language, national or ethnic origin, birth or other status. The Racial Discrimination Bill would guarantee equality before the law against discrimination based on race or national origin, and also a number of economic and trade union rights, although the latter had for long been recognized under Australian law.

30. His Government believed that it would serve no purpose to grant rights by law and to proscribe racial discrimination unless appropriate enforcement machinery was also established. The Racial Discrimination Bill therefore provided practical and effective legal remedies; courts would be empowered to grant injunctions, to make orders to rectify injuries caused, to cancel contracts and to award damages to aggrieved persons. A Race Relations Commissioner, a Central Race Relations Council and Regional and Local Conciliation Committees would be established. The Council would have wide representation from the community, including aboriginal groups and migrant organizations. It would play a significant rôle in the Australian programme for the Decade.

31. The Australian Government recognized that it was vital to develop public awareness of the need to combat racism, and agreed with the representative of Brazil (2058th meeting) on the need to make sure that succeeding generations would grow up in an atmosphere free from hatred and racial tensions. Australia's programme would be directed to further changing community attitudes and to improved understanding, tolerance and friendship among racial and ethnic groups.

32. As a member of the Economic and Social Council, Australia supported the draft resolution recommended by the Council in resolution 1863 (LVI) and would vote in favour of that text, which highlighted a number of aspects of racial discrimination, particularly the practice of *apartheid*. Australia had not only favoured the adoption of resolutions condemning South Africa's racist policies, but had also taken action—for example, by protesting to the

Government of South Africa over the mass arrests of members and supporters of the South West Africa People's Organization (SWAPO) in Namibia—in the hope that concerted international and bilateral pressures would bring about change in South Africa. It had taken a strong stand against any sporting contests in which South African teams were not representative of its peoples, and it would support any decision by the United Nations to impose sanctions against South Africa, provided they were also adhered to by South Africa's major trading partners.

33. Miss CAO-PINNA (Italy) congratulated the Chairman and the other officers of the Committee on their election and welcomed the representatives of the three new States Members of the United Nations, Bangladesh, Grenada and Guinea-Bissau.

34. The Decade for Action to Combat Racism and Racial Discrimination implied that the Third Committee should change the traditional pattern of its discussions on racial discrimination and focus its debate on action that had been taken, rather than reiterating its strong condemnation of *apartheid*.

35. There was no racial discrimination in Italy. Consequently, her country's approach to the implementation of the Programme for the Decade was basically to prevent any manifestation of racial discrimination and to continue to co-operate in the international action aimed at combating it.

36. As a preventive measure, General Assembly resolution 3057 (XXVIII) had been brought to the attention of all ministries concerned. The ministries had been invited to prepare a preliminary outline of the current state of legislation on the subject, of the education of young people and of public information activities, with a view to subsequent intensified action to be reported to the United Nations every two years as provided by paragraph 18 (e) of the Programme. It had also been pointed out to the ministries concerned that the International Convention on the Elimination of All Forms of Racial Discrimination provided for the presentation, by each State party, of a report on the legislative, judicial or other measures giving effect to the provisions of the Convention; the ministries had also been asked to note that the Committee established under the Convention did not consider acceptable the reports of States parties which confined themselves to stating that in their countries there was no racial discrimination and no need to enact specific legislation. She informed the Committee that in the previous week a branch of the parliament had unanimously approved a bill authorizing the Government to ratify the Convention; the bill provided for the application of penal sanctions against those who engaged in acts of discrimination against persons belonging to a national, ethnic or racial group.

37. The Ministry of Education had had the text of resolution 3057 (XXVIII) circulated to all its offices, allowing them to choose the most suitable means of achieving its objectives. She drew attention to the need to take into account, when implementing the Programme at the national level, the variety of situations in the various countries with regard to racial discrimination. It was clear that the action to be taken to implement the Programme

would not be the same in countries where racial discrimination existed as action in countries where it did not. Action would also vary according, *inter alia* to the culture of the country concerned, the means of communication with the population and the role played by various social forces, including non-governmental organizations. Her delegation shared the concern expressed by the representative of the Philippines (2057th meeting) about the lack of training materials; there again, however, the material prepared by UNESCO or by the Office of Public Information would have to be adapted, when used at the national level, to the local situation. The Secretariat might consider producing material designed for homogeneous groups of countries in order to facilitate the exchange of views within a group. The Secretariat should bear that in mind when choosing the countries to be invited to take part in seminars organized in the context of the programme of advisory services in the field of human rights. The Secretariat should also take into account the variety of situations when preparing the questionnaire to be sent to Member States to help them prepare their biennial reports on the action taken to implement the Programme for the Decade.

38. Finally, she wished to reiterate her delegation's support of the efforts of the United Nations to eliminate all forms of racial discrimination. Her Government would take part in any effective action designed to achieve the aim of complete racial harmony. As a member of the Economic and Social Council, Italy had joined in the consensus on the draft resolution which was before the Committee, and she hoped that the text would once again be adopted by consensus.

39. Mrs. MASSON (Canada) said that she was gratified, particularly as a member of the Canadian Advisory Council on the Status of Women, at the election of a woman as Chairman of the Committee.

40. With regard to her country's position on racial discrimination, she recalled that in 1970 Canada had ratified the International Convention on the Elimination of All Forms of Racial Discrimination; in conformity with article 9 of the Convention, her country had prepared reports, the most recent of which had been found satisfactory, in April 1974, by the Committee established under the Convention. Faithful to its policy of opposing racial discrimination and, in particular, *apartheid*, her country contributed to various programmes designed to help the victims of racism and *apartheid*. It provided the largest contribution, namely \$175,000 in 1974, to the United Nations Educational and Training Programme for Southern Africa. It also contributed to several scholarship programmes.

41. Action at the national level included the adoption of various pieces of federal legislation, such as the Canadian Declaration of Rights, the Fair Employment Practices Act and the Act relating to the prohibition of hate propaganda, and at the provincial level there were human rights commissions to see that the laws against racial discrimination in all areas were implemented. Furthermore, her Government was currently studying the possibility of establishing a federal human rights commission. A recommendation on that subject had been made during a working meeting organized by her Government at Montebello in

November 1973, in co-operation with the Canadian Association of Statutory Human Rights Agencies, with a view to studying the measures to be taken to achieve the objectives of the Decade for Action to Combat Racism and Racial Discrimination. Various organizations concerned with human rights had already begun to work on projects connected with the Programme for the Decade, following the organization by the Government of a series of information meetings at the regional level concerning the Decade. Conferences and workshops on the subject had also been organized throughout Canada on the occasion of the twenty-fifth anniversary of the Universal Declaration of Human Rights. Furthermore, the Decade for Action to Combat Racism and Racial Discrimination would also be on the agenda of a human rights conference to be held in November 1974 in Victoria, British Columbia.

42. However, it should be emphasized that the elimination of racial discrimination could not be achieved solely at the governmental level by means of legislation or information programmes, but had to take place at the individual level first. Each person had to become aware of his responsibility in the search for a solution, and make an effort to correct certain attitudes, change states of mind and reject discriminatory prejudices based on groundless race concepts.

43. Her delegation would support, with some reservations, the draft resolution recommended by the Economic and Social Council for adoption by the General Assembly.

44. Mr. CEDE (Austria) said that he was pleased that a representative of Africa was presiding over the Committee's deliberations just as the Decade for Action to Combat Racism and Racial Discrimination was beginning. It was in Africa, and—to be precise—in southern Africa, that the evil practice of *apartheid* continued to prevail despite the United Nations resolutions condemning that flagrant and continuing violation of the fundamental rights of the individual. Only the implementation of the Programme for the Decade would enable racial discrimination to be effectively eliminated.

45. His country was particularly aware of the problem and had always strongly condemned all racial discrimination, whether in the form of discriminatory measures or institutionalized in a political system. As had been said on 21 March 1974 by the President of his country—then Minister for Foreign Affairs—on the occasion of the International Day for the Elimination of Racial Discrimination, Austria had always expressed by its votes in the United Nations its condemnation of *apartheid* and all other policies based on principles of inequality, racial discrimination, religion or other discriminatory grounds. His country had been a party to the International Convention on the Elimination of All Forms of Racial Discrimination since 8 June 1972. Furthermore, ratification of that Convention had led his country to alter a provision of its Constitution, thus guaranteeing the application of the rights set forth in the Convention to foreign residents in the same way as to Austrian citizens. Furthermore, in conformity with article 4 of that Convention, the new Austrian Penal Code, which would enter into force on 2 January 1975, made incitement to racist activities a punishable offence.

46. He was happy to be able to announce that his Government's contribution to the United Nations Educa-

tional and Training Programme for Southern Africa had doubled in 1974 compared with the previous year. A sizeable contribution had also been made during the year to the United Nations Trust Fund for South Africa and to the United Nations Fund for Namibia. Lastly, Austrian educational institutions had made available scholarships to students from southern Africa, among others.

47. His country fully supported the Programme for the Decade for Action to Combat Racism and Racial Discrimination which, more than any theoretical declaration, would help to put an end to all forms of racial discrimination.

48. Mr. FIRN (New Zealand) said that discrimination based on race was one of the most serious problems of the present times and the international community should do its utmost to put an end to it. The elaboration of the International Convention on the Elimination of All Forms of Racial Discrimination had been only a first step towards the complete elimination of racial discrimination and *apartheid*, which continued to prevail in the world. Now more than ever, at a time when the world had to face crises in all fields—population, food and natural resources—men should recognize that they all belonged to the same family.

49. New Zealand was a multiracial society, free from discrimination, where racial equality was a fundamental principle. Where corrective action in particular cases was required, the Race Relations Act, adopted by the New Zealand Government in 1971 in implementation of New Zealand's obligations as a State party to the International Convention on the Elimination of All Forms of Racial Discrimination, provided the necessary machinery. New Zealand supported the Programme for the Decade for Action to Combat Racism and Racial Discrimination. It had not formally adopted a programme of action, but it had, during the past year, taken a number of steps that demonstrated its desire to promote racial equality. Among other things, it had reaffirmed its stand on sporting contacts with South Africa; no South African sporting team would be permitted to visit New Zealand until such time as sport in South Africa was organized on a non-racial basis; it had increased its contribution to the three United Nations funds that rendered humanitarian assistance to the victims of racist policies in southern Africa; its first report under article 9 of the Convention had been submitted to the Committee on the Elimination of Racial Discrimination and had been favourably received; it had conducted a review of its immigration policy with a view to attracting more migrants from a wider range of countries than in the past. While attaching importance to ensuring that the various elements of the New Zealand multiracial community continued to live together harmoniously, the New Zealand Government was seeking at the same time to preserve their distinct cultural heritage and identity. A bill had recently been introduced in Parliament to foster the Maori language among all New Zealanders.

50. In conclusion, he said that his country's position on racial discrimination had consistently been made clear in the United Nations and elsewhere and that his delegation firmly supported the draft resolution recommended by the Economic and Social Council to the General Assembly for adoption.

51. Mr. WILSON (Liberia) welcomed the launching of the Decade for Action to Combat Racism and Racial Discrimination. At the present time, blacks in South Africa were still suffering under the odious yoke of *apartheid*, which was universally condemned. In his statement to the tenth session of the Assembly of Heads of State and Government of the Organization of African Unity on 25 May 1973 at Addis-Ababa, the Secretary-General had observed that *apartheid* continued to exist in South Africa and that it was a matter of fulfilling the principles of the Charter by promoting respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. He had reminded his listeners that *apartheid* was not simply an African question but concerned all who believed in the dignity of man, and he had emphasized that *apartheid* imperilled the peace; it was therefore in the interest of all Members of the United Nations and not only African States, to prevent such a situation from developing further and to create real, genuine and lasting harmony between the races. His delegation agreed with the representative of Egypt (2053rd meeting) that the time had come to take action to combat racism. From 9 to 14 April 1973, the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa, organized by the United Nations in co-operation with the Organization of African Unity, had been held at Oslo. That Conference had proposed, *inter alia*, that investments should be withdrawn, all new investment programmes should be halted and no loans or other assistance should be provided to the white racist régime or to corporations operating in South Africa. It had also proposed that all economic and scientific support of and collaboration with South Africa should be halted, in particular by terminating the purchase of gold, platinum and other minerals, discontinuing all scientific collaboration, particularly nuclear co-operation, and refusing to grant patents and licences to the Government of South Africa and its institutions as well as to corporations and other bodies which operated in South Africa.

52. The Conference had proposed in addition that the flow of immigrants to South Africa should be halted and, to that end, that States should prohibit special recruiting organizations from operating in their countries and prevent, or at least dissuade, their citizens from migrating to South Africa, and that trade unions should take special measures to prevent their members from migrating to South Africa.

53. Those concrete proposals for concerted international efforts to hasten the eradication of *apartheid* deserved the careful consideration of all Member States.

54. Mrs. CHOUDHURY (Bangladesh) said that principles of human rights and fundamental freedoms, together with respect for international law and the principles enunciated in the United Nations Charter, formed the basis for the Constitution of Bangladesh. Article 25 of that document stated, *inter alia*, that the State would “support oppressed peoples throughout the world waging a just struggle against imperialism, colonialism and racialism”. The people of Bangladesh knew from bitter experience the agony of being denied fundamental human rights and were firmly determined to uphold respect for human worth and dignity and the equality of all people. It was for that reason that

Bangladesh had consistently—in all forums, international, regional and national—expressed its firm support for all measures directed against racism, and solemnly reaffirmed its determination to concert its actions with progressive forces which were seeking effective means of eliminating racial discrimination and ensuring the exercise of fundamental rights.

55. Racial discrimination still existed in the world in many forms, as had been demonstrated in the study by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities⁴ and in the introduction (A/9601/Add.1) to the Secretary-General’s report on the work of the Organization. Her delegation firmly believed that, so long as the international community failed to discharge its responsibilities, *apartheid* would persist in Southern Rhodesia, Namibia and South Africa, presenting a continued threat to peace. A stable and peaceful international order could be established only if human rights were respected.

56. Bangladesh therefore unreservedly supported the Programme for the Decade for Action to Combat Racism and Racial Discrimination, which marked a determination to do something more tangible than merely condemn abhorrent racial practices. The international community appeared determined to expose and eliminate such practices; the racist régime in South Africa was now ostracized by mankind in general and its credentials had been rejected by the General Assembly. Bangladesh pledged its total support to the fight against racial discrimination.

57. Mr. BUNE (Fiji) said that his Government fully supported the goals and objectives of the Decade and had been heartened by the Secretary-General’s report on the various activities being undertaken or contemplated by Member States and United Nations organs during the Decade (E/5474 and A/9666/Add.1). It shared the belief that a methodical and concentrated attack on the causes of inequality was the only solution to the global problem. Given the diverse factors involved, each Government must seek its own solution on the basis of its own experience and needs. However, the situation in southern Africa and in Southern Rhodesia was entirely different; their plight was one of human exploitation based on colonialism and alien domination. Wherever colonialism was tolerated, racism and racial discrimination existed. His delegation believed that, unless the overwhelming majority of the people of that part of Africa were liberated from colonial bondage, they would be forever deprived of their basic human rights. The international community must therefore act in concert to speed up the process of self-determination if it sincerely wanted those oppressed peoples to achieve their liberation.

58. If certain industrialized countries continued to maintain relations with the racist Government of South Africa and the illegal régime of Ian Smith—although claiming not to support those régimes—no solution would be possible. The South African Government had made it known in unequivocal terms that it was committed to a policy of separate development, which it was implementing very efficiently. Countries that continued to trade directly or

⁴ *Racial Discrimination* (United Nations publication, Sales No. E.71.XIV.2).

indirectly with South Africa and Southern Rhodesia, despite the relevant General Assembly resolutions and the sanctions imposed by the Security Council, and countries that engaged in sporting activities with them betrayed their flagrant support for the racist policies of the two régimes and became accessories to the practices of *apartheid*, racism and racial discrimination. In such circumstances, one might well ask whether the support by those countries of the draft resolution recommended by the Economic and Social Council (A/9666, annex) was really sincere.

59. Fiji found racial discrimination abhorrent and was ratifying the International Convention on the Elimination of All Forms of Racial Discrimination. As a multiracial country, it realized that legislative measures, resolutions and declarations did not suffice in order to maintain racial harmony; positive, practical measures, such as those contemplated for the Decade, were required. His delegation supported the resolution recommended by the Economic and Social Council and urged all delegations to do likewise.

60. Mr. JAAFAR (Tunisia) said that he had listened with interest to the various statements on the item under consideration and the sometimes moving appeals for stepped-up action against racism and racial discrimination. Tunisia's position on the question, and the vigorous and far-reaching action it had taken at the national and international levels in order to contribute effectively to the struggle waged by peoples for the triumph of justice, equality and human solidarity, were well known.

61. Some progress had been made since the beginning of the Decade for Action to Combat Racism and Racial Discrimination. An important development was the seating of representatives of Guinea-Bissau among the members of the Committee; he hoped that those of Mozambique and Angola would also soon take their places. He congratulated Portugal for starting the process of freeing the African peoples enslaved by the former régime and assured it of his country's support in that endeavour. The example of Guinea-Bissau offered new hope that the people's cause would triumph in such countries as South Africa, Zimbabwe, Namibia and Palestine, whose inhabitants were struggling to assert their rightful control over their own countries and to enjoy the rights universally recognized as man's prerogative without distinction as to race, sex, language or religion. Yet, in the face of obvious facts, the last champions of colonialism, racism and *apartheid* persisted in their attitude. That was why the international community must show increasing vigilance and forcefulness in assuming its responsibility to eliminate the remaining bastions of racism, racial discrimination and colonialism.

62. The adoption of the International Convention on the Elimination of All Forms of Racial Discrimination had already marked a step forward in the fight for human rights. All States should, within the context of the Decade, take practical, effective measures forthwith to put an end to régimes of violence, terror and segregation and provide tangible, decisive support to the peoples and movements which were in the forefront of the struggle against racism, discrimination, *apartheid* and colonialism. In conclusion, he said that his delegation would vote for the draft resolution recommended for adoption by the Economic and Social Council and for any amendment which would improve it by calling for even more decisive action.

63. Mr. ALFONSO (Cuba) said that his delegation had supported adoption of the Programme for the Decade for Action to Combat Racism and Racial Discrimination and was gratified that the Committee was beginning its work with the study on *apartheid*, a crime against humanity which violated the principles of international law.

64. His delegation attached great importance to the question under consideration, not only out of loyalty to the positions it had always taken at the international level but also because it was deeply convinced that social progress was impossible to achieve without eliminating the evils of racism. Cuban society was, by definition, multi-racial, and in the course of its pre-revolutionary period it had been exposed to the neo-colonialist greed of the United States. Since the revolution of 1959, it had been aware that only a society where man was not exploited by man, where full employment was a reality and where everyone had unimpeded access to free education protected future generations from such practices forever. If exploitation, colonialism and imperialism disappeared, *apartheid* and racism would be nothing more than relics of the past, but the international community must not neglect any opportunity of speeding up that process. For that reason, Cuba had supported the activities planned for the Decade: its Government was preparing to ratify the International Convention on the Suppression and Punishment of the Crime of *Apartheid* and was studying the possibility of setting up a national committee to co-ordinate all the activities planned under the Programme for the Decade. Those activities would, in due course, be made known to the Council in accordance with the provisions of paragraph 18 (e) of the Programme.

65. A year had passed since the solemn proclamation of the Decade. One could already formulate conclusions regarding the activities undertaken under the Decade and examine the implementation of the current programme. One positive fact stood out on the world scene. The process of decolonization undertaken by the Portuguese Government proved once again the close correlation existing between the elimination of foreign domination and the elimination of discriminatory practices. The struggle of the peoples of the Portuguese colonies, which had always received the unswerving support of the Cuban Government, would enable them to enjoy their fundamental rights; however, it had also afforded the Portuguese people an opportunity to shake off the yoke of the dictatorship which had deprived them of their freedom. Elsewhere, the situation was gloomier than in 1973: in Rhodesia, a sizable increase (22 per cent) in military expenditures indicated possible preparations for repressive measures against the people and liberation movements of Zimbabwe. The harsh provisions of the Law and Order Maintenance Amendment Bill of 1973 and the Land Tenure Act of 1969 were intensifying the segregation and oppression of the indigenous population. The military co-operation between the Ian Smith régime and its counterparts in Pretoria was becoming more and more flagrant. In South Africa, the Vorster clique was building up its arsenals and ruthlessly suppressing the increasingly open and aggressive demonstrations of discontent by the students and the African labouring masses. As the Special Committee on *Apartheid* had pointed out, the recent murders and assassinations bore witness to the growing danger in southern Africa. In the Middle East, the

Palestinian people and the inhabitants of the occupied Arab territories continued to be deprived of their most elementary rights by the Zionist régime, which was maintaining increasingly close ties with South Africa, particularly since the October 1973 conflict, as had been noted in the report on recent developments in the relations between Israel and South Africa submitted to the Special Committee on *Apartheid* by the Sub-Committee on the Implementation of United Nations Resolutions and Collaboration with South Africa.⁵ Finally, with regard to Namibia, there was nothing to add to Chapter IX of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/9623/Add.3).

66. The very heavy responsibility devolving upon the NATO Powers, particularly the United States, in the perpetuation of those odious practices must be stressed once again. Economic and Social Council resolution 1864 (LVI) was perfectly clear in that regard: all collaboration with the racist régimes must cease; the economy of the white régime in Salisbury was profiting from the trade in chrome, asbestos and nickel with the United States under cover of the Byrd Amendment, in flagrant violation of the sanctions adopted against the Southern Rhodesian régime. The South African racists were enjoying the political support of the United States in international forums. Arms from the United States and other NATO countries were being used to subjugate not only the South Africans but the fighters in Namibia and Zimbabwe as well. In other parts of the world, racial discrimination continued to give cause for concern. In a number of Latin American countries, the Indian was still marginal and subject to discrimination. In Panama, as the representative of that country had stated (2055th meeting), the inhabitants suffered the effects of the discriminatory treatment meted out in the colonial enclave forming the Canal Zone. The presence of fascism in Chile further aggravated the situation in Latin America. In the United States, despite the supposed progress boasted of in the Committee, the situation of the blacks and Americans of Mexican, Asian, Puerto Rican and Indian origin continued to present serious anomalies. Moreover, immigrant workers in the industrialized capitalist countries of Europe were seeing their situation deteriorate day by day.

67. His delegation had made a careful study of the reports (E/5474 and E/5475) submitted by the Secretary-General in accordance with paragraph 18 (f) of the Programme, and of the information contained in documents A/9666 and Add.1 and 2. To ensure that the activities undertaken under the Programme were co-ordinated effectively, better use should be made of the interdisciplinary supervisory machinery so as to avoid wasting resources and energy, particularly as far as the Administrative Committee on Co-ordination was concerned. The proposals made by the main specialized agencies seemed to be sound, and Cuba was particularly interested in the work which the ILO was to carry out in 1975 on the question of migrant workers (see E/5474, para. 51). It would be useful to conduct a new general study of the 1958 Convention concerning Discrimination in Respect of Employment and Occupa-

tion,⁶ which also focused on the countries which had not ratified that Convention, as well as so-called "special" studies on discrimination in certain countries. The Council might also make a careful study of the links which certain non-governmental organizations maintained with the racist régimes.

68. As far as the United Nations was concerned, his delegation attached great importance to some of the tasks entrusted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities. After careful analysis, it concluded that the study prepared by the Special Rapporteur on the exploitation of labour through illicit and clandestine trafficking⁷ was an extremely useful document in that it specified the measures to be taken at the international level, and it was unfortunate that the study had not been referred to the Committee. However, the decision to appoint a special rapporteur would make it possible to have precise information on that important question. It was to be hoped that the study would soon be available to the Council. The Office of Public Information should be especially diligent in disseminating the results of the Sub-Commission's work.

69. At the national level, every State should implement the relevant resolutions of the General Assembly and the Security Council and isolate both politically and morally the régimes to which they referred. In that connexion, the decisions taken by the General Assembly on South Africa's credentials were a very positive measure. States should also give moral and material assistance to the national liberation movements and should, for example, recognize their right to take part in the work of international bodies.

70. His delegation supported the draft resolution recommended by the Economic and Social Council, although it felt that, while covering the most important ideas, the draft needed to be made more specific on certain points. It would therefore vote for the draft but would support any amendment aimed at making it more precise.

71. Miss HARELI (Israel) said that it was hardly necessary to recall the special sensitivity of the Jewish people to every form of discrimination, whether based on race, descent, religion or any other distinguishing sign. It was encouraging to hear from a number of delegations which had spoken that there were countries, particularly in South America, in which several races lived together in peace, but there were still too many cases where racial diversity led not to mutual enrichment but to the exploitation, harassment and suppression of the weaker groups by those which were stronger. That attitude was particularly serious where it was the official policy of sovereign Governments.

72. She wished to cite a number of specific instances which concerned her more directly, since they related to Jewish minorities. The Jewish community in Syria numbered no more than a few thousand persons, whose plight was desperate. She quoted a communiqué dated 3 July 1974 from the International League for the Rights of Man,

⁶ International Labour Organisation, *Conventions and Recommendations, 1919-1966* (Geneva, 1966), Convention No. 111.

⁷ See E/CN.4/Sub.2/351 and 352.

⁵ A/AC.115/L.383.

which stated that Jews could not emigrate from Syria, that they required special permits to move farther than four kilometres from their own quarters, that many professions were closed to them, that they had to carry a special identification card with the word "Jew" marked in red, and that strangers were forbidden to enter the Jewish quarter and Moslem inhabitants were advised to avoid contacts with the Jews. She also referred to an article published in the newspaper *Epoca* on 28 April 1974, in which an Italian correspondent gave a poignant description of the Jewish ghetto in Damascus.

73. The sad fact was that those discriminatory regulations were made and implemented by the very Syrian Government whose representative had informed the General Assembly a few days before that there was no racial discrimination in his country and had further asserted that racial discrimination was incompatible with Islam. That simply constituted one more reason why the Government of Syria should desist from persecuting the Jews and let them go to freedom.

74. Referring to the Jewish community in the Soviet Union, she said that, unlike other minorities in that country, the 3 million Jews were kept in a position of national inferiority. There was not one Jewish school, 600 synagogues had been closed, and no books were published in Hebrew, whereas 75 anti-Semitic works had been printed at the expense of the Soviet Government during the past few years. The press encouraged anti-Semitic agitation both directly and under the guise of anti-zionism or anti-imperialism.

75. Jews who wanted to leave the Soviet Union were exposed to all kinds of administrative and professional harassment and were often condemned to forced labour after a sham trial, their sole crime being that they had openly expressed their wish to go to Israel. Although a number of Jews had been able to leave the country in recent years, 130,000 people were still waiting for permission to emigrate.

76. In September, an international colloquium of world-famous jurists had been held in London. The participants, who were among the greatest legal minds of the world, had issued a declaration stating, *inter alia*, that they were deeply disturbed by certain manifestations of anti-Semitism in the Soviet Union . . . They had also spoken of harassment and other forms of ill-treatment to which Jews wishing to leave the country were subjected and noted that in trials of Soviet Jews human rights, Soviet law and procedure and the normal scale of penalties were ignored.

77. In addressing the General Assembly, at its 2255th plenary meeting, the Israeli Minister for Foreign Affairs had expressed his appreciation for what had already been done with regard to emigration and had appealed to the Soviet Government to show greater generosity and to grant the requests of those who applied to emigrate. Authorizing Jews to leave the USSR would solve a problem which was not only Jewish but also Soviet, and with which the Soviet Government had been struggling for many years.

78. The Programme for the Decade would succeed only if all manifestations of racial discrimination, wherever they

were found, were tackled courageously. Information and education were needed to make men respect the rights of their fellows. In the final analysis, only the political will of all Governments could effectively turn the Programme into action.

79. Mrs. HOUNNOU (Gabon), referring to the statement made before the General Assembly by the Minister for Foreign Affairs and Co-operation of Gabon (2247th plenary meeting), reiterated her country's denunciation of the odious crime of *apartheid* in South Africa, Namibia and Rhodesia, which inflicted on millions of human beings, in the lands of their own ancestors, the greatest degree of depersonalization ever known. The Gabonese Constitution and Nationality Code vehemently denounced and the Penal Code provided severe penalties for racial discrimination. Racism was a disease which denied its victim his human dignity and reduced those who practised it to the level of animals. That was why Gabon execrated and condemned *apartheid*, which was the most shameful expression of that crime. In order to improve the international climate it was essential to eliminate, along with all the vestiges of colonialism, the racial discrimination and *apartheid* which remained a constant source of tension and conflict in the world, particularly in Africa, where they constituted a vast conspiracy.

80. It was the duty of those who were chiefly responsible for international peace, some of whom were the hidden allies of the Governments at Salisbury and Pretoria, to take the necessary measures to put an end to that threat. The United Nations, democratic Governments and progressive peoples should demand the immediate cessation of all support to the minority racist régimes, and ensure compliance with that demand.

81. Her delegation felt that the proper way for the United Nations to celebrate its thirtieth anniversary in 1975, which would coincide with the fifteenth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1514 (XV)), would be to take effective and positive steps to ensure the total realization of the objectives and principles of that Declaration. Collective and vigorous action should be taken against racial discrimination wherever it manifested itself.

82. As in similar cases in the past, her delegation would vote for the draft resolution recommended by the Economic and Social Council, and for any amendments which would serve to improve it.

83. Mr. MARMURI (Libyan Arab Republic) said that the policy of racial discrimination, which was widely practised in numerous parts of the world, was daily becoming harsher in southern Africa. There, persons who claimed to be civilized perpetrated oppression and practices which were as inhuman as they were odious, human dignity was trampled underfoot and a white minority pursued its arbitrary policy. The South African racist minority régime could not survive without the support of the imperialist Powers which had interests in that country.

84. In the Middle East, the valiant Palestinian people, deprived of its legitimate rights by the conspiracy of the

imperialist Powers, was kept under the yoke of a discriminatory policy of Zionist bands, in violation of the resolutions in which the international community had condemned Israel; it none the less continued to struggle for its usurped rights.

85. Racial discrimination was a crime against society, an obstacle to social and economic progress and a flagrant violation of the principles of the Universal Declaration of Human Rights and the United Nations Charter. His country, which had long suffered from imperialist and fascist racial discrimination, sought concerted international action to free mankind from that scourge. For its part, it had broken off all relations with the racist régimes, in accordance with the resolutions of the Organization of African Unity and the United Nations, and would continue to give its full support to the people of those regions and to all liberation movements which were fighting to regain their liberty, dignity and pride. Libya had been one of the first countries to accede to the International Convention on the Elimination of All Forms of Racial Discrimination and was convinced that the Programme for the Decade, if applied, would result in substantial progress in the fight against racism and racial discrimination. It thanked all the specialized agencies which had taken steps to apply the Programme and it would support the draft resolution recommended by the Economic and Social Council.

86. The CHAIRMAN suggested that, in view of the late hour, further consideration of the item should be postponed until the next meeting.

87. Mr. HUSSAMY (Syrian Arab Republic) said that the statement of the representative of Israel was nothing but a tissue of lies and fabrications. It was as ridiculous as though a representative of South Africa had attempted to convince the Committee that his Government did not practise *apartheid*. Zionist practices were no less atrocious than those of the South Africans, a fact which was hardly surprising in view of the military and economic relations which bound those two countries together. Indeed, Israel had voted against the draft resolution which the General Assembly had adopted as resolution 3206 (XXIX), by which it had approved the first report of the Credentials Committee, and thus rejected the credentials of South Africa. Israel had always defied the resolutions of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. Its Government refused to accede to the International Convention on the Elimination of All Forms of Racial Discrimination, which had been open for signature since 1965. It also refused to apply the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁸ to which Israel was a party. That was why the General Assembly had adopted resolution 3092 A (XXVIII), in which it had called upon the Israeli authorities to respect and comply with the provisions of that Convention in the occupied Arab territories. The representative of Israel had said nothing of the 9,000 Arabs held without trial in Israeli prisons or of the destruction of civilian installations during which women and children had been killed. It was clear that she had been trying to exploit the fate of the Jews to slander the Syrian

Government, distorting reality. The fact was that Jews enjoyed every freedom in Syria, where they were not subject to any discrimination, other than in the minds of the Zionists. It was thus ridiculous that the Zionist régime, which was founded on racial discrimination and which practised oppression against the Palestinians, should accuse Syria and other countries of racial discrimination. It would seem that the time had come to apply the provisions of Chapter VII of the Charter of the United Nations and to condemn and overthrow that régime.

88. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the representative of Israel had not even listened to what various representatives had said about their concern at the manifestations of racism in South Africa and other parts of the world. She had viewed the discussion of that question merely as a pretext to slander the Arab countries and their Soviet friends. The examples which she had cited were drawn from anti-Soviet publications and the sole objective of the so-called colloquium to which she had referred had been to slander the Soviet Union. The reason for that slander was clear. Israel had said nothing about the violations of human rights committed in the territories occupied by it, a question which had attracted the attention of various United Nations bodies, in particular the Commission on Human Rights, which had strongly condemned them. The operative part of resolution 1 (XXX) of the Commission on Human Rights⁹ contained a very clear condemnation of the policy pursued by Israel in the occupied Arab territories. Furthermore, it was not by accident that Israel had said nothing about its ties with the racist régimes in southern Africa, since it provided them with considerable assistance. In paragraph 5 of its resolution 3151 G (XXVIII), the General Assembly condemned, in particular, the unholy alliance between Portuguese colonialism, South African racism, zionism and Israeli imperialism.

89. Consequently, he rejected the slanderous remarks made by the Israeli representative with regard to the Soviet Union. All Soviet citizens enjoyed the same rights. They were subject to no discrimination on grounds of race, sex or religion, nor were they entitled to any privileges. The Soviet Union was, moreover, a party to the International Convention on the Elimination of All Forms of Racial Discrimination and to the International Covenants on Human Rights, whereas Israel had not yet acceded to the Convention.

90. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) rejected the allegations made by Israel, which it regarded as slanderous and fictitious and which were intended to conceal the blatant political fact of Israel's imperialist policy in the occupied Arab territories. Israel was not only interfering in the internal affairs of foreign countries but was also seeking to divert the Committee's attention from problems existing in certain African countries. However, the ties existing between Israel and those countries were common knowledge and had been categorically condemned by the General Assembly. He therefore hoped that the members of the Committee would not allow themselves to be distracted by those fabrications, the real reasons for which were only too obvious.

⁸ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

⁹ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5, chap. XIX.*

91. Mr. RAZA (Pakistan), speaking in exercise of the right of reply, said that the representative of Bangladesh had referred in her statement to a controversial question which had no relationship whatever with the subject under discussion. The unfortunate events to which she had referred, without naming Pakistan, had taken place as the result of the armed intervention of a neighbouring country. But for that intervention, Pakistan and Bangladesh could have parted without bloodshed.

92. Mr. BAROODY (Saudi Arabia), speaking in exercise of the right of reply, observed for the benefit of the representative of Israel that the Committee was dealing not with religious intolerance but with racial discrimination. However, the fact that a person practised a religion did not mean that he belonged to a race. It was the Zionists who were persuading the Jews to isolate themselves from the rest of society, to regard themselves as a separate race, for the purpose of political propaganda. By introducing a question of so-called religious intolerance into the Committee's debates, the representative of Israel was seeking to gain sympathy for the Zionist cause. Furthermore, in the Islamic world there was no discrimination, for Islam considered that all men were the children of one God. In Syria, a Moslem, a Christian and a Jew belonged to the same race.

93. Moreover, since the question of anti-Semitism had been raised, he wished to point out that there were Jews who were not Semites, for example, the descendants of the Khazars; it was they who had created Zionism, because they had been the victims of discrimination in Europe.

94. Miss HARELI (Israel), speaking in exercise of the right of reply, observed that her statement was based on facts and that she had carefully checked her quotations, drawn from various publications and from the conclusions of a group of respected international jurists. There had, it was true, been a change in the policy of the USSR toward Jews recently, but if their situation was so enviable, why did so many Jews wish to leave the USSR?

95. As many Arab representatives had done on several occasions, the representative of the Syrian Arab Republic had made slanderous accusations against Israel. The United Nations committee of inquiry was composed solely of countries which maintained no relations with Israel, including one country which said that it was at war with Israel; in that respect, it was a faithful reflection of the situation existing in the United Nations, where the Arabs could obtain whatever they wished. If the fate of the Arabs in Israel was so atrocious, how was it that Arabs and Jews lived in peace in Israel and in the territories administered by it and that thousands of Arab visitors came to Israel each year? With regard to the International Convention on the Elimination of All Forms of Racial Discrimination, Israel's conscience was clear; it would be better for delegations to put principles into practice and not limit themselves to making high-sounding statements. Referring to a letter in *The Times* of London, which had been mentioned, she could make available to anyone who was interested the text of a letter refuting it which had also appeared in *The Times*. All other allegations made by various bodies and in various

documents had already been firmly refuted by Israel's official representatives and she would not repeat their arguments.

96. Mr. AL-QAYSI (Iraq) said that one would have supposed the Israeli delegation would address itself to the questions on the agenda. However, the representative of Israel, after making a number of statements in which she had called on all delegations to express themselves in deeds rather than words, had just indulged in an orgy of propaganda, propaganda which was without any foundation whatever. Zionism, if examined carefully, was nothing but a racist theory based on the supremacy of the Jewish race; what was more, by denying the fundamental rights of the Palestinians in the occupied territories Israel was pursuing what could only be called a racist policy.

97. Referring to the composition of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, and in an attempt to cast doubt on the conclusions of that Committee, the representative of Israel had alluded to a so-called Arab majority in the United Nations. That attitude was an insult to the body which felt itself to be an international community.

98. When mention was made of the violations perpetrated by Israel in respect of the rights of the Palestinians residing in Palestine and in the occupied Arab countries, the Israeli delegation replied that it involved a political matter and that Members were departing from the questions under consideration. When that delegation sought to highlight the trouble spots which continued to exist in some parts of the world, that too was a vain attempt to distract attention from its own country over which the black shadow of Zionism hovered.

99. Mr. BAROODY (Saudi Arabia) wished to stress that different questions should not be confused. That was a point which could not be emphasized too strongly.

100. He also wished to point out to the Israeli representative that when she invoked the land of her ancestors in support of Israeli claims, she was indulging in a personal interpretation of history. The Jews who had lived in the land of Palestine in antiquity were not the ancestors of the Israeli Zionists who claimed kinship with them. Whether one was speaking of ancient times when the destruction of the Temple of Solomon occurred or of the modern era which had witnessed the atrocities of Nazism, the analogy went no farther than the fact that in both cases only a minority of rich and influential people had been able to flee. The Israeli Zionists were not truly Semites and they should not claim Semitic ancestry in an attempt to turn to account the hardships which the Jewish people had endured. Indeed, with the means of support which they had at their disposal and which they knew how to use so well, the Israeli Zionists were far from being defenceless.

101. Miss HARELI (Israel) said that she would like to take the floor again since it seemed, to judge from the reactions to her statement, that she had touched several sensitive points.

102. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic), speaking on a point of order, said that he did not think that the representative of Israel could add anything new at the current stage of the discussion and moved the adjournment of the meeting in accordance with rule 118 of the rules of procedure of the General Assembly.

103. The CHAIRMAN, after reading out rule 118 of the rules of procedure, put the motion to the vote.

The motion to adjourn the meeting was adopted by 38 votes to 3, with 30 abstentions.

The meeting rose at 7 p.m.

2060th meeting

Wednesday, 9 October 1974, at 10.50 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2060

Tribute to Mr. Sean MacBride, United Nations Commissioner for Namibia, winner of the Nobel Peace Prize

1. The CHAIRMAN noted with satisfaction the presence of Mr. Sean MacBride, the United Nations Commissioner for Namibia, and congratulated him on receiving the Nobel Peace Prize for 1974 jointly with Mr. Eisaku Sato, the former Prime Minister of Japan. The honour accorded to Mr. MacBride was a tribute to his work for the cause of human rights in Namibia and throughout the world.
2. Mrs. HEANEY (Ireland) associated the people, Government and delegation of Ireland with the congratulations extended by the Chairman to Mr. MacBride on the award to him, jointly with the former Prime Minister of Japan, of the Nobel Peace Prize. The award was a well-deserved honour, since he had spent his life in the service of the ideals and objectives for which the Third Committee was also striving. Moreover, it was appropriate to recall that Mr. MacBride's family, and in particular his parents, had played an eminent role in the struggle for independence in Ireland, which had resulted in his father's name being enshrined in a poem composed by another Irish Nobel prize-winner, William Butler Yeats. She expressed the hope that the freedom and independence achieved by Ireland would soon be enjoyed by the people to whom Mr. MacBride was currently devoting his life, and also in the other areas of southern Africa.
3. Mr. TRAVERT (France), speaking on behalf of the member countries of the European Economic Community, associated himself with the Chairman of the Committee and the representative of Ireland in congratulating Mr. MacBride and Mr. Sato on the Nobel Peace Prize awarded to them. Mr. MacBride's presence in the Committee was an honour and an encouragement to its work.
4. The Chairman had adequately expressed the appreciation of all members for the work Mr. MacBride had done as United Nations Commissioner for Namibia. He had been one of the architects of the Universal Declaration of Human Rights and had been the Minister for Foreign Affairs of Ireland when that country had ratified the Geneva Conventions of 1949.¹ He had done much laudable work on behalf of the international community, especially in the field of human rights.
5. Mr. MacBRIDE (United Nations Commissioner for Namibia) said that he felt honoured to be present at the Committee's meeting and thanked the Chairman and members for their kind words of congratulations. The award of the Nobel Peace Prize to someone who worked in the field of human rights was important, since it constituted a recognition of the fact that the protection of human rights was essential for the maintenance of peace. In conclusion, he thanked the Third Committee for its contribution to the cause of the people of Namibia.

AGENDA ITEM 53

- Elimination of all forms of racial discrimination (*continued*) (A/9603, chap. I, chap. V, sect. C.1; A/9666 and Add.1-5, A/9719, E/5474, E/5475, A/C.3/L.2101-2105):**
- (a) **Decade for Action to Combat Racism and Racial Discrimination (*continued*);**
 - (c) **Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General (*continued*)**

GENERAL DEBATE (*concluded*)

6. Mr. ETUK (Nigeria) said that his country was a party to the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex), and whole-heartedly supported the efforts made by the international community to achieve the purposes of that Convention. Nigeria believed in the dignity of man, fairness and equal justice for all, and considered it quite legitimate to fight against inhuman practices, racial discrimination and *apartheid*, wherever they existed. It had condemned, and would continue to condemn, the recalcitrance of the Governments of Rhodesia and the Republic of South Africa with regard to the question of racial discrimination.
7. Nigeria also viewed colonialism and imperialism with abhorrence. In that connexion, it wished to congratulate Portugal on having taken the wise decision to grant independence to Guinea-Bissau. As a gesture of approval of the new progressive policy followed by Portugal towards its African Territories, the Head of State of Nigeria had released a Portuguese national from prison on the occasion of the fourteenth anniversary of Nigeria's independence. The new Government of Portugal should also be congratulated.

¹ United Nations, *Treaty Series*, vol. 75, No. 970-973.

lated on thwarting an attempt at a unilateral declaration of independence by dissident elements opposed to progress towards independence in Mozambique. That action was in striking contrast to the United Kingdom's mishandling of the Rhodesian rebellion.

8. Whereas events in the Portuguese Territories of Africa had been encouraging, the situation in the Republic of South Africa had become even more alarming. The Government of that country had taken the unprecedented step of enacting laws which denied African citizens the right to acquire land in their own country. The Republic of South Africa had the unique distinction of being a country in which men could be declared redundant in their native land, and forced, together with their families, to leave their homes. An African in South Africa, no matter how able-bodied or qualified for a particular job, had no right to work. In order to eliminate such conditions, which were based on the existence of one law for the black and another for the white citizens of one and the same country, his delegation had favoured the adoption of the Programme for the Decade for Action to Combat Racism and Racial Discrimination (General Assembly resolution 3057 (XXVIII), annex). It whole-heartedly supported the draft resolution recommended by the Economic and Social Council in its resolution 1863 (LVI) and annexed to document A/9666, and hoped it would be adopted unanimously.

9. Mr. ROPOTEAN (Romania) said that the United Nations had been steadily intensifying its activities aimed at combating racism and racial discrimination in all their forms and manifestations and, in particular, at eliminating such policies and practices in southern Africa. Romania had always attached great importance to the fight against racial discrimination, the elimination of which would be an important contribution to the general progress of civilization.

10. In the minds of the authors of the Charter of the United Nations, the guaranteeing of man's material and spiritual progress, and the maintenance of peace and international security, implied the promotion and firm respect of fundamental human rights and freedoms, regardless of race, sex, language or religion. Racial discrimination and the policy of *apartheid* were serious obstacles to the establishment and strengthening of friendly relations and co-operation among States and peoples. The racial policies of the South African Government and the practice of racial discrimination in other parts of southern Africa had been sources of abiding concern to the United Nations. It had adopted major international instruments condemning colonialism, *apartheid* and racism, and had undertaken activities designed to eradicate those evils. Furthermore, the General Assembly and the Security Council had adopted resolutions providing for concrete and effective action against *apartheid* and racial discrimination, and the International Year for Action to Combat Racism and Racial Discrimination had been observed in 1971, in accordance with General Assembly resolution 2544 (XXIV).

11. However, despite the world-wide condemnation of racial discrimination, despite the efforts made by the United Nations to eliminate racism and *apartheid*, and despite the most elementary demands of the human

conscience, there still existed régimes which engaged in those evil practices. In an age marked by great scientific and technological progress, which made possible an improvement in living conditions for all, and greater respect for human dignity, many human beings were being subjected to treatment which differed little from that inflicted upon slaves in past centuries. In certain parts of the world the most fundamental human rights and freedoms were brutally trampled under foot. His delegation felt that the failure of the United Nations to achieve full success in its fight against racism, *apartheid* and racial discrimination was a consequence of the complex factors which gave rise to those practices. An analysis of those factors inevitably led to the conclusion that racial discrimination and *apartheid* could not be eradicated so long as peoples were deprived of the right to self-determination, whose enjoyment was an indispensable condition for ensuring respect for human rights. The action undertaken by the Organization could hardly be successful when millions of human beings continued to be subjected to colonial and neo-colonial exploitation.

12. The link between colonial exploitation and racial discrimination had long been recognized, and was reflected in all the documents produced by the United Nations on the subject, and particularly the remarkable study entitled *Racial Discrimination*,² which had been prepared by Mr. Santa Cruz, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and presented to the twenty-sixth session of the General Assembly. The economic factors and interests which led to colonialism were the basic causes of *apartheid* and racial discrimination. The exploitation of indigenous manpower and natural resources was one of the fundamental reasons for their continuing existence, and the huge profits amassed as a result of such practices explained why certain States refused to implement the measures adopted by the Security Council and the General Assembly against the colonial and racist régimes.

13. The failure of the measures taken by the United Nations was also the result of interference in the internal affairs of other peoples and the continued use or threat of force to combat national liberation movements. Such action violated the fundamental principles of international law embodied in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV), annex).

14. The position of the Romanian Government with regard to racial discrimination, racism and *apartheid* derived from its firm opposition both to policies based on force and to attempts by one country to dominate another, and from its attachment to the universally recognized principles of self-defence. It felt a deep sense of solidarity with peoples struggling against foreign domination, colonialism and neo-colonialism, and whole-heartedly supported their efforts to achieve national independence. It resolutely condemned the policies of *apartheid* and racism practised by the minority régimes of South Africa and Rhodesia, and the continued colonial exploitation of the peoples of those

² United Nations publication, Sales No. E.71.XIV.2.

territories. In that connexion, his country welcomed the fundamental change in the policy of Portugal with regard to its African colonies.

15. The development and strengthening of relations with the African countries was a permanent feature of Romanian foreign policy to which the Romanian Government attached considerable importance from both the political and economic points of view. Those relations were a part of its general policy of struggling for the economic and social progress of all countries, and against imperialism, colonialism and neo-colonialism. The Romanian people, which had itself made great sacrifices in order to shake off the yoke of foreign oppression, achieve independence and forge its national unity, had given, and would continue to give, its political, moral and material support to peoples struggling against colonial and imperialist domination. His country's firm commitment to their cause had been reaffirmed during visits to several African countries by the President of the Socialist Republic of Romania, Mr. Nicolae Ceaușescu.

16. Romania had always supported United Nations decisions aimed at the elimination of colonialism, *apartheid* and racial discrimination, and fully respected the Security Council and General Assembly resolutions prescribing concrete measures against the colonial and racist régimes of southern Africa. Moreover, it would continue its active participation in the Decade for Action to Combat Racism and Racial Discrimination. Such a policy at the international level was but an extension of its internal policy, the main purposes of which were the full development of socialist society and the human personality, the prosperity of the nation, a steady rise in living standards and the safeguarding of human freedom and dignity.

17. His delegation felt that if the goals of the Decade were to be attained, certain conditions must be fulfilled. First, a growing number of States should accede to and ratify the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex). There must be increased multilateral support for the national liberation movements and for all those struggling against *apartheid* and racism. At the same time, the activities of the Office of Public Information in the field of *apartheid* should be expanded, with special emphasis on the threat which *apartheid* posed to international co-operation, economic and social development, and international peace and security. Finally, in its programmes for youth, the United Nations must pay special attention to educating young people in a spirit of racial equality and tolerance, and to persuading the young generation to participate in the joint effort to achieve the goals of the Decade.

18. Mr. DAMMERT (Peru) said that nearly 26 years after the adoption of the Universal Declaration of Human Rights, racism, racial discrimination and *apartheid* continued to plague various parts of the world, despite all the efforts made by the international community to eradicate them. It was mainly in southern Africa that discrimination and segregation were practised, primarily on grounds of colour and, by extension, on economic, social, cultural, civil and political grounds. Such discrimination affected the development and progress not only of the peoples of southern Africa, but also of those of Asia and Latin America struggling against the same evils.

19. In South Africa, the indigenous population continued to be cruelly and sadistically oppressed by the white minority in power, which openly and flagrantly violated not only the Charter, but also the Universal Declaration of Human Rights and countless resolutions and decisions adopted by the Security Council, the General Assembly and other United Nations bodies. Likewise, the illegal minority régime in Southern Rhodesia was openly discriminating against the people of Zimbabwe. Such flagrant violations of human rights and fundamental freedoms were a continual threat not only to peace in the area in question, but also to international peace and security. Moreover, it was well known that the two minority régimes were receiving, in violation of United Nations decisions, economic, military and political assistance, primarily from certain members of NATO.

20. The people and Government of Peru reaffirmed their support for all movements struggling to achieve freedom and independence for their peoples, to put an end to colonial domination, racial discrimination and other forms of foreign oppression, and to enable each people to shape its own destiny.

21. The previous year, on the twenty-fifth anniversary of the adoption of the Universal Declaration of Human Rights, the General Assembly had launched the Decade for Action to Combat Racism and Racial Discrimination. He noted with satisfaction that the Decade had begun with the admission of Guinea-Bissau to the Organization, and, in that connexion, commended Portugal on its new policy of decolonization. His delegation considered that the Programme for the Decade, together with the International Convention on the Elimination of All Forms of Racial Discrimination, were the two most effective instruments currently available to the international community for combating racism and racial discrimination. Since the adoption of the Programme for the Decade his Government had disseminated the Programme through centres of secondary and higher education, cultural institutions and other private and public bodies.

22. In conclusion, he expressed his delegation's confidence that the goals of the Decade would be achieved, provided that all members of the international community endeavoured to implement the Programme.

23. Mrs. PEREIRA (Guinea-Bissau) observed that despite positive developments in the fight against oppression throughout the world, and particularly in Africa, since the adoption of the Universal Declaration of Human Rights, and despite many United Nations resolutions on the subject, colonialism, racism and *apartheid* continued to exist. The racist régimes of Salisbury and Pretoria were steadily intensifying their repressive measures against the liberation movements and practising torture in prisons and concentration camps. In the face of such facts, no one could remain indifferent or keep silent. The South African Government was applying its policy of *apartheid* in order to maintain its domination over the black population, which was subjected to the most brutal exploitation. The white minority held absolute power, denied blacks their fundamental rights and freedoms, and herded them into reservations known as "Bantustans".

24. Racism, whatever form it took, was an ideology of discrimination, having as its corollary the exploitation of man by man or of one people by another. The struggle against racial discrimination carried on by Africans in South Africa, Rhodesia and Namibia must be viewed as a combat against colonial domination. In that connexion, her delegation fully supported the decision taken by the General Assembly (resolution 3207 (XXIX)) to call upon the Security Council to review the relationship between South Africa and the United Nations; it also supported the Programme for the Decade for Action to Combat Racism and Racial Discrimination. Moreover, it considered that the radical change in the situation of the African territories subjected to the colonial domination of Portugal was a warning to that last bastion of colonialism and racism in Africa.

25. The people of Guinea-Bissau believed in the equality of all human beings, and the Constitution of her country laid down the principle of equality for all, regardless of sex, age, ethnic or religious group, or cultural or social level.

26. Mr. SIMBA NDOMBE (Zaire) said that his delegation attached great importance to the item under consideration. Racism and racial discrimination had their roots in the Western world, whose peoples—as history showed—had sown the seeds of racism and practised racist policies against peoples of a different colour. The black peoples of the world, in their respective countries, did not practise racism, although they had experienced it for many centuries. It was well known that the way of life of Africans had largely remained at variance with that of their conquerors and, even today, certain customs and practices of the African peoples bore witness to their love for their fellow men of all colours.

27. On the other hand, the study on the exploitation of labour through illicit and clandestine trafficking,³ prepared by Mrs. Halima Warzazi on behalf of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, showed that coloured persons who lived in the Western countries as migrant workers, and thus contributed to the economic life of those countries, were subjected to racism.

28. Referring to the Decade for Action to Combat Racism and Racial Discrimination, he recalled that Zaire had supported the text that had subsequently been adopted as General Assembly resolution 2784 (XXVI), in which the Economic and Social Council had been invited to request the Commission on Human Rights to submit suggestions with a view to launching continued international action to combat racism on the basis of a “Decade for vigorous and continued mobilization against racism and racial discrimination in all its forms”. Zaire had also supported Assembly resolutions 2919 (XXVII) and 3057 (XXVIII) and complied with the spirit of those resolutions, particularly in so far as it sought inspiration in its glorious past, a past which had known nothing of racism. Through the mass media, the President of the Republic constantly preached respect for individual rights.

29. His delegation fully supported the draft resolution submitted by the Economic and Social Council (A/9666,

annex) and attached particular importance to paragraph 7. It was convinced that the roots of racism, *apartheid* and racial discrimination in southern Africa lay in the illegal occupation of African lands. Independence for the whole of southern Africa was therefore the key to eradicating those evils. His delegation appreciated the willingness shown by the new Portuguese Government to put an end to its past colonial and racist policies. However, the persistent subjugation of the vast majority of blacks in southern Africa by the white minority régimes could be explained only by the diplomatic support and economic and military assistance accorded the latter by certain Western Powers, in defiance of numerous United Nations resolutions. Those Powers advanced fallacious legal arguments to justify trade relations with southern Africa, while doing nothing to improve the situation of the black majority.

30. As the State Commissioner for Foreign Affairs and International Co-operation of Zaire had said in his statement to the General Assembly on 7 October 1974 (2259th plenary meeting), the United Kingdom bore full responsibility for its defeatism, inspired by the blood ties between the people of the United Kingdom and the white minority in southern Africa. That was the most glaring example of racism.

31. Mr. LUGO (Nicaragua) said that his delegation was pleased to welcome the three new Members of the United Nations and was especially pleased to congratulate Bangladesh and Guinea-Bissau on their attainment of independence through armed struggle.

32. Racism and racial discrimination were non-existent in Nicaragua, whose Constitution provided that all persons were equal before the law, irrespective of their race, religion or sex. The evil of racism and racial discrimination dated back to the time when man had first begun to claim possession and control of the earth's resources, when the law of might had prevailed and the weak had been oppressed.

33. His delegation supported the draft resolution recommended by the Economic and Social Council (A/9666, annex). The elimination of all forms of racial discrimination would represent a great contribution to the progress of mankind.

34. The CHAIRMAN, summarizing the debate that had taken place on the item under consideration, thanked the Director of the Division of Human Rights for his brilliant introduction of the item (2053rd meeting). The various statements that had been made bore witness to the will of Member States to support the objectives of the Decade and to a general desire to participate in the activities to be undertaken in connexion with the Decade. Most speakers had recognized that the time had come for positive action, since much remained to be done if racism and racial discrimination were to be eliminated.

CONSIDERATION OF DRAFT RESOLUTIONS

35. The CHAIRMAN noted that the Committee had before it amendments (A/C.3/L.2102, A/C.3/L.2103 and A/C.3/L.2104) to the draft resolution submitted by the Economic and Social Council (A/9666, annex) and two

³ E/CN.4/Sub.2/351 and 352.

other draft resolutions relating to the item under consideration (A/C.3/L.2101 and A/C.3/L.2105).

36. Miss CABALLERO (Mexico), introducing the draft resolution submitted by her delegation on measures to improve the situation of migrant workers (A/C.3/L.2101), said that its purpose was to throw light on a problem experienced by many States. Referring to operative paragraph 1 of the draft resolution, she noted that not all Member States had co-operated in the study on the exploitation of labour through illicit and clandestine trafficking prepared by Mrs. Warzazi, while other States would do well to amplify the information they had already supplied. The study in question was not yet complete, and it was for that reason that the Secretary-General was requested, in operative paragraph 2 of the draft resolution, to inform the General Assembly in due course of the contents of the complete study.

37. As far as operative paragraph 3 (a) of the draft was concerned, she pointed out that migrant workers were usually persons from the underprivileged sector of society, and some measures should be taken under the labour laws or other relevant national legislation of the receiving State to ensure that their basic human rights were protected and that they were accorded treatment equal to that provided by the receiving State for its nationals. Her delegation recognized that the problem was especially grave in respect of migrant workers who entered a country without all the necessary legal papers. Such surreptitious entry often caused great suffering, which should be alleviated as much as possible.

38. Turning to operative paragraph 3 (b), she said that bilateral agreements were the quickest means of reducing the illicit traffic in alien workers.

39. Mr. POEDJJOETOMO (Indonesia) said that his delegation fully supported the draft resolution submitted by the Economic and Social Council. The amendments Indonesia had submitted in document A/C.3/L.2102 were designed to help clarify the objectives of the Decade. The amendment to paragraph 5 (d) was aimed at ensuring that any law or regulation which in any way encouraged racial discrimination or *apartheid* could be identified and rescinded.

40. Mr. BAL (Mauritania) associated himself with the appeal to the international community made by the representative of Sweden at the 2054th meeting, and requested the member countries of NATO—and the United Kingdom in particular—to fulfil their responsibilities with regard to the protection of human rights and to contribute to the struggle against racial discrimination. He hoped that that appeal, which had come from a European country, would have some influence on the direct and indirect allies of South Africa. It was not enough to condemn *apartheid*; concerted action by all Member States was needed if that evil was to be eliminated.

41. Introducing, on behalf of the sponsors, the amendments in document A/C.3/L.2103 to the draft resolution recommended by the Economic and Social Council, he recalled that the Decade for Action to Combat Racism and Racial Discrimination had been launched through General Assembly resolution 2919 (XXVII). The preamble to the

draft resolution should, therefore, make some reference to that resolution.

42. The amendment to operative paragraph 3 was designed to make the language of the draft resolution more consistent with earlier texts adopted by the Third and Fourth Committees. The words “ruthless application of *apartheid*” were in any case open to misinterpretation, since they might be construed as implying that *apartheid* could be applied otherwise than ruthlessly. The amendment to operative paragraph 5 was designed to strengthen the appeal made in that paragraph.

43. The proposed new operative paragraph 6 was inspired by the desire to ensure that Member States which supported the racist régime of South Africa, while paying lip-service to the condemnation of *apartheid*, should face up to their responsibilities. In particular, an end should be put to the exchanges between South Africa and other countries which took place under the guise of sports activities.

44. He pointed out that the amendments had not been translated correctly into all the working languages. He was confident, however, that the Committee would unanimously adopt the draft resolution, together with the proposed amendments.

45. Miss WILLIAMS (Sierra Leone) said that she wished to revise her delegation's amendments (A/C.3/L.2104), which were designed to make the draft resolution submitted by the Economic and Social Council more meaningful. The first proposed additional paragraph should be added to operative paragraph 5 as subparagraph (g), rather than to the preamble. Emphasis must be placed on effective participation in the activities of the Decade.

46. The words “in accordance with paragraph 18 (g) of the Programme” should be inserted immediately after the words “*Expresses the hope that*” in the proposed new operative paragraph 11. It was difficult to see how the detailed Programme for the Decade could be undertaken under the regular budget of the United Nations, and it was therefore essential to ensure that adequate funds were made available.

47. Miss DUBRA (Uruguay) recalled that when Mrs. Warzazi had presented her study on the exploitation of labour through illicit and clandestine trafficking to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, she had commented on the difficulty of obtaining replies from some States. The Uruguayan delegation therefore wished to add a new operative paragraph 2 to draft resolution A/C.3/L.2101 reading as follows: “*Requests States which have not yet done so to provide the fullest possible information to the Special Rapporteur responsible for continuing the above-mentioned study.*”

48. Her delegation supported in principle the draft resolution recommended by the Economic and Social Council (A/9666, annex) on the understanding that the moral and material assistance referred to in operative paragraph 6 (b) would be provided in accordance with the provisions of the Charter and of paragraph 13 (h) of the Programme for the Decade.

49. Mr. EVANS (Australia) suggested that the phrase “who enter their countries legally or surreptitiously” should be omitted from operative paragraph 3 (a) of draft resolution A/C.3/L.2101. The phrase suggested that all migrant workers, whether they entered countries legally or illegally, should be protected by all States regardless of national legislation.

50. Miss CABALLERO (Mexico) said that the phrase in question distinguished between workers who entered countries legally, possessing all the documents required by both States concerned, and those who did not have all the necessary papers but could not be termed illegal migrant workers before they had been defined as such by the courts of the receiving State. Even if that was the case, she would still appeal for respect for their rights. National legislation should apply to all on an equal footing.

51. Mr. EVANS (Australia) said that it seemed to him that the protection of human rights of migrant workers in accordance with the national legislation of receiving States did not depend on the definition of their entry as legal, surreptitious or illegal. His proposal was designed to ensure wider acceptance of the draft resolution.

52. Miss CABALLERO (Mexico) said that she accepted the proposal of the Australian representative and also agreed to include the new operative paragraph 2 suggested by the representative of Uruguay in her delegation’s draft resolution A/C.3/L.2101, with the addition of the words “in co-operation with the Secretariat”.

53. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) pointed out that in the second preambular paragraph of draft resolution A/C.3/L.2101, “16 March 1973” should be changed to “16 May 1973”.

54. Mr. CHANDLER (Barbados) referring to the fifth of the amendments to the draft resolution recommended by the Economic and Social Council, which appeared in document A/C.3/L.2103, suggested that in the proposed new paragraph 6 the word “together” should be omitted.

55. Mr. AL-QAYSI (Iraq) pointed out that if the first of the Sierra Leonean amendments (A/C.3/L.2104) was incorporated as paragraph 5 (g) of the draft resolution recommended by the Council, the new subparagraph would not be consistent with the other subparagraphs of paragraph 5, which all called for some kind of action.

56. Mrs. SHAHANI (Philippines), referring to the second of the Sierra Leonean amendments, requested clarification with regard to the resources which had already been made available for the implementation of the Programme for the Decade.

57. Miss WILLIAMS (Sierra Leone) said that she wished to alter the first of her delegation’s amendments by replacing “Calling attention to” by “Complying with”. With regard to the second of those amendments, she would prefer it to be incorporated into the draft resolution as operative paragraph 10, and to renumber the existing paragraph 10 as paragraph 11.

58. Mr. AL-QAYSI (Iraq) said that he considered that the new version of the first Sierra Leonean amendment was

untimely, as the Programme for the Decade had only been launched in 1973 and replies from States were not yet due, so that there were no grounds for appealing to them to comply with paragraph 18 (e) of the Programme.

59. He suggested that the proposed paragraph 5 (g) should be reworded as follows:

“Submitting in a timely fashion the reports on the action taken under the Programme for the Decade on the basis of the questionnaire circulated by the Secretary-General in accordance with paragraph 18 (e) of the Programme.”

60. Miss WILLIAMS (Sierra Leone) suggested that the two versions of paragraph 5 (g) put forward by her delegation and the Iraqi delegation should be left to the Committee to discuss and vote on, if necessary.

61. Mr. SCHREIBER (Director, Division of Human Rights), replying to the question raised by the representative of the Philippines, said that the resources available to the Division of Human Rights were of course limited and had to be used for its activities in relation to the entirety of the United Nations activities in the field of human rights. The Division had studied the Programme for the Decade, as approved by the Assembly, in order to determine how adequate resources might be made available for it. Bearing in mind the fact that the Programme presented possibilities for a variety of activities which might be carried out, it had considered what resources might be needed immediately, and what funds would be needed as the Programme developed. In 1973 it had requested four posts for officials to work especially on the promotion and co-ordination of the Programme and the provision of services to the United Nations bodies entrusted with the implementation of the Programme as well as the world conference on combating racial discrimination envisaged in the Programme; that request had been referred to the Fifth Committee, and two posts had been allowed. The Division of Human Rights would do all it could to promote the activities under the Programme for the Decade. Further resources might be requested when the arrangements for the proposed conference were determined by the Economic and Social Council and new activities were decided on within the context of the work of the United Nations. Meanwhile the Division was doing everything possible within the limits of the available resources. It would also be attentive to suggestions that voluntary contributions might be received from Governments or private sources.

62. Answering the question raised by the representative of India at the Committee’s 2053rd meeting he said that contacts had been made with universities and with various scientific international organizations in accordance with paragraph 15 (f) of the Programme for the Decade and that those contacts would be pursued as energetically as possible. He also wished to state that the Office of Public Information would be informed of the suggestion made by certain representatives that it should be invited to intensify its activities by exposing all forms of racial discrimination.

63. Mrs. ABANKWA (Ghana), introducing draft resolution A/C.3/L.2105 on behalf of the sponsors, referred to the paragraphs of the resolution which, *inter alia*, appealed to

countries which had not become parties to the International Convention on the Elimination of All Forms of Racial Discrimination, to accede to it. She also noted that in the preambular paragraph “14 November 1973” should be altered to “14 December 1973”.

64. Mr. HUSSAMY (Syrian Arab Republic), Mr. GOLOVKO (Ukrainian Soviet Socialist Republic), Mr. GRAEFRATH (German Democratic Republic), Mr. JACHEK (Czechoslovakia), Mr. PARTHASARATHY (India) and Mr. RÍOS (Panama) said that they wished to co-sponsor draft resolution A/C.3/L.2105.

65. Miss DUBRA (Uruguay) said that her delegation supported draft resolution A/C.3/L.2105, but suggested that a paragraph should be added informing States parties to the International Convention on the Elimination of All Forms of Racial Discrimination of the advisability of implementing article 14 of the Convention as a means of promoting the effectiveness and furthering the objectives of the Decade for Action to Combat Racism and Racial Discrimination.

66. The CHAIRMAN requested the representatives of Mexico and Sierra Leone to prepare revised versions of their drafts for discussion at the next meeting.

67. Mrs. CHOUDHURY (Bangladesh), speaking in exercise of the right of reply, said that she wished to set the record straight on a subject which had become a fact of history. The liberation struggle which had led to the emergence of the State of Bangladesh had arisen as a result of the systematic denial of the economic, social and other rights of the people of Bangladesh, who had formed the majority of the population of the former State of Pakistan as formerly constituted. The Government of Pakistan itself had since then condemned the actions of its military régime in 1971. She quoted from a statement made by the Governments of Bangladesh, India and Pakistan in connexion with the tripartite agreement signed in New Delhi on 9 April 1974, and from an apology made publicly by the Prime Minister of Pakistan on a visit to Bangladesh on 20 June 1974.

The meeting rose at 1.15 p.m.

2061st meeting

Thursday, 10 October 1974, at 12.15 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2061

AGENDA ITEM 53

Elimination of all forms of racial discrimination (*continued*) (A/9603, chap. I, chap. V, sect. C.1; A/9666 and Add.1-5, A/9719, E/5474, E/5475, A/C.3/L.2101/Rev.1, A/C.3/L.2102, A/C.3/L.2103, A/C.3/L.2104/Rev.1, A/C.3/L.2105:

- (a) Decade for Action to Combat Racism and Racial Discrimination (*continued*);
- (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General (*continued*)

CONSIDERATION OF DRAFT RESOLUTIONS (*continued*)

1. The CHAIRMAN announced that the representatives of Cyprus, Greece, the Philippines and Turkey had become sponsors of draft resolution A/C.3/L.2105.

2. Miss CABALLERO (Mexico) said that, in an effort to ensure its unanimous adoption, her delegation had made a further revision¹ of draft resolution A/C.3/L.2101/Rev.1 in the light of the suggestions made and objections raised by various delegations at the preceding meeting. The new version of operative paragraph 4 (a) read as follows:

“To extend to all migrant workers who enter their countries legally treatment equal to that provided for

their own nationals with regard to human rights and to the provisions of their labour legislation applicable to such migrant workers;”

Paragraph 4 (b) of document A/C.3/L.2101/Rev.1 was unchanged and the following new paragraph 4 (c) should be added to the draft resolution:

“Pending the conclusion of such agreements, to adopt the appropriate measures to ensure that the human rights of migrant workers who enter their territory surreptitiously are fully respected.”

3. Miss CAO-PINNA (Italy) observed that the Mexican draft resolution had created difficulties for some delegations, including her own. She had some doubts as to the propriety of introducing a draft resolution on the problems of migrant workers and the exploitation of labour through illicit and clandestine trafficking under an agenda item on the elimination of racism and racial discrimination.

4. In most cases—and certainly in the case of Italian migrant workers—the problems in question were non-racial and were caused by the fact that the migrant workers were aliens in the country of immigration. She therefore appealed to the representative of Mexico to consider submitting the draft resolution under the item concerning the report of the Economic and Social Council (item 12), which was broad enough to accommodate all topics that fell within the competence of the Third Committee.

¹ Subsequently circulated as document A/C.3/L.2101/Rev.2.

5. Miss WILLIAMS (Sierra Leone) said that, in the light of the useful comments made at the preceding meeting, and after consulting several other delegations, her delegation had decided to revise its amendments (A/C.3/L.2104) to the draft resolution recommended by the Economic and Social Council (A/9666, annex). The revised version of those amendments appeared in document A/C.3/L.2104/Rev.1. Their effect was to incorporate in the draft resolution the substance of two important subparagraphs of the Programme itself, as it appeared in the annex to General Assembly resolution 3057 (XXVIII).

6. Mr. HSING Sung-yi (China) said that the Chinese Government and people consistently and firmly supported all oppressed nations and peoples of the world in their struggle against imperialism, colonialism, neo-colonialism, hegemony, racism and racial discrimination, and for national liberation and independence. China would, as always, support and assist them to the best of its ability.

7. His delegation believed that the people of southern Africa would take full advantage of the excellent situation prevailing in Africa, heighten their vigilance, persevere in their struggle and win complete victory.

8. With regard to draft resolution A/C.3/L.2105, he said that his Government had always firmly opposed all forms of racial discrimination, as was well known. However, since the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) made reference to certain other international declarations and conventions, his delegation would need time to study the matter further and would abstain in the vote on the draft resolution.

9. Mrs. DE BARISH (Costa Rica) said that her delegation supported draft resolution A/C.3/L.2105 and shared the view expressed at the previous meeting by the Uruguayan representative that the document should include a paragraph which drew attention of States to the importance of recognizing—as Costa Rica had already done—the competence of the Committee on the Elimination of Racial Discrimination, under article 14 of the Convention, to receive and consider communications from individuals or groups of individuals within the jurisdiction of those States claiming to be victims of violations by those States parties of any of the rights set forth in the Convention; that was a means of strengthening the effectiveness of the Convention.

10. Her delegation also supported the draft resolution submitted by Mexico (A/C.3/L.2101/Rev.1), which dealt with a problem on which the need for action by the international community had been recognized. She was pleased that the paragraph proposed by the Uruguayan representative at the previous meeting had been incorporated in the draft resolution and would vote in favour of it in its revised form.

11. Mrs. TAKLA (Egypt) proposed that the Committee should deal with the draft resolution recommended by the Economic and Social Council (A/9666, annex) before the two other draft resolutions (A/C.3/L.2101/Rev.1 and A/C.3/L.2105). The various amendments to the Council's draft resolution, particularly those submitted by the representative of Sierra Leone (A/C.3/L.2104/Rev.1), strength-

ened the text and were eminently acceptable; it should therefore be possible for the Committee to approve it, with the amendments proposed, unanimously and without a vote. By doing so, it would affirm that the depth of its feeling on the issue was at least as great as that of the Economic and Social Council, which had adopted its draft resolution unanimously. The unanimity of the Committee would also attest to its intention of proceeding from theory to practice in the implementation of the objectives of the Decade.

12. Mr. PARTHASARATHY (India) endorsed the remarks made by the representative of Egypt. He commended the amendments in documents A/C.3/L.2102, A/C.3/L.2103 and A/C.3/L.2104/Rev.1, which were well conceived and well drafted and clarified the relevant provisions of the Programme for the Decade.

13. The CHAIRMAN said that, if there was no objection, she would take it that the Committee wished to adopt the amendments in documents A/C.3/L.2102, A/C.3/L.2103 and A/C.3/L.2104/Rev.1 to the draft resolution recommended by the Economic and Social Council.

The amendments appearing in documents A/C.3/L.2102, A/C.3/L.2103 and A/C.3/L.2104/Rev.1 were adopted without objection.

14. The CHAIRMAN said that, if there was no objection, she would take it that the Committee unanimously adopted the draft resolution recommended by the Economic and Social Council, as amended.

The draft resolution recommended by the Economic and Social Council in its resolution 1863 (LVI), as amended, was adopted without objection.

15. Mr. SANCHEZ (Venezuela) said that his delegation had concurred in the approval of the draft resolution on the understanding that the liberation movements referred to in operative paragraph 6 (b) were those recognized by the Organization of African Unity and the Arab League, and that assistance to those movements should be furnished in accordance with the principles of the United Nations Charter.

16. Mrs. DE BARISH (Costa Rica) said that her delegation had concurred in the approval of the draft resolution in the interests of unanimity. However, it had some reservations regarding the reference to material support and assistance to the liberation movements in operative paragraph 6 (b), which it understood within the meaning of paragraph 13 (h) of the annex to General Assembly resolution 3057 (XXVIII).

17. Lady GAITSKELL (United Kingdom) said that her Government upheld two propositions concerning the elimination of all forms of racial discrimination: first, that each and every country should take the necessary measures at the national level to deal with racial discrimination as it occurred, and secondly, that where racialism existed in other countries, the United Nations should seek to persuade the Governments responsible to eliminate practices and laws which were repugnant to the conception of human rights which all members of the Committee shared. For

those reasons, her delegation wished to associate itself, as it had done at the fifty-sixth session of the Economic and Social Council, with the consensus by which the draft resolution annexed to document A/9666, as amended, had been adopted, even though it could not entirely agree with all of its provisions.

18. All members of the Committee knew that there was more than one way to reach the goal of greater fulfilment of human rights. While her Government recognized that others did not share its particular view, it still did not believe that the isolation of the régimes of southern Africa would necessarily achieve the results hoped for, and could not condone the use of force, however laudable the aim. It recognized the advantages of the application of different forms of pressure, such as the pressure brought to bear on the South African Government through sports boycotts. At the same time, it considered that it was the responsibility of sporting bodies to take their own decision about sporting contacts with South Africa.

19. Because of the fundamental legal objections explained by her delegation during the twenty-eighth session of the General Assembly (2185th plenary meeting), it could not associate itself with the appeal in operative paragraph 5 (b) of the draft resolution in question to all States to sign and ratify the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex). It had fully set out elsewhere the attitude of the United Kingdom toward liberation movements, whose aspirations it shared. Her delegation repeated, however, that those reservations should not be construed as detracting from its support of the draft resolution as a whole, while it considered to be a helpful contribution towards the attainment of the goals of the Decade.

20. Mr. SARCEÑO MORGAN (Guatemala) said that his delegation had been in favour of the adoption of the draft resolution recommended by the Economic and Social Council, as amended; it wished however to state separately, with respect to the appeal in operative paragraph 6 (b) to ensure full support and assistance, morally and materially, to the peoples which were victims of *apartheid* and racial discrimination, and to the liberation movements in areas situated in Africa, that his delegation understood that such moral and material support and assistance would be given within the framework of the Charter of the United Nations and in the spirit of General Assembly resolution 3057 (XXVIII), of 2 November 1973, which had established the Decade for Action to Combat Racism and Racial Discrimination.

21. His delegation accordingly shared the reservations of the representatives of Venezuela and Costa Rica about that paragraph.

22. Mr. WIGGINS (United States of America) said that his delegation had supported the draft resolution, since it called for the broad-scale action required to achieve the goals of the Decade. However, it had reservations concerning operative paragraph 5 (b), on signing and ratifying the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. His Government fully agreed with the condemnation of the practice of

apartheid which underlay the Convention. However, it had consistently recorded its serious reservations about the Convention itself. It considered that the broad and ill-defined extension of international jurisdiction embodied in the Convention, which would include even cases in which there was no significant contact between the offence and the forum State and in which the offender was not a national of the forum State, was not consistent with the basic norms of fairness and due process essential in criminal law. The elaboration of rules for the protection of human rights could not be done in such a manner as to ignore the rules of law.

23. With reference to operative paragraph 6 (b), he pointed out that his delegation had accepted the language of the Economic and Social Council appeal concerning moral and material support to liberation movements on the understanding that any such support would be legal and consistent with national interests as defined by the States concerned in any specific case. Moreover, paragraph 6 also referred to United Nations organs and bodies, in addition to States. His Government had serious misgivings about any kind of assistance other than humanitarian and educational assistance to refugees by United Nations organs, and considered that assistance to liberation movements could constitute interference in the internal affairs of sovereign States.

24. Miss VOLLMAR (Federal Republic of Germany) said that her delegation had concurred in the approval of the draft resolution as a whole in order to underline its full support for the Decade and the principles embodied in the Programme. With regard to operative paragraph 5 (b), her delegation had already stated that her Government had difficulties of a legal nature with regard to the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. With reference to operative paragraph 6 (a), she pointed out that the Federal Republic of Germany respected the sanctions imposed by the Security Council against Southern Rhodesia; it did not and would not in future supply any weapons or other military equipment to Southern Rhodesia or South Africa.

25. Her Government considered that political changes should be brought about by peaceful means and through political and moral pressure, negotiations and contacts with all groups in the region concerned. Its hope that peaceful solutions could be found for still unresolved problems had been strengthened by recent developments in Portugal and its African territories.

26. Mr. TRAVERT (France) said that his delegation had supported the draft resolution (A/9666, annex), both in the Economic and Social Council and, as amended, in the Committee, with certain reservations. On operative paragraph 4 France had political reservations, and it preferred negotiation as means of achieving independence and securing the right to self-determination. With regard to operative paragraph 5 (b), his Government had legal reservations concerning the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, which France had not signed. Finally, with reference to paragraph 5 (f), his Government considered that sporting federations were private groups over which States had no direct control.

27. Mrs. HEANEY (Ireland) said that her delegation had supported the draft resolution in order to show its support for the goals of the Decade, but it reserved its position with regard to operative paragraph 5 (b) concerning the International Convention on the Suppression and Punishment of the Crime of *Apartheid*; it had abstained the previous year during the vote on the draft Convention. It supported operative paragraph 6 (b) on the understanding that the moral and material assistance provided should be within the framework of, and consistent with, the principles and purposes of the Charter.

28. Mr. PARTHASARATHY (India) noted that the draft resolution which the Committee had just approved without a vote contained a reference to sports events in which representatives from South Africa participated. He read out a letter dated 7 October 1974 from the Chairman of the Special Committee on *Apartheid* to the Permanent Representative of India to the United Nations, in which the Chairman congratulated India on its refusal to play matches against South Africa in the Davis Cup Finals.

29. Mr. LUGO (Nicaragua) said that his delegation had supported the draft resolution in question, but had reservations concerning operative paragraph 6 (b); it shared the views expressed in that connexion by the Costa Rican, Venezuelan and Guatemalan representatives.

30. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation had supported the draft resolution under consideration without reservations. It felt that the Programme for the Decade should include effective national and international measures so that practical results could be obtained in the struggle to eliminate racism and *apartheid*. It had therefore welcomed the draft resolution in the Economic and Social Council and whole-heartedly supported the amended version just approved by the Committee.

31. One of the major provisions of the draft resolution was operative paragraph 5 (b), and his delegation was pleased to note that the International Convention on the

Suppression and Punishment of the Crime of *Apartheid* had already been signed by 18 Member States, most of them African and socialist States. It was to be hoped that the Convention, which represented a stern warning to the racists of southern Africa, would soon enter into force. Other provisions of operative paragraph 5, such as the banning of participation in sports events with the representatives of the racist régime of South Africa and the amendment submitted by Sierra Leone in document A/C.3/L.2104/Rev.1 were both timely and appropriate, and his delegation welcomed the provisions of operative paragraph 6 (b) concerning moral and material support to the liberation movements and peoples which were victims of *apartheid* and racial discrimination.

32. In conclusion, he expressed his delegation's hope that the text which had just been adopted and the Programme for the Decade would be fully implemented, notwithstanding the reservations of some members of the Committee.

33. Mr. BAL (Mauritania) asked that the reservations expressed in the Committee, concerning the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, should be fully reflected in the summary records of the meeting.

34. Mr. SÖYLEMEZ (Turkey) pointed out that his country had signed the International Convention on the Elimination of All Forms of Racial Discrimination. The parliamentary procedure for ratification had not been completed, however.

35. The CHAIRMAN said that, if there was no objection, she would take it that the Committee wished to approve draft resolution A/C.3/L.2105.

Draft resolution A/C.3/L.2105 was adopted without objection.

The meeting rose at 1.15 p.m.

2062nd meeting

Thursday, 10 October 1974, at 3.20 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2062

AGENDA ITEM 53

Elimination of all forms of racial discrimination (continued) (A/9603, chap. I, chap. V, sect. C.I; A/9666 and Add.1-5, A/9719, E/5474, E/5475, A/C.3/L.2101/Rev.2):

- (a) Decade for Action to Combat Racism and Racial Discrimination (concluded);
- (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General (concluded)

CONSIDERATION OF DRAFT RESOLUTIONS

(concluded)

1. Miss CAO-PINNA (Italy) said that her delegation was gratified that the Committee had unanimously adopted the draft resolution recommended by the Economic and Social Council in its resolution 1863 (LVI), as amended, particularly by the adoption of the amendments in document A/C.3/L.2103, which she herself had supported.
2. Her delegation nevertheless had some reservations to make regarding operative paragraph 5 (b) and para-

graph 7 (a) (formerly paragraph 6 (a)). With regard to paragraph 5 (b), Italy, as was well known, had refrained from ratifying the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex) solely for juridical reasons. With regard to paragraph 7 (a), its provisions did not agree with the views of the Italian delegation, which believed that political relations with South Africa afforded an opportunity to bring pressure on the Government of that country.

3. Mr. NOTHOMB (Belgium) said that his delegation had voted for the draft resolution in its amended form and was pleased that it had been adopted unanimously. He wished to state, however, that he had the same reservations as did the representative of France (2061st meeting) regarding operative paragraph 5 (b), and, in the case of the new operative paragraph 6, he pointed out that Belgian gymnastic federations were private associations.

4. Mr. EVANS (Australia) said that although he had voted for the draft resolution in its amended form, his delegation, too, had reservations, on juridical grounds, regarding paragraph 5 (b); those reservations concerned the International Convention on the Suppression and Punishment of the Crime of *Apartheid*.

5. Mr. ARMAN (Democratic Yemen) expressed his gratification that the Committee had adopted the draft resolution recommended by the Economic and Social Council for adoption by the General Assembly, because the matter with which it dealt was of particular concern to his Government. His country had already ratified the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex), and he addressed an appeal to all countries which had not yet ratified that instrument, exhorting them to do so without delay. However, it was important for the victims of discrimination and *apartheid* to be given material support in addition to moral support, and that was why his delegation had been particularly in favour of the former paragraph 6 (b) (new paragraph 7 (b)). His country would make its contribution to the Programme for the Decade, and it hoped that the specialized agencies and other organizations would give the Programme their generous support so that it might meet with success.

6. Mrs. YOTOPOULOS-MARANGOPOULOS (Greece) said that her delegation, in conformity with the new policy of the Greek Government, had supported without reservations the draft resolution recommended by the Economic and Social Council for adoption. She hoped that the intentions expressed in the draft resolution would be matched by concrete measures that would give them tangible form. The Economic and Social Council should, between the present time and the next session of the General Assembly, consider what practical measures, and especially what kinds of cultural and economic measures, might be taken against States that persisted in practising discrimination in disregard of the resolutions of the United Nations, and what were the most appropriate and efficient means which could be used to apply those measures. There would thus be available for the next session a study on questions of a practical nature which might provide the basis for a new approach to the matter of the elimination of racial discrimination.

7. Mrs. ABANKWA (Ghana) expressed her gratification at the adoption of the draft resolution on the status of the International Convention on the Elimination of All Forms of Racial Discrimination (A/C.3/L.2105) and expressed the hope that it was an indication that more and more countries would be ratifying the Convention.

8. The CHAIRMAN invited the Committee to consider the revised draft resolution (A/C.3/L.2101/Rev.2) relating to measures to improve the situation of migrant workers, which had been submitted by the Mexican delegation.

9. Miss CABALLERO (Mexico) thanked the representative of Italy for her comments at the previous meeting on the draft resolution submitted by the Mexican delegation, for they had enabled certain points to be clarified. The Mexican delegation continued, however, to believe that the draft resolution should be considered under the item now before the Committee. That had been the opinion of the General Assembly when the question had been discussed there. Many delegations did not share the Italian delegation's view that it was inappropriate for the problem of migrant workers to be considered under the item relating to racial discrimination, and the Mexican delegation, for its part, was convinced that a discussion of that problem within the context of discrimination would further the activities provided for in connexion with the Decade.

10. Mr. TRAVERT (France) said that he endorsed the proposal by the Italian delegation to defer consideration of the question of migrant workers. That was a very important question, and the French delegation, which strongly condemned the unlawful exploitation of migrant workers, would like to have sufficient time for reflection. That change would in no way affect the progress of work, and, since paragraph 405 of the report of the Economic and Social Council (A/9603) dealt with a draft resolution entitled "Question of international legal protection of the human rights of individuals who are not citizens of the country in which they live", it would be quite logical for the question of migrant workers to be taken up under the item relating to the report of the Economic and Social Council (item 12). His delegation hoped that the suggestion would be accepted. In any event, it hoped there would be a short interval before the vote, in accordance with established practice, because, like many other delegations, it had not had time to receive instructions on the new text, which had not been distributed until shortly before the opening of the meeting. The topic was one which could not be studied in detail in advance, since it had come up unexpectedly during consideration of item 53 (a) and was not mentioned separately in the provisional agenda.

11. Mr. ALFONSO (Cuba) expressed support for the Mexican delegation's proposal. The Cuban delegation would vote for draft resolution A/C.3/L.2101/Rev.2 because it considered the item now before the Committee to be the proper one under which to take up the question of migrant workers, and it felt that a decision on that draft resolution could be taken forthwith. His delegation's support for that draft was also dictated by humanitarian considerations, for, in its revised version, the draft resolution could help to dissipate the concern that might be aroused by the distinction between migrant workers entering a country legally and those entering surreptitiously. He did not

believe that there was any reason for deferring consideration of that draft resolution.

12. Mr. EVANS (Australia) recalled that at the 2060th meeting he had proposed the deletion from paragraph 3 (a) of the initial version of draft resolution A/C.3/L.2101 of the words “who enter their countries legally or surreptitiously”; he had done so in the belief that that would dissipate the concern of a significant number of delegations. The text of the revised draft resolution which had just been submitted was an improvement but did not fully meet the objections of a number of delegations. Thus, it would perhaps be better to defer consideration of the text in question until the Committee took up agenda item 12 (Report of the Economic and Social Council), because that was where its discussion more properly belonged.

13. Mrs. SHAHANI (Philippines) said that she was in full sympathy with the substance of the draft resolution submitted by Mexico and would vote in favour of it, but her delegation had serious reservations regarding its operative paragraph 4 (c). The problem of migrant workers who entered a country surreptitiously was a matter of grave concern to the Philippine Government because of the archipelagic nature of the Philippines which made illegal entry difficult to control. In the opinion of her delegation the problem should be considered in greater depth.

14. Mrs. WATANABE (Japan) requested clarification of the English terminology used in paragraph 4 (b) and (c). She wondered whether the “adoption” of agreements was what was actually meant in the two cases.

15. Mrs. WARZAZI (Morocco) recalled, for the benefit of the representative of Italy, that the question of migrant workers had been raised two years previously by the delegation of Mali, and then later by her own delegation, and that it had already been the subject of decisions under item 50 of the agenda of the twenty-seventh session, relating to the elimination of racial discrimination (see General Assembly resolution 2920 (XXVII)). The logical and desirable course was therefore to take it up forthwith. Racism and racial discrimination were manifested for the most part in two forms. One of them was what could be called the traditional form and was directed against a person who did not have the skin of the same colour, the same kind of hair, the same kind of features or the same religion as did the people among whom he lived. The other was a modern form of technological or xenophobic racism that was characterized by extreme intolerance towards immigrant workers. Such workers, whether European, African or Latin American, were all victims of the same economic and racial discrimination. That was why she would like the draft resolution in question to be considered under the item now before the Committee.

16. With regard to the wording of the draft resolution, she would like, in connexion with paragraph 4 (c), to draw the Committee's attention to the text of a convention that was soon to be adopted by the International Labour Organisation. The International Labour Conference Committee on Migrant Workers had recommended to the Conference the adoption, together with other provisions, of a text providing that, without prejudice to the measures for ensuring that migrants were brought into the national territory and

were admitted to employment in conformity with the applicable legislation, they should, even where such legislation had not been complied with, be entitled to equality of treatment by the persons or agencies employing them or obtaining other services from them.

17. By comparison with that provision, the text of the draft resolution under consideration was very moderate, and she would like it to be strengthened. As she considered however, that it represented a compromise formula, she declared herself willing to support, in its present form, the revised draft resolution submitted by the delegation of Mexico (A/C.3/L.2101/Rev.2).

18. Miss CAO-PINNA (Italy) recalled that the question of migrant workers had been discussed by the General Assembly at its twenty-seventh session, when it had adopted its resolution 2920 (XXVII) on the basis of a draft resolution submitted by Algeria. The subject had been broadened since then, and a study on the exploitation of labour through illicit and clandestine trafficking¹ had been considered by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its twenty-seventh session. However, the study, some passages in which dealt with the causes of the illicit trafficking, did not mention the question of racial discrimination. She therefore felt that the revised draft resolution submitted by Mexico (A/C.3/L.2102/Rev.2) should not be considered under the present item but under item 12, i.e. in connexion with the consideration of the report of the Economic and Social Council.

19. Lady GAITSKELL (United Kingdom) said that, while she fully supported the substance of the revised draft resolution submitted by Mexico, she wondered whether it would not indeed be preferable, as the representative of Italy had proposed, to consider it under agenda item 12. The question of migrant workers involved some very varied problems, and the Committee might confine itself to the racial aspects alone if it discussed the matter under the item relating to the elimination of racial discrimination.

20. Mr. BAL (Mauritania) observed that the Third Committee had taken up the question of migrant workers for the first time at the twenty-third session in connexion with its consideration of the draft Declaration on Social Progress and Development (General Assembly resolution 2542 (XXIV)). Some members of the Committee now wished the Mexican draft resolution (A/C.3/L.2102/Rev.2) to be considered under another item on the grounds that the question of migrant workers did not relate to racial discrimination. However, paragraph 15 (d) (vi) of the Programme for the Decade for Action to Combat Racism and Racial Discrimination referred to “problems of discrimination arising in connexion with immigration of men, women—married and unmarried—and their children and foreign workers of both sexes”; he therefore proposed that the Committee should take an immediate vote on the revised draft resolution submitted by Mexico.

21. Mr. SÖYLEMEZ (Turkey) said that he endorsed the draft resolution, which followed along the lines of similar initiatives taken by Morocco, Algeria and his own delegation

¹ See E/CN.4/Sub.2/351 and 352.

at the twenty-seventh session of the General Assembly. The question of migrant workers was a timely one which affected not only the countries of the Americas but those of Europe and Africa as well. The Moroccan representative had clearly shown that the wording of the draft resembled, in a more moderate form, that of the draft convention on the subject prepared by the ILO at the fifty-ninth session of the International Labour Conference in June 1974. His country was particularly sensitive to the problem of migrant workers since there were more than a million Turkish workers in Europe; he felt that all migrant workers, regardless of whether they entered the host country legally or surreptitiously, should be granted treatment equal to that provided for nationals of the country in question. A compromise was needed, and from that standpoint he thought that the Mexican draft resolution provided a satisfactory formula. His delegation therefore supported the revised draft resolution (A/C.3/L.2102/Rev.2) as well as the proposal by the Mauritanian representative that the Committee should take an immediate vote.

22. Mr. TRAVERT (France) said that he would have some comments to make concerning the status of migrant workers in France and therefore requested, on the basis of rule 78 [120] of the rules of procedure of the General Assembly, that the vote on the revised draft resolution should be deferred.

23. The CHAIRMAN read out rule 78 [120] of the rules of procedure of the General Assembly and said that, since the draft resolution had been discussed at the previous day's meeting, the Committee had to take a decision on the motion put forward by the French delegation.

24. Mr. BAL (Mauritania), speaking on a point of order, said that the French representative was probably correct in wishing to apply the rules of procedure in a strict manner. However, the reason the Committee had before it a revised draft resolution was that there existed an original draft resolution, which had already been considered by the Committee. That being the case, the voting process had begun and the French proposal could not be accepted. He repeated his proposal calling for an immediate vote on the draft resolution.

25. The CHAIRMAN put to the vote the proposal that the Committee should take a vote on draft resolution A/C.3/L.2102/Rev.2.

The proposal was adopted by 62 votes to 5, with 16 abstentions.

26. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.2102/Rev.2.

Draft resolution A/C.3/L.2102/Rev.2 was adopted by 97 votes to none, with 4 abstentions.

27. Mr. RIOS (Panama) said that he would have voted for the draft resolution if he had been present during the vote.

28. Mr. WIGGINS (United States of America) said that his country was fully aware of the importance of the problem of recognizing the fundamental rights of migrant workers. It was a problem that arose in many parts of the world. It

was the policy of the United States to give all migrant workers within its borders, legally or illegally, equitable and humane treatment. He recalled that his delegation had sponsored the text of Economic and Social Council resolution 1706 (LIII) on exploitation of labour through illicit and clandestine trafficking, which had been adopted on 28 July 1972.

29. He nevertheless felt that it would have been more appropriate to consider the matter at the same time as the report of the Economic and Social Council, in connexion with agenda item 12.

30. His delegation had abstained in the vote on the draft resolution because it felt that operative paragraph 4 (a) was worded too vaguely. The fundamental rights of migrant workers should have been defined more clearly. In addition, he did not feel that operative paragraph 4 (b) and (c), which had to do with the illicit traffic in alien workers, fell within the discussion on the elimination of racial discrimination.

31. Mr. TRAVERT (France) said that his delegation had abstained in the vote on the draft resolution because it had not had sufficient time for reflection to take a position on operative paragraph 4 (c). The rights of alien workers were respected in France. Under French law, alien workers had the same rights as French workers in the matter of hiring, pay, unemployment and mobility allowances, social welfare, vocational training and trade-union membership subject to reciprocity, i.e. provided that their countries of origin accorded the same rights to French workers. His Government fully supported the conclusion of bilateral agreements for the purpose of organizing and facilitating the movement of labour across frontiers. It had signed such agreements with a number of African countries and within the European community, in most cases for the purpose of simplifying the administrative formalities to which alien workers were subject when they entered France. Unfortunately, it was precisely those preferential arrangements that sometimes helped to create problems, since, during periods of economic depression, workers tended to seek employment abroad in greater numbers and often found that conditions in the host country were not much better than in their own country and that they were then faced with all sorts of problems.

32. Racism was not, of course, unknown in France, but, from a legal standpoint at least, alien workers enjoyed absolute equality of treatment with French workers.

33. Mr. LOH (Malaysia) said that he had voted for draft resolution A/C.3/L.2102/Rev.2 even though he had some reservations regarding operative paragraph 4 (c).

34. Miss CABALLERO (Mexico) expressed regret that four delegations had been unable to support the draft resolution so that every effort could be made to implement the International Convention on the Elimination of All Forms of Racial Discrimination and ensure respect for the rights of migrant workers. She thanked those countries which had voted for the draft resolution and expressed the hope that it would be adopted unanimously in the plenary Assembly.

35. Mr. PIERCE (Jamaica) said that he had abstained in the vote because his delegation had not completed its deliberations; he hoped, however, that his delegation would be in a position to vote for the draft when it came before the General Assembly.

36. Mr. EVANS (Australia) said that, although his delegation endorsed the principles set out in the draft resolution, it was still not satisfied with the word "surreptitiously" in operative paragraph 4 (c).

37. Mrs. YOTOPOULOS-MARANGOPOULOS (Greece) said that her delegation supported the substance of the draft resolution since there were many Greek migrant workers in various countries. Although she had some doubts about the competence of the Committee to deal with the subject, she had thought it her duty to vote for the draft resolution, since the question of competence had been solved in previous years, in order to avoid repetitions at least on questions of formality.

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (A/9603, A/9637, A/9733, A/9764, A/9767, A/9785)

38. The CHAIRMAN invited the Committee to begin the consideration of agenda item 12, relating to the report of the Economic and Social Council on the work of its fifty-sixth and fifty-seventh sessions (A/9603). She drew the Committee's attention to the note by the Chairman concerning the Committee's agenda (A/C.3/L.2099), containing the list of those chapters and sections of the Economic and Social Council's report which the General Assembly had referred to the Third Committee and of those referred to the Third Committee which might interest other committees. The note also indicated those parts of the report referred to other committees which might interest the Third Committee. In addition, when the Third Committee took up the report of the Economic and Social Council, it might consider the humanitarian aspects of the question dealt with in agenda item 60 (Assistance in cases of natural disaster and other disaster situations) which had been referred to the Second Committee.

39. Mr. SCHREIBER (Director, Division of Human Rights) introduced the section of the Economic and Social Council's report which was devoted to human rights questions (A/9603, chap. VI, sect. C) and in which the Council reported on the work done and the results obtained in the exercise of its functions under Article 62 of the Charter. He wished to make some explanations or clarifications concerning the questions dealt with in that section which were not the subject of separate items of the Third Committee's agenda and to give some additional information concerning new developments and important measures that had been adopted, in particular by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, since the Council's fifty-sixth session.

40. Several of the resolutions adopted by the Economic and Social Council in connexion with its consideration of

the report of the Commission on Human Rights on its thirtieth session² were designed to answer the need to analyse more thoroughly and elucidate further certain specific problems which were often complex and sometimes urgent. Thus the Council had approved, by its resolutions 1864 (LVI), 1865 (LVI) and 1866 (LVI) respectively, the decision of the Commission on Human Rights to authorize the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake studies on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa, on the historical and current development of the right of peoples to self-determination, on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to the promotion and protection of human rights and fundamental freedoms, and on the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination. At its twenty-seventh session, the Sub-Commission had entrusted those studies to three special rapporteurs, namely Mr. Khalifa (Egypt), Mr. Cristescu (Romania) and Mr. Gross Espiel (Uruguay), respectively.

41. In its resolution 1871 (LVI), the Council had requested the Sub-Commission to consider as a matter of high priority at its twenty-seventh session the problem of the applicability of existing international provisions for the protection of human rights to individuals who were not citizens of the country in which they lived and to submit appropriate recommendations to the Commission on Human Rights at its thirty-first session. The Sub-Commission had therefore entrusted one of its members, Lady Elles (United Kingdom), with preparing a supplementary report on the question, which would be submitted to the Sub-Commission at its next session and should include a list of desirable measures, including the possibility of preparing a declaration in the matter.

42. The Sub-Commission had, at its twenty-seventh session, examined the study prepared at its request by Mrs. Warzazi (Morocco) on the exploitation of labour through illicit and clandestine trafficking.¹ It had asked Mrs. Warzazi to continue and complete her study on certain points and had decided to consider the question as a matter of priority at its next session, with a view to formulating proposals and recommendations. In addition, the Secretary-General had been requested to envisage the possibility of organizing, as part of the programme of advisory services in the field of human rights, a seminar which would deal with the question in a systematic and multidisciplinary manner. Some Governments had already expressed interest, and the Secretariat would consider possibilities with them. The non-governmental organizations which had met in Geneva in September to consider the problems of *apartheid* and colonialism had envisaged devoting the conference they hoped to hold the following year to the problems of migrant workers.

43. Lastly, the Sub-Commission had entrusted one of its members, Mrs. Daes (Greece), with undertaking a study on

² *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5.*

the duties of the individual to the community and on the limitations which might be placed on human rights and freedoms under article 29 of the Universal Declaration of Human Rights.

44. The Economic and Social Council had adopted resolution 1867 (LVI) on the question of the realization of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights. It had considered the study³ which it had entrusted to Mr. Ganji (Iran) and which had included Mr. Ganji's observations, conclusions and recommendations. The members of the Council had recognized the value of that study and had asked that it should be widely circulated. The study would therefore be printed in five languages and a public information brochure would be published by the Office of Public Information.

45. At the recommendation of the Commission on Human Rights, which, following the wishes expressed in 1968 by the International Conference on Human Rights, had worked on the preparation of model rules of procedure for United Nations bodies dealing with violations of human rights, the Council had, in its resolution 1870 (LVI), taken note of the reports on that subject⁴ prepared by the Working Group established by the Commission and had brought them to the attention of all organs and bodies of the United Nations dealing with questions of human rights and fundamental freedoms.

46. Two other resolutions of the Council related to the activities of the *Ad Hoc* Working Group of Experts whose mandate was to inquire into the violation of human rights in southern Africa and in the Territories under Portuguese domination. In its resolution 1868 (LVI) the Council drew the attention of the General Assembly to the mandate and activities of the *Ad Hoc* Working Group of Experts, emphasizing that the Group was available to undertake any inquiries which the General Assembly might desire to assign to it and to maintain appropriate collaboration with the bodies concerned. In its resolution 1869 (LVI), the Council invited the General Assembly to bring to the notice of the Security Council the deterioration in the situation in Southern Africa, which posed a serious threat to world peace and security. The *Ad Hoc* Working Group of Experts had carried out a mission of inquiry in Europe and Africa during the summer with a view to collecting testimony which would be utilized, together with other pertinent information, in preparing the report to be submitted by the *Ad Hoc* Working Group to the Commission on Human Rights at its thirty-first session. In connexion with its mission, the Group had addressed to the Secretary-General and to the United Nations Commissioner for Namibia cables describing the practices to which Africans in Namibia were reportedly being subjected and had requested that those cables should be brought to the attention of all competent United Nations bodies. The Committee had before it the text of those communications, which appeared in the note by the Secretary-General concerning torture and other cruel, inhuman or degrading treatment or punishment (A/9767).

47. The Council had adopted a resolution relating to the protection of human rights in Chile (resolution 1873 (LVI)), in which *inter alia* it endorsed the concern of the Commission on Human Rights. The Sub-Commission on Prevention of Discrimination and Protection of Minorities had itself adopted a resolution on the matter (resolution 8 (XXVII)); the text of that resolution was contained in annex II of document A/9767.

48. By its decision 16 (LVI), on the question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of *apartheid* and colonialism, the Council had authorized the Sub-Commission to establish a working group composed of five members of the Sub-Commission to review developments in that field. The Sub-Commission had established that group at its twenty-seventh session and had asked it to submit to the Sub-Commission a report containing *inter alia* proposals on methods of future action in the matter.

49. In its resolution 3059 (XXVIII) on the question of torture and other cruel, inhuman or degrading treatment or punishment, the General Assembly had requested the Secretary-General to inform it, under the report of the Economic and Social Council, of the consideration which might have been given to that question by the Sub-Commission on Prevention of Discrimination and Protection of Minorities or by the Commission on Human Rights and other bodies concerned. The note by the Secretary-General (A/9767) contained all available information in that regard.

50. At its fifty-seventh session, when it had taken up the question of priorities in the economic, social and human rights fields, the Council had again stressed the need to strengthen the role of the United Nations in the field of world-wide co-operation for the promotion of human rights. In its resolution 1910 (LVII), it requested the Secretary-General to prepare his draft programme budget and medium-term plan in such a way as to permit the General Assembly to deploy the resources allocated to the realization of the major objectives of the United Nations, which explicitly included the promotion of human rights, taking into account the desirability of ensuring a meaningful element of real growth in programmes which were particularly responsive to those objectives.

51. Lastly, in approving the calendar of conferences and meetings for 1975 and taking note of the provisional calendar for 1976 by its decision 52 (LVII), the Council had maintained its practice of alternating between New York and Geneva for the sessions of the Commission on Human Rights and its subsidiary bodies, including the Sub-Commission, an arrangement whose usefulness had been recognized by the delegations.

52. The CHAIRMAN suggested that the Committee should take up in the following order those parts of the Council's report which were not dealt with in separate items of the Committee's agenda: chapter V, section C; chapter V, sections D, E and A.2; chapter V, section B; chapter IV, section J; chapter VI, sections A.1-5 and 7; chapter VII; chapter VI, section E.

It was so decided.

The meeting rose at 5.10 p.m.

³ E/CN.4/1108 and Add.1-10 and E/CN.4/1131 and Corr.1.

⁴ E/CN.4/1086, E/CN.4/1134.

2063rd meeting

Friday, 11 October 1974, at 10.50 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2063

In the absence of the Chairman, Miss Dubra (Uruguay), Vice-Chairman, took the Chair.

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9733, A/9764, A/9767, A/9785)

1. The CHAIRMAN invited members of the Committee to speak on the section of the report of the Economic and Social Council dealing with human rights questions (A/9603, chap. V, sect. C).

2. Mr. WIGGINS (United States of America) asked how the Committee would discuss the rather broad item before it; would it discuss only the report of the Commission on Human Rights on its thirtieth session,¹ dealt with in

¹ *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5.*

chapter V, section C.2 of the report of the Economic and Social Council, or would it discuss the report as a whole?

3. The CHAIRMAN said that she would prefer to follow the order of work decided on at the previous meeting as far as possible.

4. Miss CAO-PINNA (Italy) asked whether the Committee would begin by considering the question of human rights as such or would first discuss any draft resolutions which it might have before it at the next meeting and then go on to a more general discussion.

5. The CHAIRMAN said that it was too early to say how the Committee would deal with the item, as so far no draft resolutions had been submitted and no members had asked to speak. However, it was the Committee's practice when taking up an item to make general statements and to discuss any draft resolutions at the same time. She urged those members who wished to speak to inscribe their names on the list as soon as possible.

The meeting rose at 11 a.m.

2064th meeting

Monday, 14 October 1974, at 10.55 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2064

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2106)

1. The CHAIRMAN recalled that the Committee had before it a note by the Secretary-General on the question of torture and other cruel, inhuman or degrading treatment or punishment (A/9767), prepared in accordance with General Assembly resolution 3059 (XXVIII) which had requested the Secretary-General to inform it of the consideration which might have been given to the question, under the report of the Economic and Social Council. She noted that the Committee had before it a draft resolution on the question (A/C.3/L.2106) and announced that the representatives of Australia, Belgium and Japan had become sponsors of the draft.

2. Mr. SPEEKENBRINK (Netherlands) said that his delegation wished to facilitate the progress of the Committee's work by introducing at the current stage draft resolution A/C.3/L.2106, of which it was a sponsor. It reserved the right to make general observations at a later stage on chapter V of the report of the Economic and Social Council.

3. Article 5 of the Universal Declaration of Human Rights stated that no one should be subjected to torture or to cruel, inhuman or degrading treatment or punishment. That article should be the point of departure for any consideration of the problem at hand, which was of increasingly grave concern, as reflected in General Assembly resolution 3059 (XXVIII), paragraph 1 of which rejected any form of torture and other cruel, inhuman or degrading treatment or punishment. The practice of torture seemed to be slowly but gradually spreading, while the defences against it in the modern world were weakening.

4. In any discussion on torture, several distinctions should be kept clearly in mind. Torture practised by one individual

against another was reprehensible in itself, but was only remotely related to the practice of torture as a systematic State policy carried out by individuals under orders from higher authorities. It was that later form of torture in particular which should be totally eradicated. Moreover, torture could take the form of psychological as well as physical ill-treatment, intended to break an individual's mind as well as his physical resistance. His delegation was aware of the difficulty caused by the fact that something which everyone knew to exist and wished to eliminate could not be comprehensively defined. In the circumstances, efforts to eliminate the practice of torture could follow two approaches. One approach would be an absolute prohibition, as envisaged in article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights (see General Assembly resolution 2200 A (XXI), annex) complemented by denunciations once it had been clearly established that torture had been used for any reason whatsoever. The second approach would be to attempt to provide remedies for, and strengthen the defences of, those unfortunate individuals who found themselves to be the victims of that inhuman practice.

5. The draft resolution before the Committee (A/C.3/L.2106) was based on the second approach. The sponsors believed that the strengthening of the rules governing the conduct of those exercising authority over the detainee would be a first step towards providing effective remedies and protection for the victims of torture. The main purpose of the draft resolution was to assist the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1975, to come to grips with the problem of torture.

6. The first two operative paragraphs of the draft resolution designed to provide the Congress with information concerning the safeguarding of persons within the legal jurisdiction of Member States from torture or other cruel, inhuman or degrading treatment or punishment. The Member States were also requested to make observations on the most relevant articles of the draft principles on freedom from arbitrary arrest and detention submitted to the Commission on Human Rights at its eighteenth session. The sponsors realized that the draft principles, which had been prepared in 1962, had subsequently been revised in the light of observations received from Governments. Nevertheless, in view of the lapse of time since then, it would be appropriate to solicit once more the observations of Member States on the most pertinent articles. In order to facilitate the work of the Committee, the sponsors wished to request the Secretariat to circulate in the form of a conference room paper¹ the revised text of the articles in question and to make available, if possible, copies of the *Study of the Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile*,² in which the draft principles were contained.

7. Operative paragraph 3 called for urgent attention to be given to the question of the development of an international code of ethics for police and related law enforce-

ment agencies, from which the sponsors did not exclude the armed forces in so far as they were concerned with the safeguarding of internal security. In that connexion, the Congress would be greatly assisted by the excellent work already done by the Committee on Crime Prevention and Control. The draft resolution, in operative paragraph 5, further requested WHO and other competent organizations, including UNESCO, to give the benefit of their specialized knowledge to the Congress by drawing up an outline of the principles of medical ethics which might be relevant to the protection of persons subjected to any form of detention or imprisonment against torture and other forms of cruel, inhuman or degrading treatment or punishment. The sponsors believed that there were principles of ethics governing the physical and mental care of individuals kept in confinement which should be observed by all those involved in the process of detention. The participation of the organizations most qualified to provide the necessary information and suggestions in that regard was not only desirable but necessary.

8. It was the belief of the sponsors that the Standard Minimum Rules for the Treatment of Prisoners,³ an authoritative set of rules which had stood the test of time and had gained increasing recognition among Member States and United Nations organs, should be expanded and strengthened. That belief had been reflected in the views expressed by a number of the expert members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its twenty-seventh session. The strengthening of the Standard Minimum Rules would provide the victim of torture with an objective instrument to which he could refer in any attempt to ensure that he was accorded equitable treatment. Those responsible for the care of the detainee would also be provided with that same objective instrument. They were often persons acting on instructions from higher authorities and could find themselves in a difficult psychological and moral position when it came to executing those orders. Being in possession of the Standard Minimum Rules would help them solve the problems with which they are often faced because of the actions and instructions of higher authorities.

9. His delegation expressed the hope that the draft resolution would be adopted unanimously by the Committee.

10. Mr. NOTHOMB (Belgium) recalled that the Minister for Foreign Affairs of Belgium, in a statement to the 2244th plenary meeting of the General Assembly, had said that recently public opinion in Belgium, like the Belgian Government, had been deeply disturbed by various reports showing the increase throughout the world of cases of torture and ill-treatment inflicted on persons held in detention. The Minister had further stated that the Belgian delegation would firmly support all initiatives the Assembly might take in denouncing and proscribing such practices.

11. Despite the adoption by the General Assembly of resolution 3059 (XXVIII) on the question of torture and other cruel, inhuman or degrading treatment or punish-

¹ Document A/C.3/XXIX/CRP.1, which was circulated at the next meeting.

² United Nations publication, Sales No. 65.XIV.2.

³ *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

ment, the situation in that sphere had not improved. Indeed, torture, which one thought of as characteristic of the Middle Ages, was now more than ever a matter of grave concern, as the Sub-Commission on Prevention of Discrimination and Protection of Minorities had pointed out at its twenty-seventh session.

12. His delegation welcomed the draft resolution in document A/C.3/L.2106. It was pleased that the draft entrusted an important task to the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in which Belgium placed great hope. The draft resolution had the considerable merit of requesting WHO to draft, in close co-operation with other competent organizations, including UNESCO, an outline of the principles of medical ethics which might be relevant to the protection of detainees against torture and other cruel, inhuman or degrading treatment or punishment. In that connexion, his delegation wished to state formally that it considered that the phrase "in close co-operation with such other competent organizations . . . as may be appropriate" in operative paragraph 5 of the draft resolution should be construed as implying the possibility of participation by the International Committee of the Red Cross; the Committee had incomparable experience in that field and between 1969 and 1972 it had co-operated in preparing those provisions of the Draft Additional Protocols to the Geneva Conventions of 1949 which dealt with the treatment of prisoners and the protection of medical personnel.

13. Mr. VON STAUFFENBERG (Federal Republic of Germany) said that his country attached particular importance to the problems of human rights dealt with in chapter V, section C, of the report of the Economic and Social Council (A/9603). Those problems should constitute a central aspect of the work of the United Nations. The Minister for Foreign Affairs of the Federal Republic of Germany, in his statement to the 2239th plenary meeting of the General Assembly, had pledged that, as a new member of the Commission on Human Rights, the Federal Republic would co-operate responsibly in that body's efforts to safeguard human rights.

14. With regard to the action taken by the Economic and Social Council on the report of the Commission on Human Rights on its thirtieth session,⁴ his delegation welcomed Council decision 15 (LVI), which authorized the Commission to establish a working group composed of five members to study situations which revealed a consistent pattern of gross violations of human rights. It was convinced that the working group would be able to do useful preparatory work for the Commission.

15. The numerous communications received by the Division of Human Rights regarding specific violations of the human rights of individuals and groups and the information obtained from non-governmental organizations and through the mass media confirmed that one of the most serious and widespread forms of ill-treatment of human beings at the present day continued to be the application of torture, in particular with regard to political prisoners and political opponents. The consideration of individual cases by United Nations bodies was certainly one important

aspect of the struggle against such practices, but it was now time to adopt a more general and fundamental approach in order to combat and eradicate the widespread use of torture.

16. Torture was currently practised in different forms and in different degrees. If it was to be successfully combated, world public opinion must be mobilized and the United Nations must find a convincing answer to that challenge to one of the most elementary principles of the Charter, the Universal Declaration of Human Rights and the International Covenants on Human Rights. His delegation appreciated resolution 7 (XXVIII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (A/9767, annex I), but felt that merely improving the machinery of the United Nations for the review of allegations of violations of human rights would not be sufficient to protect individuals against torture and other forms of cruel, inhuman and degrading treatment. It should also be borne in mind that the most effective action could and should be taken at the national level. Such actions should be directed towards providing for penal sanctions and for legal and administrative safeguards to deter the use of torture. The problem was political as well as legal in character. Where public authorities considered themselves to be above the law and where there existed no respect for the rule of law, there would be the temptation to resort to extreme measures. The United Nations itself could not bring about the abolition of torture but it could help create an awareness among Governments throughout the world of the need for action in that field.

17. His delegation particularly welcomed resolution 1865 (LVI), by which the Economic and Social Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to study the historical and current development of the right of peoples to self-determination. The universal realization of that right in Africa and in all other parts of the world was considered by the Federal Republic of Germany to be a key principle for the achievement of both national and international order. Its application constituted an essential prerequisite for the full enjoyment of other human rights and fundamental freedoms. Universal application of the right to self-determination would also enhance its validity and significance for the future development of the situation in Germany. He recalled in that connexion the statement by the Minister for Foreign Affairs of the Federal Republic of Germany, in his address to the General Assembly, that the existing division could not be accepted as history's final dictum on the German nation, a dictum which would be spoken by the German people themselves. The Minister had gone on to say that the Federal Government was continuing its policy of working for a state of peace in Europe in which the German people would regain its unity in free self-determination. The Federal Republic of Germany deplored the use of force except in self-defence. In accordance with the relevant provisions of the Charter, the two International Covenants on Human Rights and the principles of general international law, it would continue to uphold the fundamental right of the German people to exercise freely and peacefully its right to self-determination. What had grown historically could not be artificially divided and forever cut into pieces by short-range considerations of power politics and ideology.

⁴ *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5.*

18. His delegation believed that human rights had to be defended constantly and universally, and that the right balance must be found between respect for national sovereignty, on the one hand, and the need to promote and protect fundamental human rights, on the other. The two International Covenants on Human Rights—one of which had already been ratified by the Federal Republic—were complementary, and the interrelationship between the two categories of rights with which they dealt should be borne in mind in any effort to protect and promote human rights. A human being could not fully appreciate the value of individual freedom if he suffered from hunger; nor could he appreciate the value of material well-being if he was subjected to torture or otherwise deprived of his human dignity.

19. Concerted action was constantly required at both the national and the international levels. In Europe, for example, it should be borne in mind that certain fundamental problems of human rights have not yet been solved. Freedom from arbitrary treatment, freedom to move about within one's own country and to leave it and return to it, freedom of information and even the basic right of life were not fully secured everywhere in Europe. For that reason, among others, the Federal Republic of Germany attached great importance to the Geneva Conference on Security and Co-operation in Europe. A lasting state of peace in Europe, in order to be genuine, must have the support of the peoples concerned, and required the recognition and guarantee of fundamental human rights.

20. Mrs. SHAHANI (Philippines) said that her delegation was pleased to co-sponsor draft resolution A/C.3/L.2016. She recalled that in 1956 the Commission on Human Rights, at its twelfth session, had recognized the need for studies of specific rights and groups of rights and that it had decided first to study the right of everyone to be free from arbitrary arrest, detention and exile.⁵ A member of the Philippine delegation had served as Chairman and as Rapporteur on the Committee established by the Commission to study that subject. The fifth preambular paragraph of draft resolution A/C.3/L.2016 took note of the draft principles elaborated by that Committee. She further recalled that in 1961, at its seventeenth session, the Commission on Human Rights, in resolution 2 (XVIII),⁶ had requested the Committee to undertake a new separate study on the right of arrested persons to communicate with those whom it was necessary for them to consult in order to ensure their defence or to protect their essential interests. The draft resolution before the Committee therefore formed part of the long and determined effort by the Commission on Human Rights, the Economic and Social Council and the General Assembly to ensure the legal protection of human rights in criminal law and procedure.

21. In 1958 the Philippine Government had sponsored a seminar in Baguio City on the protection of human rights in criminal law and procedure.⁷ It realized that peace and order were essential to development, for without them economic growth would be stunted and there would be an unfavourable climate for business activities. At the same

time it recognized that the prevention of inhuman treatment of prisoners and the maintenance of peace and order were complementary. In its efforts to promote the observance of human rights and fundamental freedoms, it had introduced in the previous year important penal and police reforms.

22. Mr. STÅHL (Sweden) said that while the question under consideration had been discussed in the United Nations for some time, General Assembly resolution 3059 (XXVIII) could be considered a milestone in the fight against torture because it was the first resolution dealing exclusively with the subject. His delegation was, of course, fully aware of the limitations of a resolution, even when it had been adopted unanimously, but it considered resolution 3059 (XXVIII) as a platform upon which efforts could be joined to combat the practice of torture. It was gratified to note that interest in the question seemed to have grown considerably as indicated by the conference on torture organized by Amnesty International and held in Paris in December 1973 and by the many references to the subject during the general debate at the current session of the General Assembly.

23. The question of torture had some very special aspects when compared to other problems of human rights. While the realization of human rights in general entailed the problem of differing interpretations of the Charter and the Universal Declaration of Human Rights, there could be no doubt about the common rejection and abhorrence of torture. Because of the strength of that common abhorrence, no country could ever admit to practising torture even if very strong evidence that it had done so was put forward, and that made it extremely difficult to come to grips with the problem. In contrast to the situation regarding capital punishment, about which Governments and individuals could openly maintain different views and on which Governments could be asked to submit information, it would be very difficult to collect information from Governments about the existence or practice of torture, or to obtain any official statistics on the subject. However, that did not mean that nothing could be done, individually or collectively, to solve the problem. It was the firm belief of his delegation that every Government wanted to do its utmost to ensure the rejection of torture. Draft resolution A/C.3/L.2016, which his delegation co-sponsored, was therefore of interest to all Governments.

24. The aim of the draft resolution was not to accuse any particular country or group of countries, as that would have been self-defeating, but to achieve progress in the formulation of principles and guidelines. As operative paragraphs 4 and 5 indicated, the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and the World Health Organization were considered suitable forums for the discussion and elaboration of such principles. The task which was to be given to them was an important one and the co-operation of all countries would be required if positive results were to be achieved. His delegation therefore stressed that the question should be considered as a separate item by the General Assembly, as decided in resolution 3059 (XXVIII), and proposed that it should be taken up at the General Assembly's thirtieth session. By then Governments would have had ample time to consider how they could contribute to a joint effort.

⁵ *Ibid.*, Twenty-second Session, Supplement No. 3, annex I.

⁶ *Ibid.*, Thirty-second Session, Supplement No. 8, chap. III.

⁷ For the report see ST/TAA/HR/2.

25. Mrs. WATANABE (Japan) said that in co-sponsoring the draft resolution, her delegation noted with satisfaction that the question of torture and other cruel, inhuman or degrading treatment or punishment was viewed from a humanitarian point of view and that no reference was made to specific instances or regions. The Japanese Constitution, in articles 36 and 38, prohibited the practice of torture. Her delegation's support for the draft resolution was based on the same spirit as that which was reflected in the Japanese Constitution, and was motivated by the hope that the text would provide a strong incentive to the rejection of torture and other cruel, inhuman or degrading treatment or punishment.

26. Mrs. CAO-PINNA (Italy) said that her delegation was particularly pleased that high priority had been given in the Committee's agenda to the consideration of the report of the Economic and Social Council. The report, which was always one of the first items on the General Assembly's agenda, had in previous years been relegated to the end of the Third Committee's agenda, thus limiting the opportunities for in-depth consideration of questions dealt with in the report which were not inscribed as separate items. New and important problems and situations often arose, and some problems sometimes became more acute in the period between the end of the Economic and Social Council's summer session and the beginning of the General Assembly's plenary session, and there were often important developments in United Nations action during that period. Her delegation therefore hoped that the wise decision taken that year on the order of consideration of agenda items would be confirmed in subsequent years.

27. A further improvement in the organization of the Committee's work could be achieved if an account of deliberations of bodies which met after the summer session of the Economic and Social Council could be provided to the Committee in a short annex to the Council's report. That applied particularly to the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Committee on Crime Prevention and Control, whose decisions normally reached the General Assembly long after they had been taken. It was true that at the current session resolutions 7 (XXVII) and 8 (XXVII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities had been made available to the Committee in a note by the Secretary-General (A/9767), but that had been specifically requested in General Assembly resolution 3059 (XXVIII). Her suggestion referred to all the deliberations of bodies which met during the summer and she would welcome comments from other members of the Committee and from the Secretariat.

28. The success of the United Nations in the establishment of principles, standards and norms for the protection of human rights was widely recognized. The various declarations and conventions had been elaborated and adopted in a relatively short time, considering the difficulties involved in establishing norms to be applied in a diverse international community. The International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) and the International Covenants on Human Rights (General Assembly resolution 2200 A (XXI), annex) were particularly important because they not only established common norms to

be respected by States within their national territories but also provided for procedures of international control of the implementation of those norms.

29. However, the achievements of the United Nations in the implementation of international instruments and in fact-finding activities on the one hand and with respect to the over-all situation of human rights on the other could not be assessed so favourably. Implementation was limited and slow to develop and in some areas and for some rights had so far been ineffective; racial discrimination was a case in point. It was a source of increasing concern that gross violations of human rights continued to be reported. The world economic situation, which was already hampering further progress in the recognition of economic, social and cultural rights, particularly in the developing countries, was giving rise to new concerns.

30. Experience had shown that when States were asked to comment on reported violations of human rights in their territories, three attitudes were taken: the reported violations were simply denied; the principle of non-interference in matters within the domestic jurisdiction of States was invoked; or the temporary character of the deprivation of certain basic rights was claimed as a justification. Meanwhile, there were growing reports of gross violations of human rights in various parts of the world. It would be difficult to determine to what extent that was a sign of a critical deterioration in the over-all situation of human rights and to what extent it indicated a more alert and sensitive public opinion. But as far as the most inhuman violations of human rights were concerned, the amount of available information was so large and the reliability of its sources so widely recognized that there was reason to believe that the international community was now experiencing an alarming deterioration of the situation. That provoked strong reactions in public opinion, as could be seen in the repeated references to the subject at the current session during the general debate at plenary meetings. She was referring in particular to the right affirmed in article 5 of the Universal Declaration of Human Rights, and the use of the words "no one" in that article could only mean that any human being, whatever his status, and whatever the circumstances, had the right to be humanely treated. It also meant that neither the sovereignty of States nor the public interest could be accepted as justification for maltreatment of human beings. Inhuman treatment could occur in many situations, but it was in cases of detention or imprisonment that it was likely to reach the intolerable degree of torture and to occur more frequently because prisoners were undefended. That was indicated in recent reports on cases of torture and other inhuman treatment of political prisoners. In those circumstances, the consideration given to the matter by various United Nations bodies and in particular by the Sub-Commission on Prevention of Discrimination and Protection of Minorities was timely. Draft resolution A/C.3/L.2106 was also timely, and her delegation supported it because it dealt in general terms with an urgent problem which arose in various parts of the world and because it ensured continuity in United Nations action with respect to the administration of justice. She recalled that her delegation had undertaken initiatives under resolution 3144 (XXVIII), which was mentioned in the sixth preambular paragraph of the draft resolution.

31. Turning to consideration of the action to be taken by the United Nations to put an end to gross violations of human rights, she expressed her delegation's support of the views expressed in section XI of the Introduction to the Report of the Secretary-General on the Work of the Organization (A/9601/Add.1), concerning the efforts which should be made to ensure the protection and advancement of human rights. The means available to the United Nations for the implementation of principles and norms were certainly inadequate, considering the harsh realities of the world; only the Committee on the Elimination of Racial Discrimination operated on a permanent basis. The establishment of *ad hoc* bodies to study specific situations seemed to contribute more to the collection and dissemination of new information and the mobilization of public opinion than to the solution of particular problems. Three courses of action should be taken to strengthen the role of the United Nations. There should be early consideration of alternative approaches and ways and means of strengthening the role of the United Nations, as provided for in

General Assembly resolution 3136 (XXVIII); there should be full and speedy application of the procedures for dealing with communications, as established by Economic and Social Council resolution 1503 (XLVIII); and there should be wide utilization of reliably attested information from all sources, including non-governmental organizations, as indicated in resolution 7 (XXVII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (A/9767, annex I).

32. The first course of action would be followed at the thirtieth session of the General Assembly, and it should be carefully prepared by the Secretary-General. With regard to the second course of action, she drew attention to the statement in the introduction to the report of the Secretary-General concerning the value of a discreet approach to Governments on humanitarian grounds.

The meeting rose at 12.05 p.m.

2065th meeting

Tuesday, 15 October 1974, at 10.50 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2065

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2106-2108, A/C.3/XXIX/CRP.1)

1. The CHAIRMAN announced that Ecuador had become a sponsor of draft resolution A/C.3/L.2106.

2. Mr. LÜTEM (Secretary of the Committee) noted that the representative of the Netherlands, in introducing draft resolution A/C.3/L.2106, had, with a view to facilitating the work of the Committee, requested the Secretariat to circulate as a conference room paper the text of the draft principles on freedom from arbitrary arrest and detention, and to make available copies of the *Study on the Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile*.¹ Although the study, being out of print, could not be provided to the Committee, the Secretariat had been able to circulate the revised text of the draft principles in document A/C.3/XXIX/CRP.1 which reproduced the introduction and part I of a note² by the Secretary-General which had been before the Commission on Human Rights at its twenty-seventh session.

3. The CHAIRMAN drew attention to the draft resolution contained in document A/C.3/L.2107, concerning the

protection of human rights in Chile, and announced that Belgium had become a sponsor of that resolution.

4. Mr. ETUK (Nigeria), referring to the report of the Secretary-General (A/9733), expressed his delegation's sympathy with the people of the drought-stricken areas of Ethiopia and the Sudano-Sahelian region. The drought in that region had affected four of Nigeria's states badly but through the concerted efforts of the Nigerian Government and of private citizens in the rest of the country its effects had been mitigated. It had therefore not been necessary for Nigeria to apply to the international community for assistance. However, in response to the United Nations appeal, the Nigerian Government had donated over \$4 million in cash to six countries of the Sudano-Sahelian region and had also donated food-stuffs at a total cost of \$1 million, excluding transportation. By 22 June 1974, over 22,000 tons of relief supplies from international organizations had been transported through Nigeria to the affected countries. The Nigerian Government had provided priority berthing, loading and storage facilities free of charge for all ships carrying relief supplies, had rendered assistance in the loading and unloading of relief consignments at airports and had made available road and rail transportation. In addition, the Nigerian Government had made donations directly to the relevant United Nations agencies.

5. The experience of the drought had highlighted the importance of pre-disaster planning and preparedness, as indicated in the report of the Secretary-General on assistance in cases of natural disaster and other disaster situations (A/9637). Prevention was better than cure, and there was a

¹ United Nations publication, Sales No. 65.XIV.2.

² E/CN.4/1044.

need to formulate a long-term programme making use of the science and technology at the disposal of the developed countries. His delegation therefore welcomed the recommendation contained in the report of the Advisory Committee on the Application of Science and Technology to Development entitled *The Role of Science and Technology in Reducing the Impact of Natural Disasters on Mankind*³ on the need to carry out scientific research into the causes of natural disasters. It also welcomed the fact that the Advisory Committee had proposed further action in the areas of tropical cyclones and floods and tropical storms. It suggested that the subject of drought should be added to the list of proposals for serious research so that there would be no repetition of the Sudano-Sahelian or Ethiopian disasters.

6. His delegation wished to congratulate the sponsors of Economic and Social Council resolutions 1841 (LVI) to 1847 (LVI) and reserved the right to comment on each of those resolutions at a later date.

7. His delegation welcomed the fact that the year 1975 had been designated International Women's Year (General Assembly resolution 3010 (XXVII)) in recognition of the importance of the contribution of women to the development of mankind. His delegation believed in human dignity and held that all human beings were equal under the law, that they were endowed with reason and conscience and that they possessed inalienable rights. It supported the Council's decision, in its resolution 1851 (LVI), to request the Secretary-General to convene an international conference at Bogotá in 1975, and urged Member States to contribute generously to the fund for the Year so that the Conference would be a success. It was pleased that those who had prepared the programme for International Women's Year, which appeared in the report of the Commission on the Status of Women on its twenty-fifth session,⁴ had adopted the theme of equality, peace and development, and it particularly wished to stress the importance of peace and development because it was convinced that they were essential to the achievement of equality. Women in Nigeria enjoyed the same conditions of service as men in the public as well as the private sectors. His delegation believed in equal development through education, and that could be achieved only in conditions of peace. It also welcomed the adoption of Economic and Social Council resolution 1856 (LVI). By means of communication, education and vocational training in industry and modern agricultural methods, women in rural areas could participate more effectively in the development of their countries. His delegation supported Economic and Social Council resolution 1857 (LVI) and hoped that International Women's Year would bring a significant change in the employment of women by the secretariats of organizations within the United Nations.

8. Mr. JANKOWITSCH (Austria) recalled that his delegation had been one of the sponsors of the text of General Assembly resolution 3059 (XXVIII), which had proved to be a major breakthrough in the handling within the framework of the United Nations of the sensitive issue of

torture and other cruel, inhuman or degrading treatment or punishment.

9. The large number of reports of political prisoners or other detainees being subjected to cruel treatment had caused growing concern among Governments, as reflected in statements made by responsible government officials at the current session of the General Assembly. At the present stage, only one course of action could be taken to combat that evil, namely, a joint effort to eradicate torture and all other cruel, inhuman or degrading treatment or punishment, wherever they occurred. His delegation considered that it would be one of the most positive achievements of the current session of the General Assembly if progress could be made towards that goal.

10. In his statement to the 2244th plenary meeting of the Assembly, the Austrian Minister for Foreign Affairs had reaffirmed his country's respect for human rights and its support for any action intended to promote them, as evidenced by its signature of the International Covenants on Human Rights on the twenty-fifth anniversary of the Universal Declaration of Human Rights. He had gone on to say that Austria was deeply disturbed to note the numerous cases of flagrant violations of human rights which continued to arise, particularly in the case of political prisoners, and that it therefore whole-heartedly endorsed all efforts undertaken within the United Nations to eliminate torture. It was accordingly a sponsor of draft resolution A/C.3/L.2106, which was intended to encompass the practice of torture in all its forms. In order to guarantee the broadest possible approach to the question, that text provided for the involvement of a number of United Nations bodies and specialized agencies. One of the major concerns of his delegation was dealt with in operative paragraph 6, which called for consideration of the question of torture and other cruel, inhuman or degrading treatment or punishment at the thirtieth session of the General Assembly. Such a provision was essential in order to ensure that the issue would not be lost sight of by the time the next session opened.

11. In conclusion, he expressed his delegation's hope that a consensus could be reached on the draft resolution under consideration, so as to stress the determination of the world community to eradicate torture and cruel, inhuman or degrading treatment, which were flagrant violations of the basic principles of the Charter.

12. Mrs. HEANEY (Ireland), referring to the Secretary-General's note in document A/9767, said that it was particularly useful to have up-to-date information on the resolutions of the Sub-Commission on Prevention of Discrimination and Protection of Minorities which were reproduced in annexes I and II of that document. In that connexion, her delegation supported the request made at the 2064th meeting by the representative of Italy that the text of decisions of bodies meeting subsequent to the summer session of the Economic and Social Council should be made available to the General Assembly. In a more general context, she observed that the timely presentation of relevant documentation by the Secretariat was essential to the efficiency of the Committee's work, and her delegation felt that a specific request to that effect should be made to the Secretariat, as had been done in General Assembly resolution 3059 (XXVIII).

³ United Nations publication, Sales No. E.72.II.A.8.

⁴ *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 4, annex V.*

13. In his address to the 2243rd plenary meeting of the General Assembly, the Minister for Foreign Affairs of Ireland had referred to the problem of torture and the necessity for the world community to deal with it. Torture and other cruel, inhuman or degrading treatment or punishment were prohibited by many international instruments, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Among the regional instruments which prohibited the use of torture were the Declaration of the citizen's rights in the Arab States and countries, the American Convention on Human Rights and the European Convention on Human Rights. In addition, the General Assembly, in its resolution 3059 (XXVIII), had categorically rejected any form of torture. However, despite those prohibitions, there was reliable evidence that the practice of torture was increasing in some countries. That trend was all the more disturbing in that in some regions torture had appeared to have become a thing of the past, and it had been customary to use the word "mediaeval" in speaking of torture, as though it were unthinkable in modern society.

14. The first reason, then, why the world community should concern itself with the question of torture was that the practice was becoming more widespread. The second was that it was to be found in all regions of the world and under all types of political systems, though not necessarily in all countries. It seemed to be an expression of a basic human deficiency which could emerge in any civilization or country, regardless of its level of development. A third reason for concern about the subject was the development of techniques of torture simultaneously with the development of modern technology. One of the most sinister aspects of the modern use of torture was that its use could be more effectively hidden because of the superior technology available.

15. The use of torture was not confined to Governments. Allegations of the practice of torture had been made against some insurgent movements, particularly in cases involving hostages. Whatever the difficulties of international control in such cases, the international community could at least take measures aimed at the eradication of malpractices by or on behalf of sovereign Governments. It mattered not whether such practices were used as punishment for criminal offenders or political enemies, as a means of terrorizing people and thereby controlling dissent, or as a means of obtaining information. The practice of torture was equally reprehensible in all cases.

16. A dilemma which frequently confronted the Committee was the harmonization of the right of a sovereign State to be free from outside interference in its internal affairs on the one hand and individual human rights on the other. It was significant, however, that while some of the international instruments that had been mentioned permitted derogations from certain basic rights in the event of an extreme threat to the internal order of a State, the right not to be subject to torture was one from which no derogation was permissible in any circumstances.

17. The sponsors of draft resolution A/C.3/L.2106 believed that legal rules and procedures which were strictly and universally applied could make a valuable contribution to the eradication of torture. It was essential that any

person who might be responsible for the practice of torture at any level, including those responsible for the security of the State and the interrogation of political suspects, should be, and should know themselves to be, subject to the law. Under the draft resolution, available legal safeguards and remedies would be explored with a view to improving them where necessary and developing new international standards where appropriate. Police and security forces and related medical personnel should be encouraged to formulate and abide by internationally accepted professional codes which would effectively prevent their becoming engaged in practices amounting to torture or to cruel, inhuman or degrading treatment or punishment. Such professional standards were all the more desirable since torture degraded not only the victim but also the perpetrator.

18. The draft resolution under consideration focused on some first steps to be taken to deal with the practice of torture, rather than on its underlying causes. To that extent, it might be said to be too modest in its objectives. However, her delegation felt that the immediate need was to assuage the sufferings of the victims of such practices, without prejudice to treatment of the underlying malaise which caused the problem. The draft was thus pragmatic in approach, and, in order to ensure its universal applicability, it avoided any censure of, or any implied interference with, any particular régime or political or social system under which torture might be practised, since to single out one or more specific situations would be to ignore others and to weaken the impact of the instrument.

19. Mr. FIRN (New Zealand) expressed his Government's concern at the increasing reports of the practice of torture and its desire for concerted action to put an end to that evil. Moreover, it attached particular importance to the formulation of standard rules for the treatment of prisoners, and considered the search for new remedies, or the strengthening of existing remedies, to be the best method of dealing with the problem. In conclusion, he announced that his delegation had become a sponsor of draft resolution A/C.3/L.2106.

20. Lady GAITSKELL (United Kingdom) said that, as a member of the Economic and Social Council, the United Kingdom had already had an opportunity of commenting on the human rights questions dealt with in chapter V, section C, of the report of the Economic and Social Council (A/9603). Her delegation therefore reserved its right to intervene subsequently concerning the item under consideration and proposed to concentrate at the current stage on the note by the Secretary-General on the question of torture and other cruel, inhuman or degrading treatment or punishment (A/9767).

21. In one respect that note was encouraging. The previous year, on the occasion of the twenty-fifth anniversary of the Universal Declaration of Human Rights, it had not been easy to decide which aspect of human rights should be singled out, and her delegation found it appropriate that the Committee had focused on torture, since science had made possible an increase in the degree and range of torture and intensified the violation of human rights. Her delegation was therefore pleased that, by its resolution 7 (XXVII), the Sub-Commission on Prevention of Discrimination and Protection of Minorities had decided annually to review the question of torture.

22. All members of the Committee were aware that torture existed throughout the world and was not just a twentieth-century phenomenon. From time immemorial Governments had practised torture on religious and political grounds to make their subjects conform and in order to assert their power. Individuals had used their force to elicit information and obtain confessions to justify their insane cruelties. Accordingly there was a need for co-operation to secure the universal prohibition of torture. However, the greatest obstacle to be overcome in order to attain that goal was the fact that the perpetrators of such crimes hid their action from the outside world, and their victims, who were secretly incarcerated on baseless charges, did not always survive to tell about their experiences. The main weapon and defence against such practices was an open society, where the Government itself was open and could be changed peacefully; where the executive was open to questioning and scrutiny from the legislature; where the police force and army were not answerable solely to themselves; where the Government was subject to the rule of law and its legal actions could be interpreted by an independent and impartial judiciary in the light of laws which were published and known, laws which respected the rights of individuals. Moreover, it was not possible to begin to reduce and eliminate the practice of torture without publicizing it, which was easily done in a society where there was freedom of information and movement. Therefore, journalists—both friendly and hostile—must have freedom of access to prisons and courts. International condemnation was but a palliative. In order to decrease the incidence of torture in the world, there was a need for international co-operation for purposes of scrutiny and exposure, and, in that connexion, perhaps the most practical approach would be to examine some of the conditions which led to acts of torture.

23. While her delegation whole-heartedly supported the draft resolution in document A/C.3/L.2106, it had slight misgivings about the proposed role of the Fifth United Nations Congress on the Prevention of Crime and Treatment of Offenders, the main purpose of which, as its title indicated, was the study of crime and criminals in the conventional sense. It was usually political prisoners and detainees who were subjected to torture, and they were not criminals in the ordinary sense of the word. Her delegation considered that it would be regrettable if the provisions of the draft resolution led to a politicizing of the Congress, since that would reduce its usefulness as a forum for exchanging ideas on the prevention of crime and the treatment of offenders. Nevertheless, it hoped that the Congress would heed the requests addressed to it in the draft resolution, without prejudice to its principal tasks.

24. Mr. GRAEFRATH (German Democratic Republic) said that his delegation welcomed the Committee's decision to devote a substantial amount of time to consideration of the report of the Economic and Social Council. The part dealing with the report of the Commission on Human Rights (A/9603, chap. V, sect. C.2) referred to a number of very important resolutions, some of which deserved comment at the current stage. Council resolution 1867 (LVI) on the question of the realization of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights was based on the

extensive study by the Special Rapporteur of the Commission on Human Rights, Mr. Ganji, whose report⁵ was a compilation of very important material on that subject. His delegation had been impressed by the abundance of facts and ideas contained in the report, and welcomed the proposal that the Commission on Human Rights should regularly deal with the subject at each of its sessions. That proposal should be taken into account in the context of the long-term planning of the Commission's work.

25. A second resolution to which his delegation attached particular importance was Council resolution 1864 (LVI), paragraph 1 of which expressed the view that the States giving assistance to the racist and colonial régimes in southern Africa were accomplices of those régimes in respect of their criminal policies of racial discrimination, *apartheid* and colonialism. That statement marked an important step forward. It established the international responsibility of those Powers which paid lip-service to the right of peoples to self-determination while financing the actions of those who suppressed that right. The German Democratic Republic had shown its support for the principle of self-determination in deeds as well as in words. As in the past, it would continue to work energetically for the implementation of the right to self-determination of oppressed peoples. His country maintained no relations whatsoever with South Africa or Rhodesia and supported and would continue to support the liberation movements of all peoples fighting for their independence. That support was based on the fact that the right to self-determination had been realized in the German Democratic Republic. The German Democratic Republic resolutely opposed any attempt to invoke the right to self-determination as a means of changing frontiers in Europe.

26. He recalled that Hitler's party programme had claimed the right to self-determination for all Germans. The German imperialists had derived from that their slogan "*Alle Deutschen heim ins Reich*" (All Germans United in the Reich). That had at first been claimed as peaceful change. Self-determination had been used as a pretext for the annexation of Austria and of Czech territories, followed by the annexation of Polish territories and Alsace-Lorraine and leading to the outbreak of the Second World War. The German Democratic Republic, having emerged from the struggle against German imperialism, would not allow that claim to be misused again in that way. Any attempt to use the right to self-determination as an instrument against the sovereignty and territorial integrity of other States was inconsistent with the right itself, which was one of the basic principles of contemporary international law.

27. He noted in that connexion that Article 55 of the Charter of the United Nations expressly called for the promotion of universal respect for, and observance of, human rights and fundamental freedoms with a view to the creation of conditions of stability and well-being which were necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination. His delegation believed that it was not helpful to the oppressed peoples to raise questions in the United Nations which diverted attention from the

⁵ E/CN.4/1108 and Add.1-10 and E/CN.4/1131 and Corr.1.

fundamental problems of the struggle for self-determination. It was essential to mobilize the full potential of the United Nations to ensure the observance of all its resolutions concerning the right of peoples to self-determination and to eliminate once and for all every form of imperialist colonial rule.

28. As could be seen from the report of the Economic and Social Council, both the Commission on Human Rights at its thirtieth session and the Council at its fifty-sixth session had dealt in detail with the violation of basic human rights in Chile. In its resolution 1873 (LVI) the Council had expressed serious concern about the reported violations of human rights in Chile, particularly those involving a threat to human life and liberty, as well as concern for the protection of persons whose lives were in imminent danger. That resolution had called upon the Government of Chile to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms in Chile. The German Democratic Republic had supported that resolution and had on many other occasions protested against the inhuman acts of terror of the military junta in Chile. In his statement to the 2243rd plenary meeting of the General Assembly, the Acting Minister for Foreign Affairs of the German Democratic Republic had observed that the military junta in Chile was continuing the cruel suppression, torture and assassination of patriots, in brutal violation of human rights, and that its actions created a dangerous source of tension in Latin America and challenged international public opinion as a whole; he had further suggested that the twenty-ninth session should vigorously demand the restoration of human rights and democratic freedoms in Chile.

29. The continued systematic and massive violations of human rights in Chile had given rise to protests by many international organizations, States and individuals. At its fifty-ninth session, the International Labour Conference had by its resolution X⁶ expressed its deep concern at the gravity of the situation in Chile with regard to the arrest, execution and deportation of trade unionists, violation of human and democratic rights, dissolutions of trade union organizations and restrictions on the right to organize and to collective bargaining. The Conference had urged the Chilean authorities, *inter alia*, to cease violations of human rights and trade union rights; to close down the concentration camps in which workers and trade union leaders were interned for political reasons; to repeal the repressive legislation passed since 11 September 1973, so that the Chilean workers could fully enjoy democratic liberties and trade union rights; and to put an end to the torturing of trade union militants and leaders and punish those responsible for such inhuman activities.

30. In view of the fact that, despite such protests, the wave of terror was continuing in Chile, the International Commission of Enquiry into the Crimes of the Military Junta in Chile had adopted a statement in August 1974 which noted that many leaders of political parties had been subjected to arbitrary arrest for more than 10 months and that torture and other acts of violence had resulted in the death or complete physical breakdown of many prisoners.

⁶ International Labour Office, *Official Bulletin*, vol. LVII, No. 1, 1974, p. 40.

The International Commission had expressed the demand of world public opinion that the political terror should be ended in Chile, and called on the military junta, *inter alia*, to repeal all death sentences that had been passed, to release unconditionally all political prisoners, to end the state of emergency and the state of war, which were inconsistent with the Constitution, to cease making arbitrary and unjustified arrests and to ensure humane treatment for all political prisoners.

31. The most recent statements of the junta had confirmed that there existed a particularly great danger to the lives and health of the leaders of the Unidad Popular who were being detained arbitrarily. His delegation associated itself with the many demands that had been made for the release of Luis Corvalán, Clodomiro Almeyda and other Chilean patriots.

32. In view of the continued systematic and massive violations of human rights in Chile, which constituted a grave breach of the purposes and principles of the Charter of the United Nations, it was necessary for the General Assembly to join in the world-wide demand for the restoration of basic democratic rights in Chile, and to insist on the immediate release of political prisoners, especially the leaders of Unidad Popular.

33. Mr. LEHTIHET (Algeria), introducing draft resolution A/C.3/L.2108, concerning respect for human rights in Chile, recalled that the Third Committee had a long tradition of struggle in defence of human rights, that it had repeatedly drawn the attention of the international community to violations of human rights and, where appropriate, had drawn up programmes of action on that subject.

34. The sponsors of the draft resolution were grateful for the remarkable work accomplished by the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Economic and Social Council, the ILO and UNESCO. The preamble to the draft resolution reiterated the concern expressed by those bodies at the alarming situation prevailing in Chile. He wished to make it clear that the draft resolution had been inspired by essentially humanitarian concerns. The sponsors had been guided by the purposes and principles of the Charter of the United Nations, which reaffirmed faith in fundamental human rights and in the dignity and worth of the human person. The language of the draft resolution seemed much stronger than that of document A/C.3/L.2107, but it should be borne in mind that it merely repeated the views already expressed by such bodies as the Commission on Human Rights with regard to the situation in Chile.

35. The sole purpose of the draft resolution was to alleviate human suffering and ensure that human rights were safeguarded in Chile in accordance with the principles of the Charter. The sponsors would welcome suggestions for improvement of the text and were confident that it would be adopted by a broad majority.

36. Mr. TRAVERT (France) said that, in the context of the consideration of that part of the Economic and Social Council's report which dealt with the report of the Commission on Human Rights (A/9603, chap. V, sect. C.2),

his delegation wished to clarify the most recent measures taken by the French Government on behalf of migrant workers.

37. The policy currently followed by his Government in that regard was designed to achieve three main objectives: in the first place, to strengthen efforts to combat clandestine immigration and illicit and clandestine trafficking in manpower by providing for more severe punishment of offenders; secondly, to persuade businesses to make greater contributions to the national immigration office; and lastly, to facilitate the adjustment of immigrants by providing for more generalized language courses and stepping up the construction of housing. It was also intended to make it easier for migrant workers to play a greater role in the activities of the businesses for which they worked.

38. In that connexion, he pointed out that the President of the French Republic, in a statement made on 10 October 1974, had declared his intention to follow personally the implementation of the programme aimed at improving the living conditions and promoting the cultural and social protection of migrant workers which had recently been adopted by the Government.

39. Mrs. CHOUDHURY (Bangladesh) said the fact that Bangladesh was a sponsor of draft resolution A/C.3/L.2106 was an indication of the importance her delegation attached to the subject-matter of the draft resolution. The prevention or elimination of the abominable practice of torture was not only a matter of grave concern to the world community, but constituted an integral part of its endeavour to secure and preserve the fundamental human rights of all people.

40. Torture and other forms of coercion could be successfully eliminated only when all peoples were guaranteed their fundamental political and civil rights. The Government and people of Bangladesh were unswervingly committed to upholding those rights and considered it their sacred obligation to humanity to raise their voice in favour of the common fight against oppression and torture.

41. Her delegation hoped that the draft resolution would obtain the unanimous and unequivocal support of the Committee.

42. Mr. ARÍZAGA (Ecuador) expressed regret that he had been unable to take part in the debate on the question concerning the elimination of racism and racial discrimination (item 53). He was convinced that the Committee would redouble its efforts to decapitate the hydra of racial discrimination and *apartheid*.

43. His delegation supported draft resolution A/C.3/L.2106 and hoped that it would be adopted unanimously.

44. Mr. POEDJIOETOMO (Indonesia) recalled that his delegation had been one of the sponsors of the texts adopted as General Assembly resolutions 3153 (XXVIII) and 3054 (XXVIII) on measures to be taken for the benefit of the Sudano-Sahelian region. Indonesia was doing all it could to assist in the implementation of those resolutions, and it had made a contribution to the FAO Sahelian Zone Trust Fund. Despite all the measures that had been taken,

the drought was still causing hardship and had spread into parts of Ethiopia; Economic and Social Council resolution 1878 (LVII) had been adopted in that connexion. His delegation was requesting the General Assembly to consider setting up machinery for natural disaster preparedness and for the storage of emergency stockpiles near disaster-prone regions.

45. It was commendable that the United Nations had established working relations with some of the specialized agencies and had undertaken joint projects with them, and that it had provided experts to advise Governments on disaster preparedness and to train personnel, although personnel were of no use if there were no supplies. However, most of the disaster-prone areas were located in Latin America, South-East Asia and parts of Africa where the majority of countries were in a developing stage and were not rich enough to pay for the services of experts or to implement their suggestions on the protection of the country from the most harmful effects of natural disasters. Once a natural disaster struck, the damage it caused jeopardized the whole economy of a nation. His delegation hoped that in the foreseeable future the United Nations would be more responsive and efficient in reacting and in mobilizing personnel, supplies and other materials before, during and after natural disasters in order to assist victims and to reduce hardship and damage by immediately implementing natural disaster preparedness programmes.

46. Mr. AL-QAYSI (Iraq) recalled that General Assembly resolution 3059 (XXVIII) on the question of torture had been a product of compromise by all concerned. However, the title of draft resolution A/C.3/L.2106 did not correspond to the wording adopted for the item by the Assembly, as the words "in relation to detention and imprisonment" in paragraph 4 of resolution 3059 (XXVIII) had been omitted. The phrase had formed part of the compromise worked out in the previous session, and it was clear from various references in the draft resolution and from its objectives that the context of torture was that of criminal law particularly in relation to detention and imprisonment. The omission should therefore be rectified.

47. He hoped that members of the Committee would be realistic about the question of torture. He pointed out that in countries with a codified system of laws judicial decisions had less prominence than in other countries so that there was no adequate source for the type of information sought in operative paragraph 1 (a). That problem had been encountered in all United Nations bodies when Member States had been requested to submit information on administrative, judicial and legislative measures.

48. There was a discrepancy between operative paragraphs 1 and 2; in operative paragraph 1 Member States were requested to furnish information for submission to both the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and the General Assembly at its thirtieth session, while in operative paragraph 2 an analytical summary of the information received under paragraph 1 (a) and (b) was to be submitted only to the Congress and not to the General Assembly. The wording of operative paragraph 4 should be changed, as it presumably referred to the updating of the Standard Minimum Rules to include provisions pertaining to torture, the Standard

Minimum Rules for the Treatment of Prisoners⁷ themselves having already been elaborated. In operative paragraphs 4 and 5 the phrase “with the view to” should be changed to “with a view to”.

49. He had noted that none of the members who had spoken on the question of torture had defined the term, although the representative of the Netherlands had suggested a dual approach to the definition of torture. Although the Committee was not required to define the

concept of torture, it should bear in mind that at some stage the Congress on the Prevention of Crime and the Treatment of Offenders would have to work out a definition, as otherwise it would be unable to work out rules for the prevention of torture, and, moreover, the concept would be subjected to varying interpretations which would undercut the effectiveness of any preventive measures.

50. His delegation supported draft resolution A/C.3/L.2106, but hoped that its comments would be taken into account.

⁷ *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

The meeting rose at 11.35 a.m.

2066th meeting

Tuesday, 15 October 1974, at 3.15 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2066

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2106-2108, A/C.3/XXIX/CRP.1)

1. Mr. SPEEKENBRINK (Netherlands) said that his delegation was not fully satisfied with the results of the thirtieth session of the Commission on Human Rights. That session had focused largely on questions of procedure, and the Commission had not really come to grips with the substance of many of the questions concerning human rights which had been before it. Procedural decisions were certainly useful, but frequent resort to procedural debates was an indication of a deep divergence of opinions and interests among Member States with regard to human rights; it was the lowest common denominator, a convenient solution to which Member States resorted when their views were too widely divergent and they were unable or unwilling to deal with problems of substance. That was the case with two questions which his delegation would like to see dealt with: the question of human rights and scientific and technological developments, and the draft Declaration on the Elimination of All Forms of Religious Intolerance. His delegation hoped that the Committee, when it came to discuss those questions, in its consideration of agenda items 56 and 54, would not shirk its responsibility and would examine them substantively.

2. However, certain procedural decisions of the Commission on Human Rights—which had been adopted by the Economic and Social Council at its fifty-sixth session—related in fact to substantive questions; that was true, *inter alia*, of decisions concerning the various aspects of the right to self-determination (see resolutions 1865 (LVI) and 1866 (LVI) of the Council), and the activities of the *Ad*

Hoc Working Group of Experts which was currently investigating the human rights situation in southern Africa (see resolutions 1868 (LVI) and 1869 (LVI) of the Council). Decision 16 (LVI) of the Economic and Social Council to authorize the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish a working group composed of five of its members to study the question of slavery and the slave trade should also be noted. Mention should also be made of the decision of the Commission on Human Rights, subsequently endorsed by the Council (see decision 15 (LVI)), to establish a working group to examine before the following session of the Commission the information to be submitted to the Commission under Economic and Social Council resolution 1503 (XLVIII).

3. With regard to the delicate issue of violations of human rights, a distinction should be drawn between problems which were brought to the attention of the Committee by Member States or intergovernmental organs and which, as a general rule, were dealt with at public meetings, and cases reported to the Commission by individuals, groups or non-governmental organizations, which were dealt with in accordance with the procedure laid down in Council resolution 1503 (XLVIII). The situation prevailing in Chile posed problems in respect of the protection of human rights, which came within the first category. The Commission on Human Rights, the Economic and Social Council and the Sub-Commission on Prevention of Discrimination and Protection of Minorities had expressed grave concern on the subject. His delegation profoundly regretted that the information reaching the Committee continued to indicate serious violations of human rights and fundamental freedoms in Chile. The International Labour Organisation had decided to undertake an inquiry into the matter. Statements from reliable sources, including the Catholic bishops of Chile, were far from reassuring and referred to practices which flouted human rights, in particular the infliction of torture and innumerable cases of arbitrary detention.

4. His delegation had taken note of the statement by the Chilean Government,¹ in response to the urgent appeal addressed to it by the Commission on Human Rights at its thirtieth session,² that the Government could not put an end to violations which it had not committed. It had also taken note of the statements by the representative of Chile in the Economic and Social Council, who had declared that the information that had been received had no foundation in fact and that the situation in Chile gave no cause for concern.³

5. In the circumstances, his delegation felt bound to endorse the recommendation made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 8 (XXVII) (A/9767, annex II) that the Commission on Human Rights at its thirty-first session should study the reported violations of human rights in Chile. An objective and accurate study would make it possible to assess the situation and, whatever its results, could only serve the cause of human rights. Accordingly, his delegation urged the Chilean Government to assist the Commission in that task by, for example, permitting members of the staff of the Division of Human Rights to visit the country in order to obtain first-hand information.

6. In that connexion, it might be useful for the General Assembly to direct an appeal to the Chilean Government to heed the concern expressed in many quarters and to respect the basic rights embodied in the Universal Declaration of Human Rights.

7. That was the purpose of draft resolution A/C.3/L.2107, of which his delegation was a sponsor and which it hoped would be adopted promptly by the Committee.

8. Mrs. MASSON (Canada) said that the Government and people of Canada attached great importance to respect for and protection of human rights and fundamental freedoms, and rejected and condemned violations wherever and for whatever reason they occurred. A society or a civilization which scorned the rights and dignity of the human person was doomed to failure and collapse. Her delegation was deeply concerned at the increasingly frequent use that was being made of torture, a practice which one would have thought really belonged to a bygone age. No reason, however laudable, could justify its use. Recourse to that odious practice could only undermine the ends which were intended or mistakenly believed to be achieved through its use. Torture was an ignoble process which degraded its practitioners even more than its victims. Her delegation therefore welcomed the initiative taken by the Netherlands and the other countries which had submitted a draft resolution on torture and other cruel, inhuman or degrading treatment or punishment (A/C.3/L.2106). The draft resolution, which dealt with the legal and technical aspects of the question—aspects which could not be the subject of futile political wrangling—was well conceived and gave promise of tangible results.

9. It was her delegation's ardent hope that the Fifth United Nations Congress on the Prevention of Crime and

¹ E/CN.4/1153.

² See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5, chap. XIX, sect. B.*

³ See E/AC.7/SR.744 and 746.

the Treatment of Offenders would be able to complete successfully the tasks entrusted to it in operative paragraphs 3 and 4 of the draft resolution, namely, the development of an international code of ethics for police and the expansion of the scope of the Standard Minimum Rules for the Treatment of Prisoners.⁴ Her delegation whole-heartedly supported the draft resolution, which was a first step towards the elimination of the scourge of torture.

10. Mr. NOWORYTA (Poland) said that his delegation, which was particularly interested in human rights questions, reserved its right to dwell in more detail on certain points at a later stage in the consideration of the report of the Council (A/9603), which was before the Committee. For the time being, it would confine itself to some comments concerning torture and inhuman treatment. It shared the widely expressed concern on that subject and felt that it was the duty of the United Nations to take soundly-conceived measures, the effect of which could be felt immediately. In its resolution 3059 (XXVIII), which was designed to implement article 5 of the Universal Declaration of Human Rights, the General Assembly had rejected any form of torture and other cruel, inhuman or degrading treatment. Draft resolution A/C.3/L.2106 was a step forward in the protection of the interests of mankind. His delegation supported and would continue to support all efforts in that direction. The whole world knew what the Polish people had suffered under the occupation of Hitler's Germany. Fascism was founded on the large-scale practice of torture. During the Second World War, thousands and thousands of Poles, men, women and children, had died at the hands of Hitler's Nazis. Mass deportations and generalized torture were the basic elements of fascism. The memory of those atrocities could not be dispelled and should impel the international community to do everything in its power to inform people which lived under the threat of methods—all of them the same—practised by Fascist Governments. In particular, as many countries as possible should be urged to ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity (General Assembly resolution 2391 (XXIII), annex). Indeed, many of those responsible for atrocious crimes committed during the Second World War had not been brought to trial. In Chile, for example, one of those Nazi criminals, Walter Rauch, even held the post of adviser to the military junta. His delegation, which was seriously concerned about the torture and inhuman treatment inflicted on numerous persons in Chile, considered that it was the duty of the international community to condemn the methods of that Government. His delegation would support all draft resolutions condemning torture and any other treatment degrading to the human person, as well as the countries and régimes which used those practices.

11. Mr. BAL (Mauritania) stressed the importance which his delegation attached to two of the draft resolutions which the Commission on Human Rights had recommended to the Economic and Social Council. The first, entitled "The adverse consequences for the enjoyment of human rights of political, military, economic and other

⁴ *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

forms of assistance given to colonial and racist régimes in southern Africa”, had been adopted by the Council without objection (resolution 1864 (LVI)) and the second, entitled “The historical and current development of the right of peoples to self-determination, on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to the promotion and protection of human rights and fundamental freedoms”, had been adopted by the Council without a vote (resolution 1865 (LVI)). The human rights situation in some parts of Africa, particularly in southern Africa, was a problem which concerned the international community as a whole. It was the duty of the international community to condemn all violations of human rights committed in those countries, where freedom fighters captured in action were ill-treated, in defiance of the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949,⁵ and where the number of summary executions was increasing every day. Despite the adoption of the Standard Minimum Rules for the Treatment of Prisoners by the Economic and Social Council at its twenty-fourth session (resolution 663 C (XXIV)), reports of torture and inhuman treatment inflicted on prisoners still abounded. The United Nations therefore had to bring about the international and regional isolation of racist régimes and to pledge to the international community its total and unconditional support for the oppressed peoples of southern Africa. All countries were faced with a clear choice: it was not possible to talk about respecting human rights and yet help those who flouted them, or to protest against summary executions of freedom fighters at a time when they were dying under fire from those who condemned that state of affairs.

12. His delegation considered that draft resolution A/C.3/L.2106 did not take a sufficiently thorough approach to the real problems associated with torture and other cruel, inhuman or degrading treatment or punishment. No specific regions such as Namibia or South Africa were mentioned in it. His delegation had had consultations with certain other delegations with a view to preparing a draft resolution concerning violations of human rights in colonial territories.

13. His delegation supported draft resolution A/C.3/L.2108 which was of a purely humanitarian character and was aimed at securing respect for human rights.

14. Mr. FØNS BUHL (Denmark) said that his delegation was not satisfied with the results of the work of the Commission on Human Rights at its thirtieth session. It was regrettable that the Commission had been able to take only procedural decisions on many of the items concerning human rights on its agenda, because of the divergent opinions and interests among member States as to the nature, orientation and reality of human rights.

15. As the Secretary-General had mentioned in the introduction (A/9601/Add.1) to his report on the work of the Organization, it was difficult to reconcile the sovereign jurisdiction of Member States with the principles enunciated in the Universal Declaration of Human Rights. The Declaration should be a guideline in the efforts to secure freedom, justice and peace in the world. However, a trend

had recently been discernible to disregard the principle embodied in article 5 of the Declaration and in article 7 of the International Covenant on Civil and Political Rights that no one should be subjected to torture or to cruel, inhuman or degrading treatment or punishment. His delegation therefore welcomed the initiative taken by the sponsors of draft resolution A/C.3/L.2106. Although it was a procedural text, it reflected the concern which many Member States of the United Nations, including Denmark, felt about the current situation with regard to torture and other cruel, inhuman or degrading treatment, which had been the subject of General Assembly resolution 3059 (XXVIII). Many international instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949⁶ and, at the regional level, the Convention for the Protection of Human Rights and Fundamental Freedoms, of 4 November 1950,⁷ also prohibited the practice of torture and other cruel, inhuman or degrading treatment or punishment. His delegation therefore wholeheartedly supported draft resolution A/C.3/L.2106 and considered it very important that Member States should furnish to the Secretary-General, in time for submission to the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held at Toronto in 1975, information relating to the legislative, administrative and judicial measures aimed at safeguarding persons within their jurisdictions from being subjected to torture and other cruel, inhuman or degrading treatment or punishment.

16. He informed the Committee that in its reply to the questionnaire dated 22 May 1974 issued to all Member States by the Secretary-General, the Danish Government had proposed that the question of conscientious objection should be included in the long-term programme of work of the Commission on Human Rights. It had also recommended that the long-term programme should be co-ordinated with current or planned activities in the field of human rights by other international or regional organizations, such as the Council of Europe.

17. Finally, he stated that his delegation supported the decision of the Commission on Human Rights—which had been endorsed by the Economic and Social Council at its fifty-sixth session (decision 15 (LVI))—to establish a working group to examine, before the following session of the Commission, the documents to be submitted to the Commission under Economic and Social Council resolution 1503 (XLVIII).

18. Mr. CHIRILA (Romania) said that his country was very satisfied with the importance and weight which the Economic and Social Council and its subsidiary bodies, particularly the Commission on Human Rights, attached to international co-operation in the sphere of respect for human rights as a means of safeguarding international peace and security, and understanding and co-operation among peoples. Recent activities reflected the general desire to ensure the effective protection of human rights and fundamental freedoms. The struggle against racial discrimi-

⁵ United Nations, *Treaty Series*, vol. 75, No. 972, p. 135.

⁶ *Ibid.*, No. 973, p. 87.

⁷ *Ibid.*, vol. 213, No. 2889, p. 221.

nation and *apartheid*, for example, had constituted the priority theme of the fifty-sixth session of the Economic and Social Council, and the implementation of the programme and goals of the Decade for Action to Combat Racism and Racial Discrimination would no doubt form an important part of the work of the United Nations in the sphere of human rights.

19. His delegation was gratified by the importance attached by the Economic and Social Council to the right of peoples to self-determination and the granting of independence to the colonial countries and peoples. Indeed that right constituted the *sine qua non* of individual freedom and of the effective exercise of the basic human rights. Romania had been one of the first countries to participate in the action of the United Nations in that sphere within both the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities; the latter body had entrusted a Romanian expert, Mr. Cristescu, with the task of preparing the report on that subject, in pursuance of resolution 1865 (LVI) adopted by the Economic and Social Council on 17 May 1974.

20. His delegation shared the concern expressed by many delegations about the gross and systematic violations of human rights and fundamental freedoms which persisted in certain parts of the world. The Economic and Social Council, at its fifty-sixth session, had adopted important decisions in that respect which his delegation had fully supported, particularly resolution 1873 (LVI) on protection of human rights in Chile. On that occasion his delegation had drawn attention to the action taken by its Government to ensure respect for human rights and fundamental freedoms in that country. Measures to promote equality of rights between women and men could also be included among the measures which contributed to universal respect for human rights. Much progress had been recorded in that respect, thus fulfilling one prerequisite for the success of International Women's Year in 1975.

21. He also drew attention to the commendable work done by the United Nations Secretariat in facilitating co-operation among Member States in connexion with the promotion of human rights. Reference should be made in particular to the work done in reporting on and summarizing the international human rights situation, the special support given to developing countries and the organization of international seminars which Romanian government agencies, non-governmental organizations, specialists and experts had followed with particular interest. In that regard, he recalled that Romania had offered to act as host, in 1975 or subsequent years, to an international seminar on the role of young people in human rights and their participation in national development and the decision-making process.

22. During the current year, Romania had celebrated the thirtieth anniversary of its liberation from Fascist domination. During those 30 years, decisive achievements had been made in realizing the aspirations of the Romanian people for independence, liberty and social justice, and the full development of the human personality by ensuring the broadest rights and democratic freedoms to all citizens. Romania had participated and would continue to partici-

pate with interest in international co-operative efforts in the field of human rights. It was important that all States should adopt and effectively apply the existing international juridical instruments in that field. The States Members of the United Nations must play a decisive role in that field; their national achievements would be duly reflected on the international scene as a result of their co-operation and respect for the fundamental principles of international law and of the Charter of the United Nations. His delegation was certain that the Third Committee would reach specific conclusions and take useful decisions that would have a positive influence on future activities and on continuing efforts for the effective promotion of human rights at the international level.

23. Mr. LEHTIHET (Algeria) announced that the Gambia had become a sponsor of draft resolution A/C.3/L.2108.

24. Mr. NOTHOMB (Belgium) said his delegation firmly hoped that the Committee would adopt draft resolution A/C.3/L.2107, on the protection of human rights in Chile, of which it was a sponsor.

25. Although prior to the events of the preceding year, Chile had always been a model of democracy, since then there had been an increasing number of reports on the violation of human rights and fundamental freedoms in that country. Amnesty International had recently published a most disturbing report on the situation in Chile and the Sub-Commission on Prevention of Discrimination and Protection of Minorities had recommended, in its resolution 8 (XXVII), that the Commission on Human Rights at its thirty-first session should study the reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment. His delegation strongly supported the idea of carrying out that study and hoped that the Chilean Government would facilitate its proper preparation.

26. Honouring a tradition which dated from its own independence, Belgium had granted political asylum to about 90 persons who had taken refuge in the Belgian Embassy in Santiago, as well as to some 30 other Chilean refugees sponsored by the Office of the United Nations High Commissioner for Refugees, who had been evacuated with their families and provided with financial assistance by the Belgian State for their initial installation expenses. It had also granted asylum to other refugees who had come on their own or with the support of private organizations. Furthermore, the Belgian State had made a financial contribution to the Office of the High Commissioner for Refugees, to the International Committee of the Red Cross and to the Intergovernmental Committee for European Migration, which were doing humanitarian work on behalf of Chile. On numerous occasions, it had also intervened with the Chilean authorities, either bilaterally or multilaterally, on behalf of persons who were experiencing difficulties as a result of the political situation. Finally, it had prohibited the export of arms to Chile.

27. Belgium strongly supported the urgent appeal made in draft resolution A/C.3/L.2107 and urged the Chilean Government to bear in mind the democratic traditions of Chile.

28. Mr. TRAVERT (France) said that all Governments were in duty bound to condemn without reservations torture and other cruel, inhuman or degrading treatment or punishment. France had supported the many texts that had already been adopted and would have no difficulty in undertaking new commitments. However, as his delegation had repeatedly stressed, every effort should be made to work effectively and not sacrifice real progress—which required the adoption of specific and widely accepted measures—to a desire for quick results that would prove more spectacular than sound.

29. In modern times, torture as a punishment was widely condemned. Substantial progress had been made: for example, the Standard Minimum Rules for the Treatment of Prisoners had been adopted; the death sentence had disappeared from the legislation of many countries, and everyone was agreed in recognizing the barbarity of punishments that went back to the Middle Ages. On the other hand, there was an unfortunate diversity of opinion with regard to torture as a means for obtaining evidence or information, particularly in situations of armed conflict or serious threat to the maintenance of order. Efforts were sometimes made to twist the argument by drawing a distinction between torture as such, which involved bodily cruelty, and medical or pharmaceutical procedures aimed at weakening or breaking down the physical resistance of the individual without leaving any visible effect.

30. In view of the complexity of the problem, his delegation was most pleased with the prudent yet exhaustive manner in which the debate had been carried out: the formulation, taken directly from the Universal Declaration of Human Rights, was unequivocal and covered all forms of torture or similar treatment. The draft resolution (A/C.3/L.2106) did not stop with a mere formal condemnation but called for specialists to draw up measures that would be effective in practice. The international agencies concerned, as well as Member States, were to be associated with the research and codification efforts. His delegation asked to be added to the list of sponsors of the draft resolution, which was in keeping with its own objectives.

31. Mr. DURAN (Chile), speaking in exercise of his right of reply, objected to the procedure used by the representative of Poland, who had dwelt at length on the suffering of his people under the Nazi barbarians during the Second World War, and had established a parallel with Chile. The crimes that had been committed against Poland, and the silence that had surrounded them, had been possible only because the German-Soviet pact had delivered part of

Europe to Nazi subjugation which had subsequently been replaced by the tyranny of another totalitarianism. Walter Rauch did indeed live in Chile, but it was not true that he was an adviser to the junta. The Polish representative had insulted Chile by giving the impression that the Chilean Government was inspired by nazism. Furthermore, he had concealed half of the truth: Walter Rauch had been tried, but the Chilean Supreme Court, an autonomous judiciary organ, had refused to extradite him for procedural reasons. Furthermore, Walter Rauch had already been living in Chile under the Allende Government: why had his presence not caused surprise at that time? He pointed out that Walter Rauch had been defended by a lawyer belonging to the Unidad Popular, whom Allende had appointed senior attorney of the Central Bank.

32. Mr. NOWORYTA (Poland), speaking in exercise of his right of reply, said that the representatives of the junta always accused others of accusing them groundlessly and tried to draw attention to the faults of others instead of replying to criticism. Everyone knew what was happening in Chile; the life of Walter Rauch was well known, as were the crimes which the representatives of the junta tried to present as non-existent and for which they must eventually be held accountable. The insinuations made by the representative of Chile with regard to the causes of the Second World War and the suffering of the Polish people were altogether false. It was to be hoped that the junta would draw the obvious conclusions from the history of fascism.

33. Mr. DURAN (Chile), speaking in exercise of his right of reply, said that the real situation in Chile should be made known and that at the next meeting his delegation would present an evaluation of that situation. Chile, which had a long-standing tradition of democracy, religion and respect for human rights, had always voted at the United Nations for texts condemning violations of human rights. It respected the spirit of the Charter and did not have to be held accountable to anyone. He pointed out that it had been the representative of Poland who had introduced the subject of the Second World War in the debate and had spoken of Walter Rauch. The Chilean delegation was not in the pay of the military; it consisted of former members of the Chilean Parliament, university professors and members of the bar who represented all the parties.

34. Mr. NOWORYTA (Poland) said he hoped that the Chilean delegation would be able to explain in greater detail the crimes committed by the junta.

The meeting rose at 4.50 p.m.

2067th meeting

Wednesday, 16 October 1974, at 3.25 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2067

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2106-2109, A/C.3/XXIX/CRP.1)

1. Mr. DIEZ (Chile) said that United Nations bodies should not allow any form of violation of human rights to be used as a pretext for the creation, strengthening, destruction or weakening of a political situation, because that would constitute a violation of the spirit of the Universal Declaration of Human Rights. Chile had doubts as to the intentions of those who seized on temporary situations and hastened to communicate information from questionable sources and who stated that a draft resolution condemning alleged violations of human rights in Chile was based on purely humanitarian considerations. In such circumstances, he wondered why more serious, institutionalized violations, particularly the violations of the right of everyone to leave and return to his own country which had been going on for decades and had affected millions of human beings, should be tolerated in more powerful countries and why there should be such great concern for what was occurring in a small country of no strategic importance which had just experienced profound upheavals.

2. Chilean democracy, which was recognized by socialist Governments, was going through a period of crisis that was inevitable in a country with such a long-standing tradition. In order to understand the situation, it was necessary to review Chile's recent history. The Allende Government had been a militant, exclusive and minority Government. It had been a minority Government because, despite hundreds of thousands of falsifications of the electoral rolls, it had never been able to win a majority in the Chamber or the Senate or the support of public opinion, without which it could not govern. Allende himself had said that his Government was militant and exclusive, that he was in power not to ensure the well-being of the people but to transform a decadent bourgeois society into a society patterned upon the Soviet model, and that he was not the President of all Chileans but the President of Unidad Popular. Those who claimed that their Government was exclusive threatened their people with totalitarianism. The Government had eventually clashed with the judicial authorities because it had not been enforcing the laws, and the President had stated that he reserved the right to review the decisions of judicial organs. Yet the courts were the guarantee of the rights of citizens; that was why, in democratic countries, the judicial power and the executive power were separate. Major amendments had been made to the Constitution—one

relating to the nationalization of enterprises and the other giving the Government the right of transfer ownership of the land to those who worked it. Under the Chilean Constitution, Allende could have held a referendum, but he had not done so and had made himself a laughing-stock. Laws had been replaced by special presidential decrees. But in a democratic country no one could presume to govern by decree and to abrogate the judicial power without creating an intolerable situation. On 23 August 1973, the Chamber of Deputies had therefore declared the Allende Government unlawful, on the basis of a decision of the Supreme Court. It was strange that the documents of the International Commission of Jurists did not mention those facts or the official bulletins reporting the conflict between the Congress and the President.

3. No country in the world could have accepted a situation in which thousands of small farmers had been deprived of their land, small truckers had had their trucks confiscated and handed over to those who could show a Communist Party card, small businessmen had been ruined by a Government which boasted that it controlled 70 per cent of the distribution system and 80 per cent of the country's means of production, and housewives had had to present an identity card in order to obtain essential food items. At the time, there had been reports of the demonstrations which had taken place, but no reference to the fact that there had also been demonstrations by workers, including the copper-mine workers, who had decided to go on strike without being ordered to do so by the trade unions. When the Government had seen that exports were declining, however, it had forced the miners back to work by depriving them of bread.

4. A conflict of foreign political forces had made the situation in Chile worse. Allende had stated that Chile might become another Viet-Nam and had promulgated an arms control law, which had been criticized by the Socialists and the Communists. That law had, however, been a prudent measure because, in his writings, the Secretary-General of the Chilean Communist Party had advocated the use of violence and, as had subsequently been seen, there had been large quantities of arms in the country. However, the communist experiment on the Soviet model had failed in Chile and the Soviets had lost a base in Latin America.

5. Endless resolutions could be adopted at the United Nations but that was not enough; it was also necessary to ensure that they were in conformity with the Charter and to determine in what conditions and on the basis of what evidence they were adopted. Referring to the meeting¹ at which the Sub-Commission on Prevention of Discrimination and Protection of Minorities had adopted its resolution

¹ See E/CN.4/Sub.2/SR.711.

8 (XXVII), which appeared in annex II to the note by the Secretary-General (A/9767), he pointed out that a number of experts had expressed regret that the Sub-Commission was embarking on so dangerous a course and had taken the view that it had not sufficient evidence, that it was not complying with its terms of reference in focusing on the situation in one country, that the draft resolution should in no way constitute a precedent and that the Sub-Commission was deviating from the provisions of Economic and Social Council resolution 1503 (XLVIII) because it had not kept the measures envisaged confidential and had taken a decision before the Government concerned had been able to communicate its reply. It had been said that the resolution in question was not political at all and contained no condemnation, but Chile considered itself condemned when it was accused of flagrant and systematic violations of human rights. On 5 August 1974, the Soviet expert, Mr. Smirnov, had stated at a meeting of the Sub-Commission² that four persons were in danger of death, although he had already known that the death sentence imposed on those persons had subsequently been quashed.

6. If the human rights problem in Chile was serious, it should be examined. Communications had been sent to the Chilean Government, which had not refused to reply to them, but the deadline for its reply was 1 December 1974. If the Commission on Human Rights had not received any reply from Chile by the deadline, then it could consider the matter in accordance with its rules of procedure, but he hoped that it was not United Nations practice to condemn without a hearing. He pointed out that the Inter-American Commission on Human Rights was to consider the situation in Chile in April.

7. The resolutions adopted with regard to human rights were often based on press reports. In that connexion, the press, which must have total freedom of expression, had a duty to be objective, because it could not follow events the way a camera did, but gave interpretations, which might be wrong. With regard to Chile, however, the world press had been selective, for example in the way in which it had reported the four death sentences for crimes that were punishable by death, but not the decision of the military court to commute the sentences. The role of the press was to provide information, not to pass judgement.

8. A statement by the Chilean bishops had also been quoted in the Committee (2066th meeting), but not in full, so that it had been possible to interpret it in a manner entirely contrary to its true meaning. The statement, which had been published on 25 April 1974 in the Chilean press, was an "appeal to all believers to seek genuine reconciliation with God, with themselves and with our brethren". The bishops stated that they did not want their observations to be considered political and did not claim that their judgement was the only true one. The statement had been drafted "in full freedom . . . and no outside influence has been exerted in its preparation". The bishops had been "entirely free to write it and entirely free to publish it, so that it constitutes the best proof that the right of dissension exists in Chile". Specifying that they were dealing with delicate matters, the bishops stressed, particularly for the attention of foreigners, that the Chilean

situation was incomprehensible unless account was taken of the state of chaos and the exacerbated feelings which had prevailed under the former régime.

9. They also stated that account should be taken of the armed resistance still being carried on by certain politicians opposed to the Government and that such resistance seemed to them to be totally futile and very dangerous for Chile and for persons who might fall victims to uncontrolled political passions. The authors stressed that the Chilean situation concerned only the Chileans, who would be able to settle their problems and did not want undue interference by foreigners, for any reason whatever, in Chile's domestic affairs. Finally, they expressed the conviction that the Chileans would be able to rebuild a free society based on respect for the rights of all. The basic condition for peaceful coexistence was the application of the Constitution and the law, which were a guarantee for everyone. The authors of the statement therefore hoped that a new Constitution would soon be drawn up and considered it a good sign that, in the meantime, the Government had issued a Christian declaration of principles. They also added: "We hope that everyone, governors and governed alike, will respect the spirit of this statement. We have no doubts as to the good intentions and good faith of our leaders . . . Finally, we are concerned, in some cases, at the lack of adequate legal guarantees for the safety of individuals, who are sometimes subjected to arbitrary or excessively lengthy detention and to ill-treatment during questioning, or are given different sentences for the same offence."

10. Thus, the bishops were drawing the attention of the Government to some abuses which occurred in Chile. Even with the best intentions in the world, it was often impossible to avoid abuses, especially in the difficult situation Chile was in at present. Furthermore, General Leigh had also acknowledged in a speech at the School of Law of the Catholic University of Chile on 29 April 1974 that the emergency situation had given rise to some abuses, but only in isolated instances which were inevitable in such a situation. He had explained that, whenever such cases came to light, the necessary measures were taken and those responsible, even if they were members of the armed forces, were punished by the competent authorities in conformity with the law. The Government of Chile attached great importance to human rights and remained vigilant in that regard.

11. On 18 September 1974, Chile's national day, Cardinal Silva had spoken of the high moral tenor of the Chilean Church and had warned about the possibility of atheistic socialism's implanting itself in the country. Hitherto, he had said, the Marxist brand of socialism had replaced the true God by a godless and all-powerful State which recognized no moral laws except its own political interests and whose despotic power had stained with blood the history of many peoples, violating the fundamental rights of the individual, of society and of the churches. He had emphasized the Church's attitude, towards the authorities, of critical independence, enabling it to judge the extent to which human dignity and human rights were being respected. Recalling the long sufferings which Chile had endured but which had not brought the country to its knees, he had advocated national reconciliation and de-

² See E/CN.4/Sub.2/SR.688.

clared that Chile, a small country with limited economic power, but great spiritual resources, would preserve its own identity and could never accept a régime which deprived it of its liberty. Thus, the Chilean Church had by its statements refuted the slanderous accusations which had been voiced against Chile's national honour.

12. Although, being himself a jurist, he had the greatest respect for the International Commission of Jurists. It was regrettable that in the introduction to its report the Commission had made the grave error of straying from the purely legal field into that of political analysis and had seen fit to offer its own opinion as to the reasons for the coup d'état. The fact was that in Chile the Supreme Court and the majority elected by the people had decided the question of the legitimacy of the Allende Government, as Mr. Allende himself had tacitly done in never daring to hold a plebiscite. As evidence to support its conclusions, the International Commission of Jurists had cited the new legislation promulgated by the Chilean Government, but it had done so in a selective and biased manner. In particular, when it referred to article 2 of the Legislative Decree of 12 September 1973 permitting the shooting on sight of attackers when the safety of their victims so required, it neglected to point out that that provision supplemented article 281 of the Code of Military Justice and that in any event the Legislative Decree had been rescinded one month later to avoid the possibility of its being misinterpreted. Again, if reference was made to the relevant legislation it was impossible to support the accusation of summary dismissals of workers. In that connexion, he cited paragraph 4 (a) to (f) of Legislative Decree No. 32 amending Act No. 16455 on labour legislation. The International Commission of Jurists had complained about the application of retroactivity with regard to the possession of weapons. But what was involved was a continuing offence which began the moment a person obtained illegal possession of a weapon, and not merely when the weapon was used. Apparently, the International Commission of Jurists had either not read the law or had deliberately refrained from quoting it, because to do so would have invalidated its arguments.

13. He also wished to make a few remarks concerning the sources of information on which the accusations against Chile were based. The representative of the USSR, Mr. Smirnov, who had also served as an expert with the Division of Human Rights, had said that he had accumulated thousands of reports attesting to flagrant and massive violations of human rights in Chile. In fact, the Chilean Government and the Inter-American Commission on Human Rights had carried out an amicable exchange of memoranda; that sufficed to prove the good faith of the Government of Chile, which was ready to look into any involuntary errors which might have been committed. Since 11 September 1973, Chile had been visited by numerous organizations and individuals, including the International Commission of Jurists, representatives of various countries, the Archbishop of Canterbury and representatives of the International Committee of the Red Cross, to mention only a few. The Government had invited the Secretary-General of the United Nations to come to Chile or, if he could not find time to do so, to send a person of his choice. Thus, Chile's conscience was clear and it had nothing to hide. The sources so freely referred to by the representative of the

USSR were anonymous; he submitted a mass of information gathered in the streets but passed over in silence the information communicated to him by the President of the Supreme Court, for example. Mr. Díez noted that, in totalitarian countries, representatives of various organizations and countries were not to be seen moving about freely to gather information.

14. At present, Chile was a victim of the détente between the great Powers, a dangerous game which led the international community to gloss over for political reasons the situation prevailing in certain countries at the expense of a small country like Chile, which was made the scapegoat. Not everyone had the same scale of values. The essential goal of the Government of Chile was to maintain security and ensure the protection of the population. It had generally allowed those desirous of leaving the country to do so, and 14,000 persons had thus been able to leave. The International Committee of the Red Cross had declared itself satisfied with what had been done in that respect. Furthermore, of the 11,000 persons detained under the emergency law, more than 500 had been released to date.

15. The Government of Chile, sure of its democratic principles and of the confidence placed in it by the people and by the Chilean Church, faithful to its unbroken tradition, had a clear conscience. With great suffering, Chile had paid the necessary price to free itself from the communist grip. It appealed to the principles of the United Nations Charter and urged the Committee not to judge rashly on the basis of dubious testimony, instead of waiting until genuine evidence was submitted to it.

16. Mr. ÅLGÅRD (Norway) said that the protection of human rights was a matter of crucial importance not only to the individual, but to the entire international community. All the States signatories to the Charter had pledged co-operation with the United Nations to ensure universal and effective respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

17. Violations of human rights could also have a detrimental influence on relations between States and could be an obstacle to international relations, as the Secretary-General had pointed out in the introduction (A/9601/Add.1) to his report on the work of the Organization, in which he had also said that no activity was more important for the future, and yet more difficult to reconcile with the hard realities of our world, than the protection and advancement of human rights.

18. It was for that reason that Norway had consistently stressed the need for developing and strengthening the United Nations machinery for dealing with violations of human rights. In the view of his Government, the creation of a post of United Nations High Commissioner for Human Rights would be an important step in that direction. Such an office could become the focal point of the co-operative efforts called for in the Charter, and contribute significantly to the realization of the principles, values and ideals contained in the international instruments on the protection of human rights.

19. His delegation would like to stress the importance it attached to the work of the Commission on Human Rights,

of which it had been a member during the period 1972-1974. It particularly welcomed the Commission's decision³ at its thirtieth session to apply for the first time the procedures contained in Economic and Social Council resolution 1503 (XLVIII) for dealing with communications relating to violations of human rights and fundamental freedoms. His delegation hoped that the efforts undertaken by the Commission on the basis of that resolution would strengthen the existing United Nations machinery for dealing with violations of human rights and make that machinery more flexible.

20. One particularly disturbing violation of human rights, committed in disregard of article 5 of the Universal Declaration of Human Rights and the provisions of the Geneva Conventions of 1949,⁴ was the increasingly frequent and sophisticated torture and the brutal treatment being inflicted on prisoners in various parts of the world. The United Nations should give increased priority to the question of torture; General Assembly resolution 3059 (XXVII) was a first step in that direction. His delegation whole-heartedly supported draft resolution A/C.3/L.2106, which had been submitted at the 2064th meeting and was sponsored by a number of delegations, and he trusted that the resolution would be unanimously supported by all Members of the Organization. His delegation commended the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its decision, by its resolution 7 (XXVII) (A/9767, annex I), to review annually developments concerning the human rights of persons subjected to any form of detention or imprisonment. It also welcomed the invitation in the draft resolution to WHO and UNESCO to co-operate in the drafting of an outline of the principles of medical ethics relevant to the protection of persons subjected to any form of detention or imprisonment and to bring the draft to the attention of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. That proposal—and other similar initiatives—could be of considerable value in the battle against torture and other cruel, inhuman or degrading treatment of prisoners and detainees.

21. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that individual United Nations bodies, and in particular the Economic and Social Council and the Commission on Human Rights, were rightly giving an important place in their activities to the observance of human rights. He paid tribute to the work done by the Commission on Human Rights in its deliberations on the question of the right of everyone to live in peace and security. One could not over-emphasize the importance of international détente in that respect. His delegation welcomed the decision of the Commission on Human Rights, in its resolution 10 (XXX),⁵ to prepare a long-term programme of work. Unfortunately, the Commission's decisions did not all carry the same weight. He deplored the fact that the Commission had seen fit to set up a working group³ to study the individual complaints transmitted to it by the Sub-Commission on Prevention of Discrimination and Protection of Minorities

—an action which was contrary to the principles of the Charter and to all the decisions of the Economic and Social Council, which had established a clear-cut procedure for the consideration of such complaints. His delegation was none the less appreciative of the valuable contribution made by the Economic and Social Council and the Commission on Human Rights in the field of observance of human rights. The Economic and Social Council, the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities had all concerned themselves deeply with the flagrant and widespread violations of human rights in Chile, to which the international community could not remain indifferent.

22. It was the duty of the United Nations to take some practical action so that the Chilean people would feel that they had the backing of nations throughout the world. That kind of solidarity had already been expressed many times: two days before the coup d'état, the Heads of State or Government of Non-Aligned Countries, meeting at Algiers for their fourth Conference from 5 to 9 September 1973, had hailed the Government and people of Chile, who in their struggle to consolidate their independence and build a new society were facing the combined aggression of reaction and imperialism.⁶ Two days later, the Chilean armed forces, with outside encouragement from the imperialist countries, had set up a dictatorship by means of terror and violence. Since then Chile had experienced without respite a massive campaign of repression waged with a cynicism and cruelty which shocked the international community. All who visited the country—jurists, doctors, journalists, priests and private individuals—unanimously testified that human rights there were being trampled underfoot. All the testimony provided on the junta's activities—countless instances of arbitrary arrest and murder and constant violations of the most basic rights—would constitute a dossier of irrefutable charges. The United Nations Charter, the Universal Declaration of Human Rights, the International Covenants on Human Rights—Covenants which Chile had ratified—were all being shamelessly flouted. The country had become a vast concentration camp. In order to remove its opponents, the junta had proclaimed a state of civil war, a state of siege, and, in disregard for any code of morality, had caused a reign of terror to prevail for more than a year. Following the example of the Nazis, the junta, in a campaign of intimidation, had killed almost 30,000 Chilean citizens who had allegedly been attempting to escape, as even members of the Chilean Church had testified. The number of arrests was still increasing. During the first two weeks of June, some 11,000 persons had been arrested, including the Secretary-General of the Chilean Communist Party and the former Minister for Foreign Affairs, whose lives were in danger. *The New York Times* had on 13 September 1974 published a letter signed by a correspondent in Santiago, stating that anyone could be arrested at any time—at home, at work, in the street, in a bus or in a café—simply because he had a relative or friend who was a political prisoner, or had talked about politics, or had been anonymously denounced. The correspondent added that police raids were carried out regularly in Santiago and that on 31 August 650 persons had been arrested during a swoop in the suburbs of Santiago. On 15 September 1974 *The New York Times* had

³ *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5*, chap. XXIX, sect. B., decision 3.

⁴ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

⁵ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5*, chap. XIX, sect. A.

⁶ See A/9330 and Corr.1, p. 14.

published the testimony of a former staff member of the Economic Commission for Latin America who had worked in Santiago, according to which the prisons were crammed with political prisoners, martial law was in force, the civil courts rarely sat any more, the press was subject to blanket censorship and the country had been turned into a military barrack. The illegal practice of judicial interrogation, which gave a semblance of legality to the verdict, was widespread. The previous month approximately 100 persons had been condemned to death by military tribunals and torturing of prisoners—electric shocks, tearing out of nails, cigarette burns, withholding water, food and sleep for several days, interrogations accompanied by beatings—were common; 44 persons had died from such treatment, which was paralleled only by the methods of the S.S. The Commission on Human Rights had felt itself compelled to appeal to the Chilean authorities to abstain from exerting physical and psychological pressure on the detainees, and the international community had unanimously and severely condemned their actions. It was absolutely essential to end the terror and violence occurring in Chile, to stop the violations of human rights and to save the lives of threatened Chilean patriots and democrats.

23. The International Commission of Enquiry into the Crimes of the Military Junta in Chile, which was made up of respected jurists, representatives from university and religious bodies, eminent public figures and the representatives of various women's and social organizations, had met at Stockholm and had adopted an act of public accusation, based on irrefutable facts and documents, which stated, among other things, that a reign of absolute lawlessness was to be found in Chile, where a fascist-type totalitarian régime of terror had been installed.

24. In Paris, the All-European Conference of Solidarity with the Chilean People had issued an appeal, requesting the authorities to end the state of internal war in Chile, the arbitrary arrests and the illegal detentions, and to release the leaders of Unidad Popular, whose lives were in danger.

25. The Soviet people, as Leonid Brezhnev, the Secretary-General of the Communist Party, had recently stated, supported the anti-fascist democratic forces in Chile. The socialist nations firmly condemned the terror unleashed by the Chilean junta—a condemnation resolutely expressed in the statement issued on 18 April 1974 by the Political Consultative Committee of the States Parties to the Warsaw Treaty.⁷

26. The international movement of protest against the reign of terror in Chile was constantly growing; it united influential people of the most diverse political backgrounds, believers and atheists, representatives of trade unions and of many women's and young people's organizations. The World Congress of Peace Forces, which had been held at Moscow in October 1973 and had been attended by representatives of over 120 international organizations and movements and over 1,100 national organizations and movements from 143 countries, had issued a communiqué stating, among other things, that the establishment of fascism in Chile had

demonstrated the magnitude of the threat which the policies of imperialistic and reactionary forces represented for peoples who had chosen the path of freedom, self-government and independent political and social development. The overthrow of the legitimate government of Salvador Allende was proof that the forces of international monopolies and reaction were always ready to join forces to eliminate a legitimate régime and drown the revolt of the people in bloodshed.

27. The International Transport Workers' Federation, associating itself to the vast movement of international solidarity, had decided to boycott Chilean cargo for two days; the New York dockers, in turn, had refused to unload Chilean cargo. Such demonstrations of solidarity gave comfort and considerable support to the Chilean people, to whose fate the United Nations and other international organizations could not remain indifferent. The Commission on Human Rights had expressed its deep concern, had studied the flagrant violations being perpetrated in Chile and had taken the necessary action. It had, *inter alia*, sent a telegram to the Chilean authorities.⁸ The Economic and Social Council had unanimously adopted resolution 1873 (LVI), of 17 May 1974, calling upon the Chilean Government to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms in Chile, particularly in those cases involving a threat to human life and liberty. The Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 8 (XXVII) (A/9767, annex II) had stated that it was deeply concerned about reports of gross violations of human rights and fundamental freedoms in Chile, including arbitrary arrest, torture, cruel and inhuman treatment of the prisoners and detainees in gaols and concentration camps. The Sub-Commission had made an urgent appeal to the Government of Chile to respect the Universal Declaration of Human Rights and to comply with the International Covenants on Human Rights, signed and ratified by the Government of Chile, and to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms in Chile. The General Conference of the International Labour Organisation had at its fifty-ninth session adopted resolution X of 24 June 1974⁹ in which the ILO requested the Chilean authorities to cease human rights violations and to respect trade union rights, by abolishing all restrictions on trade union activities, closing down the concentration camps, forbidding the use of torture and punishing those responsible for any inhuman treatment.

28. Various international organizations, such as UNCTAD and the ILO, had called for the release of the Chilean patriots and the restoration of human rights and fundamental freedoms in Chile. In the view of the Soviet delegation, the General Assembly should urgently adopt effective measures to achieve that purpose. The statement made by the agent of the Chilean junta was characteristic of the régime he represented. His statement had been nothing more than a tissue of lies and slanders, obviously aimed at confusing the minds of the Committee's members and distracting their attention from the item under considera-

⁷ See *Official Records of the Security Council, Twenty-ninth Year, Supplement for April, May and June 1974*, document S/11276, annex IV.

⁸ See *Official Records of the Economic and Social Council, Fifth-sixth Session, Supplement No. 5*, chap. XIX, sect. B.

⁹ International Labour Office, *Official Bulletin*, vol. LVII, No. 1, 1974, p. 40.

tion. The military junta had always disregarded the resolutions of the Economic and Social Council and the appeals of the United Nations to put an end to the violations of human rights in Chile. In that connexion he recalled that resolution 8 (XXVIII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities had saved the lives of at least four Chilean patriots. Unable to refute the accusations levelled against his Government, the agent of the Chilean junta had made capital out of the fact that representatives of international organizations had been able to visit Chile after the coup d'état. But it was a well-known fact that the junta, feeling its isolation, had been forced to admit the representatives of those organizations and that its initiative had been, according to the representative of the *Washington Post*, part of its attempt to regain some prestige in the eyes of the international community. But the junta's crimes were so monstrous that it was impossible not to testify to them. The representative of the Women's International League for Peace and Freedom had reported to the Commission on Human Rights at its thirtieth session¹⁰ that six of its members had carried out a 10-day inquiry mission to Chile at the beginning of the year during which they had been refused permission to visit Dawson Island or the prisoners' camps in Chacabuco and at Pisagua and Quiriquina or the municipal prison at Santiago. They had been able to visit only two detention centres and had concluded after their visit that the efforts of the junta to eliminate persons with leftist or even liberal ideas were actually a form of political genocide. Human rights were grossly flouted in Chile, thousands of people were being massacred, arbitrarily detained or subjected to cruel torture. The representative of the League had condemned the activities of the Chilean Government and asked the Commission on Human Rights urgently to study the question of the violations of human rights in Chile. The representative of Amnesty International had also testified¹¹ to the establishment of a reign of terror in Chile, where the situation was daily becoming graver. Following a journey to Chile, the International Commission of Jurists had reported illegal condemnations and inhuman tortures, which had now become every-day occurrences in Chile.

29. By slandering the Soviet Union, the representative of the Chilean junta wished to pass off the just indignation of the international community at the violations of human rights in Chile as political manoeuvres by the Soviet Union against Chile. The Soviet Union had always supported the Chilean people and had always condemned violations of human rights in every country, whether in Chile or in the countries of southern Africa. Even *The New York Times*, which could hardly be called a communist publication, had echoed the disquiet of the entire world at the situation in Chile. Such accusations were typical of the means employed by the Chilean military junta to disguise its crimes. In adopting the Charter of the United Nations, the peoples of the world had accepted the commitment to ensure respect for human rights and fundamental freedoms. The international community owed it to itself to do everything possible to achieve that goal. No one could remain neutral about the appalling crimes committed in Chile; the former Ambassador of Sweden to Chile himself had said so. Recalling the moving statement made by Mrs. Hortensia

Allende to the Commission on Human Rights, he appealed to the members of the Third Committee to take effective and positive steps to put an end to the reign of arbitrary decisions, illegality and repression in Chile. In that connexion he congratulated the delegations which had prepared the two draft resolutions on the question which were now before the Committee (A/C.3/L.2107 and A/C.3/L.2108).

30. The CHAIRMAN informed the Committee that Poland had become a sponsor of draft resolution A/C.3/L.2108.

31. Mr. MACRAE (United Kingdom), before introducing his delegation's amendments (A/C.3/L.2109) to draft resolution A/C.3/L.2108, said that the debate which had taken place in the course of the meeting had highlighted the grave concern felt by the Committee at the situation in Chile. That concern existed at two levels; there was concern at the situation and also concern at what action would be appropriate. That second concern was understandable, since underlying it was a certain ambiguity in the Charter of the United Nations. In Article 1, paragraph 3, Article 13, paragraph 1 (b) and Article 55, paragraph (c), Member States were invited to ensure respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. But Article 2, paragraph 7, an Article often invoked in the past, provided that nothing contained in the Charter should authorize the United Nations to intervene in matters which were essentially within the domestic jurisdiction of any State. In deciding appropriate action the Committee must take that ambiguity into account to ensure that the action proposed was fully in accordance with the principles of the Charter. He wished nevertheless to emphasize that his Government, concerned at the situation in Chile, had made representations to the Chilean government about alleged violations of human rights and was prepared to associate itself with any action taken by the United Nations for the same purpose.

32. Turning to draft resolutions A/C.3/L.2107 and A/C.3/L.2108, he said that it should be possible for the Committee to combine them in a single draft resolution so as to secure unanimity. The aim of the United Kingdom amendments was to achieve the best possible results in Chile. The Third Committee must show itself to be an impartial body whose opinion was worthy of consideration. Any measure adopted by it should meet the three following criteria: it must command the widest possible support, it must be objective and realistic, and it must take account of any constructive measure that the Chilean Government might have taken. It was in that spirit that the amendments in A/C.3/L.2109 had been drafted. The fact that private and official groups had been permitted access to Chile to observe and report on the observance of human rights in Chile was a constructive measure on the part of the Chilean Government. The insertion of the words "reports from a wide variety of sources" in the fourth preambular paragraph and the insertion of the word "alleged" in the eighth were, he felt, two changes which met the criteria of objectivity and truth. The aim of the amendment to the sixth preambular paragraph was to emphasize the importance of resolution 8 (XXVII) adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. He preferred the wording used in draft

¹⁰ See E/CN.4/SR.1274.

¹¹ See E/CN.4/SR.1275.

resolution A/C.3/L.2107. As to operative paragraph 3 of draft resolution A/C.3/L.2108, he noted a discrepancy between the original Spanish and the French version, on one hand, and the English version, on the other, and he proposed that the word "Exige" in the French version and the corresponding word in Spanish should be replaced by the word "Demande" in French and its equivalent in Spanish, which would correspond to the somewhat more suitable expression "Calls on" in the English version. Lastly, the new wording proposed by the United Kingdom for operative paragraph 4 was more in harmony with diplomatic usage; it had already been used on several occasions in similar cases where the Secretary-General had lent his good offices. In conclusion, he repeated that in submitting its amendments the aim of his delegation was to secure a draft resolution that would have unanimous support in the Committee.

33. The CHAIRMAN recalled, before giving the floor to the representative of Chile, that statements made in exercise of the right of reply should not exceed 10 minutes.

34. Mr. DURAN (Chile) said that the arguments advanced by the Soviet representative, who claimed to be a legal expert, did not have much weight in so far as he had read a prepared statement. It was obvious that he had not listened to the statement made by the representative of Chile, who had quoted at length from the statements made by the Chilean bishops; and yet the representative of the Soviet Union was still trying to make people believe that the bishops had announced thousands of deaths and arbitrary arrests. As to the death of Allende, despite the medical

certificate and the autopsy confirming his suicide and despite the first statements made by Mrs. Allende herself, the Soviet Union had declared that he had been assassinated. It was only under pressure from the Soviet Communist Party that Mrs. Allende had subsequently gone back on her original statement. The Soviet representative had also said that there was a state of war in Chile, forgetting that that was due to the natural development of the situation. He had heard Radio Moscow had announced that there had been some 700,000 deaths; subsequently the Soviet figures had been progressively lowered to the current 30,000. All the arguments put forward by the Soviet representative were nothing but inventions for purely political purposes, which it would be pointless to answer. The Soviet Union might know where to find the support it needed to beat Chile, but the important thing for Chileans was the verdict of all mankind.

35. Mr. POEDJIOETOMO (Indonesia), supported by Mr. ALLAGANY (Saudi Arabia), Mr. BAL (Mauritania) and Mr. EVANS (Australia), proposed that the meeting planned for the next day should be cancelled because of the religious holiday marking the end of Ramadan.

36. The CHAIRMAN said that if there were no objections, she would take it that the Committee wished to adopt the Indonesian representative's proposal.

It was so decided.

The meeting rose at 6.30 p.m.

2068th meeting

Friday, 18 October 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2068

Agenda item 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2106/Rev.1, A/C.3/L.2107-2114, A/C.3/XXIX/CRP.1)

1. The CHAIRMAN announced that the delegation of Italy wished to co-sponsor draft resolution A/C.3/L.2106/Rev.1; the delegations of Democratic Yemen, Mali and Togo had become sponsors of draft resolution A/C.3/L.2112, and the delegations of the Congo and the Byelorussian Soviet Socialist Republic had become sponsors of draft resolution A/C.3/L.2114.

2. Mr. SPEEKENBRINK (Netherlands), introducing draft resolution A/C.3/L.2106/Rev.1, pointed out that the wording of the title was different from that appearing in the first version of the draft, as the sponsors had agreed with

the point made by the representative of Iraq at the 2065th meeting that the consensus arrived at in the previous year should be respected as reflected in the wording of the question in paragraph 4 of General Assembly resolution 3059 (XXVIII); they had made a consequential change in operative paragraph 6. By introducing those changes they wished to emphasize that the point of departure for the consideration of the issue was the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment contained in article 5 of the Universal Declaration of Human Rights and reiterated in article 7 of the International Covenant on Civil and Political Rights (see General Assembly resolution 2200 A (XXI), annex). Operative paragraphs 2, 4 and 5 had also been reworded in accordance with the other suggestions made by the representative of Iraq at the 2065th meeting: the words "the General Assembly at its thirtieth session" had been added in operative paragraph 2, operative paragraph 4 had been reworded so as to make the meaning clearer, and in operative paragraph 5 the words "with the view to" had been altered to "with a view to".

3. He wished to stress that in preparing their draft resolution the sponsors had in no way wished to circumvent the Commission on Human Rights. They were, however, aware of the decision taken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 7 (XXVII) (A/9767, annex I) to review annually developments in the field of the question of the human rights of persons subjected to any form of detention and imprisonment, taking into account any reliable information it might receive. As the Sub-Commission was to do that work under the aegis of the Commission on Human Rights the sponsors were convinced that the participation of the Commission on Human Rights in the consideration of the subject was adequately ensured. They were certain that the Commission would actively pursue the work on the matter and, as provided in operative paragraph 2 of the draft resolution, it would have all the necessary information and documentation at its disposal for that purpose.

4. Mr. RAZA (Pakistan) said that his delegation supported draft resolution A/C.3/L.2106/Rev.1. Pakistan had fully guaranteed the enjoyment of fundamental human rights and civil liberties in the Constitution which had been promulgated in April 1973, article 14 of which prohibited the use of torture to extract evidence. That did not mean that torture was acceptable in other circumstances. The people of Pakistan had always condemned torture in all its forms.

5. Mr. EVANS (Australia) expressed his delegation's appreciation of the work done by the Economic and Social Council, the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities in the field of human rights. Australia had been pleased to co-operate with those bodies by providing them with information.

6. For centuries mankind had believed that the recognition of human rights and freedoms should form an indispensable basis for the development of the human personality and of civilized communities. Too often in the past, however, there had been a large gap between intention and reality. Practices such as genocide, forced labour, deprivation of political rights, arbitrary arrest, confiscation of property and detention without trial had become all too familiar. The adoption of the Universal Declaration of Human Rights in 1948 had therefore been a significant landmark in the struggle for the protection of individuals of all races, colours and creeds.

7. The Charter of the United Nations proclaimed that one of the purposes of the United Nations was to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction. In their statements at the current session of the General Assembly, both the Prime Minister (2249th plenary meeting) and the Minister for Foreign Affairs (2259th plenary meeting) of Australia had made specific reference to human rights issues, reflecting the Australian Government's deep concern that men and women throughout the world should be able to live in dignity and peace. His delegation believed that what was needed was a reaffirmation of commitment to Articles 55 and 56 of the Charter, under which States pledged themselves to take action for the promotion of universal respect for and observance of human rights.

8. Since coming to power some 22 months earlier, the Australian Government had taken a close interest in human rights questions; the culmination of that interest had been the drafting of a human rights bill which would shortly be introduced in the Australian Parliament. The aim of the bill was to permit ratification of the International Covenant on Civil and Political Rights and to protect and enhance the position of various groups in Australian society, particularly aboriginals and migrant groups. The bill would provide for equal protection under the law for all persons, regardless of race, colour, national or social origin or other status. Persons belonging to ethnic, religious or linguistic minorities would be afforded the right to enjoy their own culture, to profess and practise their own religion and to use their own language. An Australian human rights commission would be established as an independent statutory authority and would have the power to take action in respect of alleged violations of human rights. Unlike some other countries, Australia had no inhibitions about ensuring that all members of its society enjoyed real political freedom and freedom to express their cultural and artistic views. Its citizens were also free to travel abroad.

9. Australia had taken a close interest in the drought which had afflicted the Sudano-Sahelian region. In May 1973, it had made an initial cash contribution of \$25,000 to the FAO Sahelian Zone Trust Fund and had subsequently made a further contribution of \$100,000 in March 1974. It had recently announced the donation of a further gift of 7,000 tons of wheat for shipment to a number of Sahelian countries in late 1974 or early 1975. His Government supported the view expressed in the Secretary-General's report (A/9637) that the closest possible co-ordination was necessary to ensure that national plans were developed in such a way as to minimize future disasters of that kind. Australia remained ready to respond sympathetically with food, aid and appropriate expertise in similar unfortunate situations in other parts of the world.

10. Turning to draft resolution A/C.3/L.2106/Rev.1, he observed that Australia would be represented at the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and its participation in that Congress would be consistent with its strong support for the elimination of torture and the strengthening of machinery to achieve wider compliance with international laws prohibiting torture. His delegation looked forward to future progress in that area of human rights.

11. His delegation had also noted draft resolution A/C.3/L.2110 concerning assistance and co-operation in accounting for persons missing in action. The International Committee of the Red Cross had over the years been directly concerned with the fate of such persons, and the members of the Third Committee should have no difficulty in supporting the humanitarian principles referred to in the draft resolution. His delegation would vote in favour of it.

12. It was clear that many delegations shared the deep concern felt by the Australian Government about the human rights situation in Chile. Australia's concern was based on humanitarian rather than political grounds. His delegation had noted that safe passage from Chile had been granted to some 8,000 persons through approximately 25 diplomatic missions, although that measure in itself pro-

vided no excuse for other repugnant actions. Australia had that year taken an initiative to promote internationally accepted rules applicable to diplomatic asylum, which would represent an important step towards the protection of fundamental human rights in such situations.

13. Introducing draft resolution A/C.3/L.2114 on behalf of the sponsors, he said that it consolidated the views expressed in documents A/C.3/L.2107-2109, and reflected the overwhelming desire of the members of the Committee to adopt a firm resolution which would draw to the attention of the Chilean authorities the deep concern felt in many parts of the world about the constant and flagrant violations of basic human rights and fundamental freedoms which continued to be reported in Chile. The sponsors had taken into account a wide range of facts and reports concerning the situation in Chile, and they had, in particular, closely studied appeals made by various United Nations organs and other international bodies urging the Chilean authorities to take action to restore and safeguard basic human rights and fundamental freedoms.

14. The preamble of the draft resolution was in essence a factual account of the concern expressed by important organs of the General Assembly, its committees and such bodies as the International Labour Organisation.

15. In operative paragraphs 1, 2 and 3, the General Assembly expressed its deepest concern that constant flagrant violations of basic human rights and fundamental freedoms in Chile continued to be reported, reiterated its repudiation of all forms of torture and other cruel, inhuman or degrading treatment or punishment and urged the Chilean authorities to respect fully the principles of the Universal Declaration of Human Rights. By so doing, the General Assembly might be able to assist in the restoration of human rights in Chile and to influence the Chilean authorities to release all persons who had been detained without charge or imprisoned solely for political reasons. It was also hoped that the Chilean authorities would continue to grant safe conduct to those who desired it. In operative paragraph 4 of the draft resolution the General Assembly endorsed the recommendation made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 8 (XXVII), that the Commission on Human Rights should at its thirty-first session study the reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment. Under paragraph 5 the President of the twenty-ninth session of the General Assembly and the Secretary-General were requested to assist in any way they might deem appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile. In paragraph 6 the Secretary-General was further requested to submit a report to the General Assembly at its thirtieth session on the action taken and progress achieved under paragraphs 3, 4 and 5.

16. The sponsors were most anxious to ensure that the Chilean Government and authorities were made aware of the force of world opinion on the issue, but were equally concerned that the various appeals that had been made should be heeded and that quick action should be taken to give full effect to them. They hoped that the draft resolution would be widely supported by the members of the Committee.

17. Mr. SPEEKENBRINK (Netherlands), speaking on behalf of the sponsors of draft resolution A/C.3/L.2107, withdrew that draft resolution. In doing so the sponsors of draft resolution A/C.3/L.2107 understood that all the sponsors of draft resolution A/C.3/L.2114 agreed that that delicately formulated text adequately expressed their desire that the General Assembly at its twenty-ninth session should pronounce itself in the effort to protect human rights in Chile. It also seemed that operative paragraph 5 of draft resolution A/C.3/L.2114 could be relied upon as the channel to give expression to any preoccupation which individual Member States might have.

18. Mr. LEHTHET (Algeria) announced that he and the other sponsors of draft resolution A/C.3/L.2108 wished to withdraw that draft.

19. Mr. BROAD (United Kingdom) said that his delegation consequently withdrew its amendments to draft resolution A/C.3/L.2108 (A/C.3/L.2109).

20. Mr. ALI (International Labour Organisation) said that as the seventh preambular paragraph of draft resolution A/C.3/L.2114 referred to action taken by the International Labour Conference, he would provide a short explanation of what had been done. In May 1974 the Governing Body of the International Labour Office had decided to send the Fact-Finding and Conciliation Commission on Freedom of Association to Chile and had received the consent of the Chilean Government on the subject. In June 1974, at its fifty-ninth session, the International Labour Conference had adopted resolution X,¹ which was quoted in the seventh preambular paragraph of draft resolution A/C.3/L.2114, and had invited the Governing Body, in accordance with article 26 of the ILO Constitution, to set up a Commission of Inquiry to study the reported violations of human rights in Chile and to submit a report. The Governing Body had realized that the Commission of Inquiry would cover much of the same ground as the Fact-Finding and Conciliation Commission, and therefore, while responding to the request of the Conference, it decided to designate as members of the Commission of Inquiry the three persons who had already been designated to serve on the Fact-Finding and Conciliation Commission. The Commission of Inquiry had held its first meeting in Geneva in July, and at its second meeting it would hear testimony on the situation in Chile. It would later visit Chile to pursue its investigations. Any pertinent resolutions adopted by the Third Committee would immediately be transmitted to the ILO.

21. Mr. HUSSAMY (Syrian Arab Republic) said that his delegation was convinced of the need to formulate and support international instruments ensuring respect for basic human rights, including the cessation of torture and other cruel, inhuman or degrading treatment or punishment. It was also convinced of the need for scientific preparation of the Fifth United Nations Congress on the Prevention of Crime and Treatment of Offenders. It would therefore vote for draft resolution A/C.3/L.2106/Rev.1. However, the draft resolution was of a general character: it was only concerned with preparing the way for setting up the legal

¹ International Labour Office, *Official Bulletin*, vol. LVII, No. 1, 1974, p. 40.

framework governing the question of torture in general, whereas the real issue was that of the continued violation of basic human rights by the racist and colonialist régimes in the territories which they occupied and of the inhuman practices such as torture, expulsion, arbitrary detention and degrading treatment and punishment which those régimes engaged in, particularly with regard to the freedom fighters among the indigenous populations, who refused and would always refuse to relinquish their basic rights. A number of States continued to provide those régimes with assistance, which encouraged those régimes to be even more ferocious in denying the rights of the indigenous peoples. In view of all those considerations, his delegation had co-sponsored draft resolution A/C.3/L.2112, concerning human rights and fundamental freedoms.

22. It was regrettable that despite the numerous resolutions adopted by various United Nations bodies, especially by the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Economic and Social Council and the ILO expressing serious concern over the gross violations of human rights in Chile and calling on the Chilean authorities to cease practices which threatened human life and fundamental freedoms and to ensure the safety of political detainees, the international news agencies continued to report flagrant violations by the Chilean authorities of the provisions of the International Covenants on Human Rights and the persistence of the practices of arbitrary detention and of degrading treatment and torture of prisoners. The international community could not remain indifferent to such a state of affairs. The Syrian Arab Republic therefore called on the Government of Chile to abide by the principles of the Universal Declaration of Human Rights, to put a speedy end to its inhuman actions and to revoke the judicial measures it had instituted against political detainees and prisoners. In that connexion, he declared his delegation's support for draft resolution A/C.3/L.2114.

23. Mr. HSING Sung-yi (China) noted that at the 2066th meeting the representative of Mauritania had exposed the brutal persecution of the native people by the racist and colonialist régimes in southern Africa, and had pointed out that if the question of human rights was to be discussed, attention should be focused on the question of how to stop the crimes committed against the broad masses of the people of southern Africa by their racist and colonialist persecutors. His delegation appreciated the views expressed by the representative of Mauritania, and also considered that draft resolution A/C.3/L.2112 was correct in its basic spirit, because it reflected the urgent demands of the broad masses of the African people. Wherever colonialist, racist, imperialist and hegemonist oppression existed, the great masses of the people lived in misery, and human rights and basic freedoms were out of the question. Moreover, wherever there was oppression, there was resistance. The oppressed masses were fully entitled to fight for their liberation by all necessary means, and mainly by armed struggle. It was entirely just and positive that the draft resolution in question reaffirmed "the legitimacy of their struggle to free themselves from colonial and foreign domination". In the final analysis, only by eradicating the evils of racism, zionism, colonialism, imperialism and hegemonism would it be possible to protect the basic rights of the people throughout the world. In that connexion, he

pointed out that since the Universal Declaration of Human Rights had been adopted with the participation of a defunct Chinese Government, his delegation reserved its right to comment on that Declaration.

24. Referring to the question of Chile, he noted that the Chinese Government and people had always firmly supported the peoples of different countries in their just struggles against colonialism, imperialism and hegemonism, had always condemned the brutal persecution of peoples struggling to achieve national liberation and safeguard their national independence, and were deeply sympathetic to, and concerned at, the plight of many Chilean patriots after the coup d'état. The Chinese Government therefore urged the Government of Chile to put an immediate end to the persecution of Chilean patriots.

25. He pointed out that one super-Power had, over a long period of time, resorted to acts of aggression, interference, domination and subversion in Latin American countries, and that another super-Power had been doing its utmost to infiltrate that region, by fair means or foul, with a view to expanding its spheres of influence and superseding the other super-Power. Flaunting the banner of socialism, it was seeking to undermine the liberation struggle of the peoples of those countries. Under the pretext of "peaceful transition", it sought to mislead the people in their revolutionary struggles, thereby bringing them under its control and influence in order to serve its ends in its rivalry with the other super-Power. It was that rivalry which had caused turbulence and unrest in Latin America, and brought disaster to the Chilean people. In speaking of violations of human rights in Chile, it was therefore necessary to look at their deeper causes.

26. A lesson learned with blood was profound indeed, and President Allende and all the other upholders of justice in Chile had not shed their blood in vain. China believed that their sacrifice would show the Chilean and other Latin American peoples that in order to achieve genuine national liberation, they must adopt a policy of resolutely eliminating all forms of super-Power aggression, interference, control and infiltration, and take their destiny into their own hands.

27. Mr. ARMAN (Democratic Yemen) said that his delegation had been a sponsor of draft resolutions A/C.3/L.2108 and A/C.3/L.2114 because it attached particular importance to the problem of torture and other cruel, and inhuman or degrading treatment and punishment. More, it shared the views expressed by the representative of Algeria concerning the respect for human rights in Chile.

28. The revolution of 14 October 1967 in Yemen had been intended to free the Yemenite people from all forms of sacrifice. It had sought to liberate men from colonialism, exploitation and domination and to give the economically disadvantaged masses of the people the freedoms necessary for the full exercise of political power in the country. It had supported the right of all peoples and liberation movements to democracy and independence, and had spoken out candidly against violations of human rights. In so doing, it was always guided by its belief in fundamental freedoms for all and its concern for human rights and the preservation of human dignity. The Constitution of 30

November 1970 laid down that no punishment should be imposed retroactively or without being provided for by law, prohibited cruel or inhuman punishment, and provided that no punishment involving deprivation or restriction of freedom should be imposed except by a duly constituted court of law. It also guaranteed the right of all citizens to recourse to the judiciary and to a defence, and provided for State assistance to the needy to ensure the exercise of those rights.

29. His delegation noted with regret that despite United Nations appeals to the Chilean authorities to abide by the Universal Declaration of Human Rights and the International Covenants on Human Rights, signed and ratified by the Government of Chile, the military junta in that country continued to violate human rights and to detain prominent personalities in the political, trade union and cultural fields, and to subject them to cruel treatment and torture. His delegation had been profoundly grieved at the death of President Allende, who had fought valiantly for what he believed to be best for his country, and had died heroically while trying to preserve the traditional democracy of the Chilean people, who had elected him according to democratic and constitutional procedures. The current need was to ensure the protection of human rights and human dignity in Chile. The Committee must voice mankind's concern over the deaths, tortures and expulsions suffered by the people of that country.

30. In conclusion, he said that his delegation endorsed the ideas expressed by the representative of Mauritania at the 2066th meeting concerning the suppression of human rights in southern Africa, and announced that Democratic Yemen had become a sponsor of draft resolution A/C.3/L.2112.

31. Mr. FIRN (New Zealand) said that the concern of his Government at the reported violations of human rights in Chile was not based on trends in Chilean politics, which had a complex background and were influenced by majority opinion, but on its desire for a reasonable exercise of justice. It was therefore an honest concern with human rights as such. While the New Zealand Government in no way condoned the events which had taken place in Chile in September 1973, it did not deny the duty of the Chilean authorities to defend society against illegal acts committed by extremist groups. It sought rather to ensure that in defending society, the rights and liberties of ordinary citizens would be zealously safeguarded, and that in particular, no-one would be persecuted for his ideals. The aim of national reconciliation might be better served in such situations by the exercise of magnanimity, than by the continuation of short-term measures of repression, which left a legacy of resentment and hatred. His delegation urged the Government of Chile to heed the concern which had been widely expressed and to respect the basic rights enshrined in the Universal Declaration of Human Rights. For that reason, New Zealand was a sponsor of draft resolutions A/C.3/L.2107 and A/C.3/L.2106/Rev.1.

32. During the past year, representatives of various international bodies had visited Chile, reported their first-hand experience of the situation existing there, and documented their allegations of maltreatment and violations of basic human rights. His delegation wished to state, however, that credit must be given to the Chilean Government for having

permitted those visiting missions and observers to reach their own conclusions on the spot. His Government welcomed the steps being taken by the Government of Chile to improve the situation in that country, and in particular, its expressed determination to investigate allegations of maltreatment and to take the necessary disciplinary action. However, while it noted the statement by the President of Chile that cases of abuse had been, and would be, dealt with through armed forces channels, it suggested that some judicial and public procedures of complaint and investigation independent of the armed forces were needed to ensure that recourse to such methods was not systematic. In conclusion, he indicated that his Government welcomed the announcement of steps designed to secure the release of a large number of political detainees by the end of the current year.

33. Miss VOLLMAR (Federal Republic of Germany) welcomed draft resolution A/C.3/L.2114, noted with satisfaction that it included most of the United Kingdom amendments contained in document A/C.3/L.2109, and commended the recommendation that the Commission on Human Rights at its thirty-first session should study the reported violations of human rights in Chile. Her delegation was also pleased to note that certain paragraphs of the original draft had been amended so as not to anticipate the conclusions of the Commission on Human Rights. However, it would have preferred the inclusion of the two new preambular paragraphs proposed by the United Kingdom, since they would have been an encouragement to those in Chile who sought to initiate changes with a view to securing respect for human rights. In conclusion, she said that care should be taken to avoid giving the Chilean Government the impression that any positive steps it might take would go unrecognized by the United Nations.

34. Mr. PERCY (United States of America) noted that the question of torture and other cruel, inhuman or degrading treatment or punishment was of vital importance in the struggle to safeguard human rights. His delegation therefore whole-heartedly supported draft resolution A/C.3/L.2106/Rev.1, of which it was a sponsor. All nations rightly condemned the abhorrent practice of torture. The problem was of particular interest to his Government, as exemplified by the statement made by the United States Secretary of State at the 2238th meeting of the General Assembly, on 23 September 1974, in which he had called for a major international effort to prohibit torture. It was clear, however, that the problem must not be viewed as the concern of one or several countries, but of the entire family of nations. Torture had regrettably been practised at one time or another by countries in all parts of the world, and only by a world-wide effort could it be eliminated.

35. Consideration should be given to the practical means of preventing the practice of torture without encroaching on the domestic jurisdiction of sovereign States. The draft resolution before the Committee could represent an important first step towards that goal.

36. Torture was most likely to occur in the absence of normal legal safeguards embodied in codes of law and relating for instance to notification of arrest, the right to counsel, the right to appear promptly before a judge. It therefore raised complex legal questions which required, for

their solution, an analysis of the experience of many nations in seeking justice under the law, a study of the merits and problems of different statutory and constitutional systems, and the assistance of eminent jurists. Model codes should be developed for the use of countries which wished to improve and strengthen their systems of justice. Such a task would not be an easy one. It would require a detailed review of police practices and a search for practical solutions of such problems as ensuring the right to legal assistance immediately upon detention; providing that an arrested person must be brought before the judicial authority promptly within a specified time after his arrest; specifying that detained persons could communicate with their families; devising regulations regarding the permissible duration and manner of interrogation; establishing when it was appropriate or necessary to conduct medical examinations, either before or after interrogation; determining what records should be kept regarding the identity of arresting officials and interrogators and the details of medical examinations; providing for procedural remedies in case of complaints of abuse, such as the procedure of *habeas corpus*. Moreover, answers would have to be found to many difficult questions of definition. For example, how could the essence of "torture" or "cruel or inhuman treatment" be defined? Should specific cases be defined in model legislation or left to the discretion of magistrates? Many such questions would undoubtedly arise, and a universal code of ethics was necessary in order to deal with them.

37. The United States had already begun its technical and legal studies of those problems, and would proceed forthwith to intensify its preparatory work for the meetings of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1975. It intended to make a constructive and creative contribution to the performance of the tasks which the draft resolution entrusted to the Congress. His delegation noted that draft resolution A/C.3/L.2106/Rev.1 also mentioned the participation of various other United Nations bodies, which would all have important roles to play in the over-all effort. It would be necessary, however, to determine in due course the appropriate forums in which the most practical and effective action could be taken. In that respect, the draft before the Committee represented a giant step forward. His Government welcomed the fact that other interested Governments had taken an initiative which paralleled and complemented its own interests and ideas. It hoped to work closely with all such Governments, and was therefore particularly pleased to support the recommendations to the Fifth Congress contained in the draft resolution. His delegation also wished to draw attention to operative paragraphs 1 and 2 of the draft resolution, which requested Member States to provide the Secretary-General with relevant information and comments, and asked the latter to prepare an analytical summary. His delegation urged all Members to respond fully to that request, since the work of the Congress and other United Nations bodies would clearly benefit by a broad and detailed knowledge of practice and opinion throughout the world.

38. It was a sad reality that over 25 years after the adoption of the Universal Declaration of Human Rights, the problem of torture still required attention. His Government shared the feelings of dismay and outrage whenever there were reports of the practice of torture. However, it

felt that there was no reason to be discouraged if the problem were viewed in the long perspective of history, and if the unique opportunities offered by the United Nations were recognized. In the past few centuries there had been steady progress towards the universal goal of the protection of human rights, despite the tragic setbacks over wide areas and for long periods of time. Some of the most degrading and inhuman practices had been mitigated or eliminated, and the time was ripe for making yet another great advance in civilization by putting an end to the practice of torture altogether. Given the necessary creativity, skill, persistence and goodwill, that goal could be achieved.

39. Mrs. YOTOPOULOS-MARANGOPOULOS (Greece) said that the sufferings which the Greek people had just experienced as a result of the denial of their human rights made Greece an ardent supporter of all measures, especially at the international level, which might contribute to the protection of basic human rights and fundamental freedoms. Her delegation therefore welcomed the draft resolution on torture and other cruel, inhuman or degrading treatment or punishment of prisoners (A/C.3/L.2106/Rev.1). The experience of Greece showed that the effectiveness of attempts to prevent such abuses depended on the authority of international bodies to exercise a right of intervention. The internal legislation of individual countries did not provide sufficient safeguards. In totalitarian countries, in particular, the existence of emergency laws established solely by the Government without the participation of the representatives of the people could lead to the sudden suspension of all legislation relating to basic human rights. Even without those laws, there existed such a reign of terror that all institutions of the State gradually became subservient to the dictatorship, and resisters were removed from office and subjected to repressive measures. As a result, in the very countries where torture and other inhuman treatment was most widely practised, internal legislation was powerless to prevent it. Her delegation therefore not only supported the draft resolution introduced by the Netherlands, but also wished to see the system of protection by the United Nations strengthened as much as possible.

40. Her delegation associated itself with the feelings of solidarity with the Chilean people expressed in the Committee, and noted with satisfaction that draft resolution A/C.3/L.2114 incorporated most of the provisions of draft resolution A/C.3/L.2108. However, her delegation had attached considerable importance to paragraphs 4 and 5 of draft resolution A/C.3/L.2108, because of their emphasis on firm practical measures to re-establish basic human rights and fundamental freedoms in Chile. It therefore had reservations about the mild wording of operative paragraph 5 of draft resolution A/C.3/L.2114, which was a request only "to assist in any way they may deem appropriate" instead of "to take any appropriate measures" to attain that goal.

41. On the other hand, it was pleased to note that no provision expressing satisfaction at alleged improvements in the situation in Chile had been included, since such expressions by international organizations led dictators to believe that their régime was becoming acceptable, and that they might win the tolerance of other States by an illusory gesture of "democratization" which in no way weakened

the régime. Totalitarian régimes, however, never had the sincere intention of becoming democratic, because that would imply their own destruction. Those were lessons which the people of Greece had learned from bitter experience. It would be recalled that every time the Greek junta had made some gesture “to fool the foreigners”—as its representatives had put it among themselves—and some international organizations and foreign newspapers had welcomed it, their attitude had been a source of encouragement to the junta, which had had its existence prolonged by such deceptive devices, whereas it had been a source of bitterness and discouragement for the Greek people, which had wanted only one thing, namely, to see the collapse of tyranny as soon as possible.

42. Her delegation commended the General Assembly decision to proclaim 1975 International Women’s Year, since there was still much to be done to combat the discrimination against women which continued to exist in all countries in various forms, and which might represent the most widespread form of discrimination currently practised. Even in countries where women seemed to be integrated into the development process, there was much room for progress. Moreover, in countries with a high percentage of women who worked or were engaged in professional activities, women were often unable to make their full contribution to society because they were given employment which did not correspond to their abilities. International Women’s Year should therefore help to promote the genuine integration of women into society. In conclusion, she expressed her delegation’s whole-hearted support for the project and its conviction that the United Nations would continue to make a decisive contribution to the achievement of equality between the sexes.

43. Mrs. GRINEVICH (Byelorussian Soviet Socialist Republic) said that it was clear from the documents and information before the Committee that the Economic and Social Council, the Commission on Human Rights, and the Sub-Commission on Prevention of Discrimination and Protection of Minorities had done a considerable amount of work. Their successful activities had above all promoted the process of détente by opening out broad prospects for economic and social progress in all countries. It was gratifying that the efforts to ensure the observance of human rights were of an increasingly specific and practical nature and that the events which were taking place in the world were being taken into account. The Byelorussian SSR, as a member of the Commission on Human Rights, was actively participating in that work, and it was consistently guided by the lofty principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights. It would of course continue to do everything possible to promote progress in achieving respect for human rights and dignity and fundamental freedoms. At the same time her delegation wished to stress that even the best decisions in that sphere would remain paper decisions if Governments did not take practical steps to implement them.

44. Her delegation welcomed Economic and Social Council resolution 1873 (LVI) on protection of human rights in Chile, and the call to the Government of Chile in paragraph 2. Whatever might be said by the agent of the Chilean military junta, whatever distortions and slander he

might resort to, everyone was well aware that, since the military coup in that country which had resulted in the forcible overthrow of the constitutional Government of President Salvador Allende, a régime of violence and arbitrary rule had been established in Chile. The entire system of constitutional institutions and the progressive socio-economic reforms which had been achieved at the wish of the people had been destroyed. Mass terror and violence against the civilian population continued. Basic human rights and freedoms, including the provisions of the International Covenants on Human Rights, which the Government of Chile had signed and ratified, were being grossly violated. The Fascist junta in Chile had from the first days of its rule used arbitrary and mass arrests as reprisals against the supporters of the lawful Government of Salvador Allende. The country was being covered with a network of concentration camps, people were being killed and imprisoned without trial, and political prisoners were being subjected to the most inhuman torture: it was well known that the corpses of those who had been tortured and killed in the prisons were thrown into the sea or burnt on rubbish piles in order to hide from the world the extent of the crimes. Numerous testimonies from lawyers, priests and other persons who had been in Chile showed that repressive measures were being applied in that country. Eloquent testimony by a woman living in Chile had been published in *The New York Times* of 13 September 1974. All those who were under the slightest suspicion of oppositionist attitudes to the military junta were subjected to cruel reprisals, and the lives of thousands of Chilean patriots were still in danger. The military junta was equally flagrantly flouting the basic economic, political, social, cultural and other rights proclaimed in the International Covenants on Human Rights. The liquidation of those rights was shown, for example, by the fact that the military régime had prohibited political activity and had declared all political organizations to be illegal. The activity of Chile’s largest trade union, representing 90 per cent of the country’s working people, had been prohibited, and restrictions had been placed on the freedom of activity of the trade union organizations. All guarantees against arbitrary dismissal from work had been annulled so that tens of thousands of workers and officials had been dismissed because of their political views and deprived of the means of subsistence. A number of leading trade union and political personalities had recently been arrested.

45. Many representatives had heard the statement made by Salvador Allende, the President of Chile, at the twenty-seventh session of the General Assembly, in which he had explained his plans for providing a better standard of living for the Chilean people.² The plot by imperialist reactionaries and the armed coup had prevented the implementation of those fine plans, and the people of Chile was in the grip of a brutal military régime. Those bloody events were a tragedy not only for the Chilean people but also for all the progressive and democratic forces of the world and for all those who cherished the ideals of the universal realization of the rights and freedoms contained in the International Covenants on Human Rights. No one could or should be satisfied as long as violence and arbitrary rule prevailed in Chile and the life, dignity and freedom of

² See *Official Records of the General Assembly, Twenty-seventh Session, Plenary Meetings, 2096th meeting.*

man were in jeopardy. A movement against the crimes of the military régime in Chile had spread throughout the world, and the world public was demanding the restoration of the human rights and freedoms trampled underfoot by the Fascist junta and the rescue of the Chilean political prisoners whose lives were in danger.

46. The people of the Byelorussian SSR, true to its internationalist traditions, had taken a most active part in that campaign of support for the progressive and anti-Fascist forces in Chile; it had resolutely demanded an end to the murder and persecution of the Chilean patriots and had called for the liberation of the leaders of the national unity party, including Luis Corvalán and Clodomiro Almeida. The United Nations and its specialized agencies were playing a considerable role in the noble struggle for the restoration of human rights and freedoms in Chile, and a number of important documents had already been adopted. Representatives from the socialist and non-aligned countries, including the Foreign Minister of the of the Byelorussian SSR (2260th plenary meeting), in their statements in plenary meetings at the current session of the General Assembly, had exposed the crimes being committed against the Chilean people by the military junta and the violations of human rights in that country, and had demolished the demagogic and slanderous devices by which the agents of the junta had tried to beautify the bloody Fascist régime. It was clear that despite all the attempts of the agent of the military régime on the Third Committee to make it appear that the situation in the country was returning to normal, Chile was still a vast torture chamber and a country of mass torture and execution. In that situation the Third Committee would not be fulfilling its duties under the Charter if it did not take specific steps to stop the suppression of democratic rights and freedoms in Chile, to put an end to the executions and reprisals against the Chilean patriots and to liberate all the imprisoned democrats. That action was all the more necessary as the Chilean military clique had thrown down a direct challenge to the world community by completely ignoring the United Nations decisions on the restoration of human rights in Chile.

47. Her delegation welcomed draft resolution A/C.3/L.2114, which severely condemned the crimes of the Chilean junta. Her delegation was convinced that the Third Committee, having adopted the text in question, would make its contribution to the defence of human rights in Chile and would assist in the restoration in that long-suffering land of the principles proclaimed by the Charter of the United Nations and the International Covenants on Human Rights. Any position of passivity and inaction on that question, in the view of her delegation, was indicative of complicity with the Fascist dictatorship in Chile and with the violation of the human rights and freedoms confirmed in the legal instruments of the United Nations. The words and deeds of States Members of the United Nations must be consistent, and the United Nations decisions and the International Covenants on Human Rights would only achieve their aim if States not only voted for them but also resolutely strove for their observance, severely condemned all violations of the adopted norms and demanded the restoration of human rights and freedoms wherever they were violated. No one should hesitate because of the campaign of lies and distortion which the representatives of the Chilean military junta were trying to carry out in the

Third Committee. They were grossly misrepresenting and distorting the facts, slandering those who told the truth about the situation of human rights and freedoms in Chile, and trying to whitewash the crimes of the junta. However, that was an impossible task, and no verbiage by the representatives of the junta at the General Assembly could stifle the voice of the truth, of the Chilean people and of the tens of thousands of prisoners who were languishing in the torture-chambers of the military régime.

48. Miss ILIĆ (Yugoslavia) said that the continued existence of the inhuman practice of torture was more shocking and intolerable than ever before because civilization had reached such an advanced stage. It must therefore be condemned and eradicated as soon as possible. Unfortunately, reliable information confirmed that the practice of torture had been spreading, and was being resorted to on a more massive and systematic scale than before through the use of sophisticated techniques which were more difficult to detect or caused more severe physical and mental pain than the older techniques, and which could lead to the complete destruction of the physical and mental integrity of the victims. Moreover, life under régimes that applied policies of racism, racial segregation and *apartheid* meant exposure to torture and inhuman and degrading treatment, such as the forced separation of families and forced labour. The racist régimes in southern Africa had been engaging in such practices for years. The white minority there had been resorting to the most repressive measures to keep the opponents of its policies of *apartheid* under control. Detainees had testified under oath that they had been stripped naked in the cold, suspended above ground, given electric shocks, made to stand for days on end, and had been exposed to many other forms of torture. The purpose of such brutal treatment was the physical and mental destruction of the victims, many of whom had died under detention. Reports on the situation in southern Africa, especially those by competent United Nations bodies, had helped to reveal the evils of *apartheid*, and they had led to a condemnation of such policies and of the racist régime for its disregard of United Nations resolutions on that subject. In particular, the General Assembly, in its resolution 3055 (XXVIII), had condemned the Government of South Africa for its failure to comply with the repeated requests by the United Nations in that connexion. Draft resolution A/C.3/L.2112, of which her delegation was a sponsor, represented an additional effort to bring about an end to the policy of racial discrimination and *apartheid* and all its attendant evils.

49. With reference to the situation in Chile, she said that her delegation had made its position known on many occasions, both within the framework of the United Nations and elsewhere. Its position was based on the Political Declaration of the Fourth Conference of Heads of State or Government of Non-aligned Countries,³ held in Algiers in September 1973. The Fascist junta that had overthrown the legal Government of Chile, and killed President Allende and many thousands of Chilean patriots, was part of the combined aggression of reaction and imperialism to which the non-aligned countries had drawn attention in Algiers. The overthrow of President Allende's Government had also marked the beginning of the violation

³ See A/9330 and Corr.1, p. 3.

of the spirit and the letter of the Universal Declaration of Human Rights and the International Covenants on Human Rights in Chile. Since then, reports had been constantly reaching the outside world about the violation of trade union rights, arbitrary arrests, torture, inhuman and degrading treatment of prisoners, the opening of concentration camps, the establishment of special courts, and the inhuman treatment of members of President Allende's Government and of the former Parliament. Her country, in keeping with its tradition of true international solidarity and the provisions of its Constitution, had granted asylum to many Chileans persecuted by the régime of terror.

50. Her delegation had once again shown its deep concern over the continuing violation of basic human rights and fundamental freedoms in Chile by co-sponsoring draft resolution A/C.3/L.2108, and the new joint draft resolution contained in document A/C.3/L.2114. It hoped that the latter would receive the widest possible support from the Committee.

51. Mrs. IDER (Mongolia) said that her delegation welcomed the adoption by the Economic and Social Council of resolution 1873 (LVI) and also the decision of the Commission on Human Rights to authorize its Chairman to send a cable to the Chilean authorities calling on them to ensure respect for human rights.

52. Representatives of countries from the various continents had expressed concern at the massive and flagrant violations of human rights and freedoms in Chile, and not one representative, with the exception of the representative of the Chilean junta, had tried to justify what was happening in that country. That was an indication of the complete international isolation of the Chilean junta. During the year which had passed since the forcible overthrow of the constitutional Government of Chile by the military junta, a régime of mass terror had been instituted in the country; in a country which was famous for its democratic institutions and traditions, democracy, and the Parliament which had existed for over 160 years, had been destroyed; political parties, trade unions and progressive public organizations had been banned, and all human rights and freedoms had been trampled upon. Arbitrary and mass arrests, murders without trial and the torture and execution of prisoners had become a daily occurrence in Chile. Members of the Unidad Popular Government, including such eminent figures as Luis Corvalán and Clodomiro Almeida, and also Members of Parliament, trade union leaders, militants, leaders of the progressive parties and organizations, many eminent figures in the fields of culture and science, and people of the most varied convictions had been thrown into prisons and concentration camps and were being subjected to brutal torture and humiliation. Their lives were in constant danger and tens of thousands of people were being executed without trial. The International Commission of Enquiry into the Crimes of the Military Junta in Chile had official reported that about 30,000 people had been killed since the overthrow of the lawfully elected Government. Students and lecturers were being expelled *en masse* from universities—many of them were being detained in concentration camps—many newspapers had been banned, and those which remained were subjected to strict censorship. The working people were having to work extra hours

without compensation. Hundreds of thousands of them were being dismissed solely because of political considerations and were being deprived of the right to work. There were no signs of change in the situation in Chile; the head of the military junta had declared that the ban on political activity would be enforced for five or more years and the military would remain in power even after that time.

53. A broad movement of solidarity with the people of Chile had developed throughout the world. A number of international conferences, including the World Congress of Peace Force held in Moscow in October 1973, the All-European Conference of Solidarity with the Chilean People held in Paris in July 1974, and the international conference of solidarity with the people of Chile held in Caracas, in August 1974, had resolutely condemned the flagrant violation of basic human rights and freedoms in Chile and had demanded the restoration of those rights and the release of Luis Corvalán, Clodomiro Almeida, and other political prisoners. Many United Nations organs and also a number of the specialized agencies had condemned the violation of human rights in Chile and demanded the restoration of those rights. Resolution X adopted at the fifty-ninth session of the International Labour Conference¹ was particularly significant.

54. The Mongolian people was taking an active part in the universal movement of solidarity with the people in Chile. The Government and people of Mongolia resolutely condemned the Fascist coup in Chile and supported the progressive forces. The week of international solidarity with the people of Chile had been widely observed in her country, and many mass meetings had been held at which the people had demanded the restoration of human rights and fundamental freedoms in Chile and the release of political prisoners. A telegram had been sent to the Secretary-General of the United Nations by public organizations in Mongolia.

55. Her delegation was therefore among the sponsors of draft resolutions A/C.3/L.2108 and A/C.3/L.2114. It also wished to call on the President of the General Assembly and the Secretary-General to make further efforts for the liberation of political prisoners and the restoration of the rule of law in Chile, and that was reflected in operative paragraph 5 of draft resolution A/C.3/L.2114. The Committee's adoption of the draft resolution would contribute to the common struggle of the peoples for the restoration of democracy and legality in Chile.

56. Mr. STÅHL (Sweden) recalled that, in a statement made at the twenty-eighth session of the General Assembly, the Permanent Representative of Sweden had said that the humanitarian problems caused by the situation in Chile were a source of great concern to the Swedish Government and people. Since that time, the question of the situation in Chile had been discussed in various bodies and dealt with in various documents, some of which were referred to in draft resolution A/C.3/L.2114. In resolutions adopted by the Economic and Social Council, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the International Labour Organisation, the Government of Chile had been called upon in various ways to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms in Chile.

57. Reports from Chile had shown, however, that such appeals had so far gone unheeded. That was a situation which the United Nations could not tolerate. It was an important duty of the United Nations to ensure that the full force of international public opinion was mobilized in support of basic human rights and fundamental freedoms in Chile. Concern about the fate of political leaders should not diminish concern for people of lesser stature, such as the anonymous party workers and others who had suffered for their political convictions just as much as well-known political and trade union leaders.

58. The views of the Swedish Government regarding human rights in Chile were well-known. The Minister for Foreign Affairs of Sweden, in a statement at the 2243rd plenary meeting of the General Assembly on 25 September 1974, had said that the new rulers of Chile must be reminded that exercise of power based on brute force could only bring misery to the people and dishonour to the country.

59. His delegation believed that one of the most important tasks of the Committee was to stress the concern of the world at the plight of the people suffering in Chile. Accordingly, it had become a sponsor of draft resolution A/C.3/L.2114. The fact that there were so many sponsors of that draft resolution, representing the entire world community, would, he felt, guarantee its adoption by an overwhelming majority of the members of the Committee.

60. Mrs. GUEYE (Senegal) said that the Committee had rightly accorded high priority to the question of human rights. Indeed, it was impossible to talk of détente and international co-operation while there were still people in the world who were deprived of their most basic rights to freedom and dignity. The great developments in science and technology were of little worth if they were employed in an increasingly dehumanized world to deprive men of their most fundamental rights. It was deplorable that the moral evolution of mankind did not always keep pace with its technological development. The historic duty of all nations was to unite in order to bring to an end all violations of human rights.

61. It was for that reason that 22 delegations, including her own, had joined in sponsoring draft resolution A/C.3/L.2112 concerning human rights and fundamental freedoms. Introducing the draft resolution on behalf of the sponsors, she observed that it referred to the Universal Declaration of Human Rights and certain resolutions adopted in the United Nations which placed emphasis on the dignity and worth of the human person and the need to abolish all cruel, inhuman or degrading treatment or punishment. Economic and Social Council resolution 1864 (LVI), in particular, drew attention to the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa.

62. The effects of repression were most severe and most degrading when it was applied against peoples under colonial and alien domination. The incredible situation of the non-white populations in South Africa, Namibia and Southern Rhodesia was a case in point. According to a

report⁴ prepared by the *Ad Hoc* Working Group of Experts established by the Commission on Human Rights, which had been before the Commission at its twenty-ninth session, the South African police used the most cruel and degrading forms of torture against persons arrested in Namibia.

63. At the 1236th meeting of the Commission on Human Rights, the representative of the United States had reported that the so-called "aid centres" in South Africa, particularly those in Johannesburg and Pretoria, far from easing the rigours of unjust legal systems, merely served to reinforce the iron hand of the Government's labour controls.⁵

64. Other sources of concern were the Bantustan policy, segregationist and repressive laws, torture, restrictions on freedom of movement, corporal punishment, arbitrary detention and illegal executions practised in southern Africa. The draft resolution expressed indignation at such practices and reaffirmed the determination of the General Assembly to ensure the full enjoyment of human rights and fundamental freedoms to all persons. However, the United Nations could not achieve its goal without the support and goodwill of Governments. It therefore condemned those countries which assisted the racist régimes in southern Africa and elsewhere to repress and thwart the deep and legitimate aspirations of innocent peoples.

65. Southern Africa possessed vast mineral resources, but the racist régimes there could not survive without the support of powerful allies, countries which should be the first to implement the relevant resolutions of the General Assembly and the Security Council. She reminded those countries of the results of a study undertaken by several leading universities in South Africa, which showed that, unless structural changes were made in the political system, the entire subcontinent was faced with the threat of a racial war of incalculable consequences. She also recalled Security Council resolution 277 (1970) which reaffirmed that the situation in Southern Rhodesia constituted a threat to international peace and security.

66. The facts spoke for themselves and were sufficiently serious to merit constant attention by the United Nations. Accordingly, in operative paragraph 6 of the draft resolution the Secretary-General was requested to transmit to the Commission on Human Rights a summary of the discussion on the question and the relevant report of the Third Committee to the General Assembly.

67. Her delegation expressed the hope that draft resolution A/C.3/L.2112 would be widely supported and unanimously adopted by the members of the Committee.

68. Mr. BAROODY (Saudi Arabia) noted that most members of the Committee who had spoken on the question of torture had dwelt on specific cases, especially the reported cases of torture in Chile, and had neglected to deal with the philosophy of punishment.

69. His delegation believed that no one country had a monopoly on torture, which was, unfortunately, a universal

⁴ E/CN.4/1111.

⁵ See E/CN.4/SR.1236.

phenomenon. Torture took many forms and was attributable to a variety of factors. It often had its roots in the home and the school: parents and educators who beat children were actually—without being aware of it—helping to perpetuate torture. Moreover, a great deal of mental and psychological tyranny in the modern world went undetected, even though it could be classified as a form of torture.

70. Although draft resolution A/C.3/L.2106/Rev.1 represented a praiseworthy effort, it would not solve the problem of torture. The quickest way to eradicate physical torture was through publicity. For example, the United Nations could devise posters to be issued to countries for display in police stations, prisons and courts, with a view to educating people in the dignity and worth of the human person. A special United Nations stamp could also be issued. Such action would achieve more tangible results than the bureaucratic activity recommended in draft resolution A/C.3/L.2106/Rev.1. He expressed the hope that the sponsors of that draft resolution would see fit to add a new paragraph to it, incorporating his suggestions.

71. Mr. DÍEZ (Chile), speaking in exercise of the right of reply, expressed surprise that a number of delegations had seen fit to level unsubstantiated charges against the Chilean authorities. The representative of the Byelorussian SSR, in particular, had demonstrated her belief in the slanderous propaganda of her own Government and had made a number of gross errors of fact in her statement. Moreover, he was particularly surprised that the delegation of the United Kingdom, a country with a long tradition of fair play, had associated itself with others in prejudging the situation in Chile.

72. Chile was a country with a long tradition of respect for human rights. Any individual, group or organization was welcome to go to the country in order to verify the situation at first hand. The representative of the ILO had indicated earlier in the meeting that the International Labour Conference had established a Commission of Enquiry headed by an eminent international jurist, which would visit Chile, with the consent of the Chilean Government. Moreover, the Chilean authorities were currently co-operating in an investigation being conducted by the Organization of American States. It was deplorable that, notwithstanding the fact that the reported violations of human rights in Chile had not yet been confirmed by the United Nations and its specialized agencies, the Committee was hastening to vote on a draft resolution which called for re-establishment of basic human rights in Chile, the clear implication being that those rights had been abolished.

73. His country was willing to rectify any mistakes that had been made. The courts were empowered to deal with any cases concerning human rights that arose. The Chilean authorities had never claimed that the possibilities of legal redress in that regard had been exhausted. It was ironic, therefore, that certain countries which for decades had not allowed full respect for human rights to exist in their territories, should take the position of prejudging the situation in Chile.

74. His delegation reserved its right to reply in more detail at the next meeting to the slanderous statements that had been made, as well as to the expressions of goodwill towards Chile voiced by certain delegations.

The meeting rose at 1.40 p.m.

2069th meeting

Monday, 21 October 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2069

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2106/Rev.1, A/C.3/L.2110-2114, A/C.3/XXIX/CRP.1)

1. The CHAIRMAN announced that the Libyan Arab Republic, the Sudan and the United Republic of Cameroon had joined the sponsors of draft resolution A/C.3/L.2112, that the Sudan had joined the sponsors of draft resolution A/C.3/L.2113, and that Bulgaria, Dahomey, Greece and the Libyan Arab Republic had joined the sponsors of draft resolution A/C.3/L.2114.

2. Mrs. DE JARAMILLO (Colombia) said that her country felt it had a certain right to speak on the subject of human

rights because not only had it respected them, it had also defended them. For that reason, it had co-sponsored draft resolution A/C.3/L.2106/Rev.1 and it strongly supported the text in document A/C.3/L.2112. At the same time, her delegation reaffirmed its support and absolute loyalty to the rule enshrined in Article 2, paragraph 7, of the Charter, which prohibited the United Nations from intervening in matters which were essentially within the domestic jurisdiction of States; its position did not imply judgement of any kind regarding the conduct of any other Government.

3. Turning to draft resolution A/C.3/L.2114, she recalled that in resolution 3059 (XXVIII), the General Assembly had requested the Secretary-General to inform it of the consideration which might have been given to the question of torture by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Like the Assembly, the Sub-Commission had been gravely concerned at the many violations of the fundamental human rights of detainees which were still being reported from various parts

of the world. In those circumstances, there did not seem to be any definite grounds for singling out any one country as a violator of human rights or for saying that flagrant and massive violations of those rights were still being committed in that country.

4. Neither the Commission on Human Rights nor the Third Committee had received the reliable information mentioned in operative paragraph 3 of resolution 8 (XXVII) of the Sub-Commission (A/9767, annex II). Furthermore, the report of the Commission on Human Rights on its thirtieth session recorded the Commission's decision to refer the relevant documents to Governments and to request them to send in their observations not later than 1 December 1974.¹

5. For all those reasons, it was clear that the Committee did not have the necessary elements to judge the situation and that the draft resolution (A/C.3/L.2114) was untimely, discriminatory and based on facts that had not been proved.

6. Mr. DIEZ (Chile) said that, seeing that his country seemed to have become the main focus of the debate, he felt it incumbent on him to clarify certain points. The Chilean delegation to the fifty-ninth session of the International Labour Conference in June 1974 had been composed of the following: Eduardo Ríos Arias, secretary since 1964 of the port workers' union; Ernesto Vogel, who was supposed to have been assassinated by the military junta, according to the international press; Federico Mujica, a leader of the telephone workers' federation; Pedro Briceño, a director of the *Compañía de Acero del Pacífico*; Tucapel Jimenez, President since 1973 of the State employees' association; Gustavo Diaz, a trade union leader since 1962; Guillermo Medina, President of the council of the copper-workers' confederation; and Claudio Astudillo, the founder of the iron and steel workers' union. In view of the names on that list, which were all of persons with long trade union experience who had been freely elected by the Chilean trade unions, there could not be the slightest doubt that Chile had sent real trade union representatives and that the whole country was supporting the Government that had liberated Chile.

7. As to the Byelorussian representative's appeal for the release of Luis Figueroa, ex-President of the Chilean general confederation of labour, if the Byelorussian representative had listened to Radio Moscow she would know that Mr. Figueroa had been released on 10 October and had then gone to Finland in order to collect half a million dollars for the "struggle against fascism". In addition, it should be borne in mind that Mr. Figueroa had been at one and the same time Minister of Labour, a member of the Central Committee of the Communist Party and a labour leader, on the Soviet pattern. There was no need to say more.

8. Draft resolution A/C.3/L.2114 stated that reports had been received from a wide variety of sources relating to gross and massive violations of human rights in Chile. Some clarification was desirable and he wished to say that those

sources included the communications received by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. They were all the same, and it was enough to give a few examples of their origin: a Minister of Yemen, Mongolian jurists, Ukrainian associations and various individuals. One of the signatories was an individual who represented three different organizations at the same time. In that case, the Secretary-General had not even complied with the relevant United Nations resolutions, since those communications were drafted in very general terms and contained nothing but abuse. Another source of information was the reports published by the pro-communist international press, which received its orders from Moscow; that was the press which had reported the death of Mr. Vogel.

9. The facts he had mentioned, as a whole, showed that a pyramid of resolutions relating to Chile was being built, without any reliable information on what was really happening in the country. There was hardly any need to point out that there were many countries where no one paid the least attention to violations of human rights. But the situation had been different where Chile was concerned because of the activities of the international communist machinery.

10. Soviet policy in that respect was well known. The USSR had begun to interfere in Chile a long time ago through the Chilean branch of the Communist Party, which had been the first to applaud the invasion of Hungary and later of Czechoslovakia. To celebrate its fiftieth anniversary, the Chilean Communist Party had published a book which was nothing but an apologia of violence. But the Communists had not contented themselves merely with preaching the method of armed attack, they had begun to implement it: first, through the importation of arms manufactured in the Soviet Union and Czechoslovakia and later through the establishment of "industrial cordons" (organizations set up and armed by the *Unidad Popular* to engage in street-fighting) and of guerilla schools. Soviet interference in Chile had also taken other forms. For instance, the holding of the twenty-fourth Congress of the Communist Party of the USSR had coincided with elections in Chile. Mr. Luis Corvalán, the Secretary-General of the Chilean Communist Party, had not voted in those elections, as was his duty under Chilean law, because, according to his own statement, he was reporting to the Congress on the progress of the revolution in Chile. On another occasion, Mr. Allende had called the Soviet Union "our elder brother". Up to that moment, Chile had had "brothers and equals" and a "mother country", but it had never had an "elder brother". It was easy to understand why Chile was now being condemned.

11. He then asked whether there were not military Governments in other countries and whether all the countries that were Members of the United Nations had real parliaments. The Chilean Congress had been dissolved for a well justified reason—the Communists and the enemies of the country could not be allowed to use it as a rostrum. The results of the last elections had been falsified and if the parliament was not elected by the people, it was better not have a parliament at all. Some of the political parties had been dissolved also because they were nothing but slaves of communism. In Chile parties with objectives that were the

¹ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5*, chap. XIX, sect. B, decision 3.

reverse of democratic were not allowed, just as in the Federal Republic of Germany, for instance, where it had been decided not to permit the establishment of the Communist party, a decision which had been confirmed by the Council of Europe when that party appealed against it. There were also countries which always applied the single-party system and even the single-candidate system in elections.

12. As to the statement that the Government of Chile had handed over the country's economy to transnational enterprises, he would like to hear a single concrete instance to support that allegation. Chile's copper, nitrates and coal still belonged to the Chilean people, and its ownership of those resources had nothing to do with the Unidad Popular Government, for the shares in those companies had been in the hands of Chileans before that Government had come to power.

13. The United Kingdom was one of the sponsors of draft resolution A/C.3/L.2114, which attacked the Chilean Government; he asked whether the Government of the United Kingdom had asked for the views of the thousands of its nationals who were living and working in Chile and who supported the present Government. The same question might be asked of the Governments of the Syrian Arab Republic, Italy, Yugoslavia and the Federal Republic of Germany, which had certainly not consulted those of their nationals who were now living in Chile. With regard to Italy in particular, he recalled the case of the Italian residents of Chile who had been decorated by the Italian Government and who had returned their decorations because of the Government's attitude to Chile.

14. Another indication of the real situation in Chile was the ambassadors of the Allende Government, who were now living and working in Chile or returning to the country. Australia, which had taken in thousands of Chilean refugees during the Allende period, could testify to the fact that many of those refugees were also returning and that others could not yet do so because they could not get passages from the airlines, which had been booked to capacity owing to the number of persons wishing to travel to Chile.

15. Since the new Government had taken office productivity had increased in Chile and that was not because the workers were forced to work at bayonet point, as had been alleged in some quarters. There were only a few thousand soldiers and there were millions of workers. If they worked, it was because they wished to do so. Copper production had increased by more than 40 per cent, which had even an impact on prices, and that had been achieved without additional investment or additional labour. Were not those data more reliable sources than the communications that had been mentioned earlier?

16. If Chile was being condemned, it was because it had left the Soviet orbit. There were grounds for suspecting that Chile had just escaped being apportioned under the guise of détente. If the popular and democratic government had been proclaimed in Chile and if a Gulag Archipelago had spread throughout the country, no one would have interfered and Chile would be a "progressive" country. The underlying bad faith manifest in all those accounts was only too obvious.

17. However, Chile was above all attacks and all abuse. Its honour could not be destroyed by lies and, whatever the obstacles, Chile would continue to respect human rights. There was a state of emergency in Chile. Although the Government would like to do so, it was not yet time to restore political life, because there was still a great deal of bottled-up hatred, and the economic situation was highly delicate. But democracy would be restored. The Chilean Government believed in a legal system guaranteeing the rights of detainees, in freedom of the press and in a preventive penal system under which innocent people would not suffer. In that connexion, he said that Chile was preparing a study on the penal system which would be presented in 1975. In conclusion, he said that the Chilean delegation had come to the Committee's conference room seeking justice and equity, but it had found nothing but a void.

18. Mr. PETROV (Bulgaria) said that the ruthless record of the Government of Chile's Fascist military junta had brought it the dubious distinction of being regarded as the successor of Hitler. The United Nations could not remain indifferent to the situation. The rebirth of fascism in any form and any place was intolerable, and the international community should combat with every means at its disposal that shameful affront to human dignity and freedom. The Secretary-General and the President of the General Assembly at its twenty-eighth session had already spoken on the subject, as had the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the International Labour Organisation. Condemnation of the Chilean Fascist régime was world-wide and unanimous and could be compared only with the condemnation of the racists of southern Africa. The large number of delegations that had supported draft resolution A/C.3/L.2114 was very significant in that connexion.

19. In order to confuse world opinion and justify its crimes, the Fascist military junta was using outdated claims of political crises in the previous régime and dangers from beyond Chile's frontiers as the alleged ultimate justification for the illegal and forcible overthrow of the régime of President Allende, who had gained power and assumed the functions to which he was constitutionally entitled with the support of 43 per cent of the votes cast. The military junta, on the other hand, had taken power through a violent coup d'état, contrary to the provisions of article 121 of the Penal Code and article 267 of the Code of Military Justice. By Decree No. 27, of 27 September 1973, all constitutional institutions and organs had been liquidated, and by Decrees Nos. 128 and 527, four generals had assumed legislative, executive and judicial power, laying the foundation for oppression and shaping the image of a Fascist dictatorship.

20. Since that time—with the argument, repeated *ad nauseam*, that the junta had acted to free the country from Marxist dictatorship—crimes which had deeply moved world opinion had been perpetrated. According to a report of April 1974 by the International Commission of Jurists, all the basic rights and liberties guaranteed by the Constitution had been suspended through decrees, laws and ordinances promulgated by the military authorities. Political parties had been suspended, no political activity of any kind was permitted, freedom of association had been

restricted, and freedom of expression, academic freedom and inviolability of domicile were practically non-existent. In statements published in *Le Monde* on 13 September 1974, General Leigh, Commander of the Air Force of Chile, had declared that no political activities were likely in Chile for the next two years and the Press Secretary of the military junta had announced that the Government had a 10-year plan. The Fascists wanted to carry their anti-humanist concepts and their ruthless plans to the utmost extreme. A report by Amnesty International gave clinical details of the tortures and atrocities perpetrated in the Chilean prisons against those who opposed the Fascist régime.

21. At the same time, the Fascist military junta was leading the country towards economic disaster. The newspaper *Le Monde* had published on 14 September an article on the economic situation in Chile, describing the economic misery and the shortage of basic commodities and stating that by Decree No. 600 of 11 July, the junta had authorized foreign investors to remove to their own countries 100 per cent of their profits.

22. The representatives of the junta were trying to mask the atrocities perpetrated by the Fascist régime by using a screen of legality and alleged arguments of public order, although the reality was that the Fascists were bent on systematically eliminating all their opponents. The Chilean delegation tried to disguise the outward appearance of the junta and make it seem that the face of the Chilean Hitler was the face of the suffering people in Chile and had the support of the Church. Yet *The Guardian* of 12 October reported that it was difficult to find priests with leftist ideas in Chile but that the repressive actions of the régime had prompted a growing number of ecclesiastical dignitaries to describe it as Fascist. On 23 August Cardinal Silva Henríquez, the head of the Lutheran Church and the Chief Rabbi of Santiago had sent a joint petition to Pinochet, requesting amnesty for all prisoners, to which Pinochet had replied that they would do better to concern themselves with the souls of the prisoners and leave him to deal with the temporal side of the matter. On 7 September the Archbishop of Santiago had said that the work of the Church consisted not only in improving souls but also in saving the people.

23. Referring to a particular case, he drew the Committee's attention to the fact that Carmen Castillo Echeverría, aged 29 years and in the last months of pregnancy, had been detained by the Fascist authorities on 5 October and that it was intended to condemn her to death.

24. In his view, the attitude of the Chilean military junta was a challenge to the civilized community, to the United Nations and to human dignity; for those reasons, his country fully supported draft resolution A/C.3/L.2114.

25. Mr. FØNS BUHL (Denmark) observed that the statement of the representative of Chile had indicated the Chilean Government's readiness to receive a representative of the Secretary-General with a view to judging the true situation in the country. He welcomed the suggestion that an impartial commission or expert should visit Chile, since that was essential for the study of the reported violations of human rights in Chile which was referred to in operative

paragraph 4 of draft resolution A/C.3/L.2114, in support of the recommendation to that effect made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

26. Mr. PERCY (United States of America) introduced draft resolution A/C.3/L.2110, on assistance and co-operation in accounting for persons missing in action, and said that there was hardly an armed conflict that had not resulted in cases of men missing in action.

27. That subject was of particular concern to his Government because at the present time in Indo-China many persons on both sides—combatant as well as non-combatant—remained unaccounted for; that uncertainty not only produced emotional stress but also created legal and practical difficulties. Moreover, it was known that the same situation existed elsewhere in the world. Therefore no attempt had been made in the draft resolution to single out any specific area, since the problem was a humanitarian one of international scope.

28. As was recalled in the proposed text, one of the basic purposes of the United Nations was the promotion of international co-operation to resolve humanitarian problems, and the sometimes unrecognized problem of persons missing in action concerned everyone and deserved consideration as a matter of priority. Consequently, the draft resolution called on parties to armed conflicts to take such action as might be within their power to help locate and mark the graves of the dead, to facilitate the disinterment and the return of remains and to provide information about those who were missing in action.

29. The draft resolution also noted resolution V, adopted by the twenty-second International Conference of the Red Cross held at Teheran in 1973,² calling on parties to armed conflicts to accomplish the humanitarian task of accounting for the missing and dead in armed conflicts. Everyone knew that the Red Cross had long concerned itself with that problem, and it would be appropriate for the United Nations also to state its concern on the subject, since it was a universal problem which should be kept separate from political and military considerations.

30. In conclusion, he emphasized that while the problem was of special concern to the United States, the draft resolution did not single out any specific area or point the finger of blame at any Government; the intention was only to reaffirm international concern about an important humanitarian problem. He therefore hoped that the draft resolution would gain the unanimous approval of the members of the Committee.

31. Mr. ALARCÓN (Cuba) said that his delegation was a sponsor of draft resolutions A/C.3/L.2112 and A/C.3/L.2114, which concerned questions of special interest to the peoples of the third world and were, for several reasons, closely related to each other. The situation in Chile had in fact been a matter of concern and interest to all the peoples of the third world since the winning of power by the Allende régime, which had embodied those peoples' desire

² See *International Review of the Red Cross*, No. 154 (January 1974).

to establish social justice and eliminate misery. The non-aligned countries had then adopted the position of supporting the Allende Government, and it was sufficient to recall that at their fourth Conference, held at Algiers shortly before the coup that had overthrown Allende's popular Government, the Heads of State or Government of those countries had expressed their solidarity with Allende and their repudiation in advance of the blow struck against him by fascism shortly thereafter. Thus, the first subject of agreement of that Conference had been a message to Allende, and the dangers threatening that popular Government of Chile had been referred to in all the statements made. In the face of the Fascist coup and the brutal oppression which had followed it, the non-aligned countries had reacted in a way that was to be expected. At a meeting held from 19 to 21 March 1974, the Co-ordinating Committee of the Conference of Non-aligned Countries, consisting of the foreign ministers of 17 Governments, had made an appeal for solidarity with the Chilean people and for support to them against fascism. At the same time, a message had been sent to the Secretary-General of the United Nations and to other international figures in which the representatives of the non-aligned countries had expressed their concern for the fate of Minister Clodomiro Almeyda; had condemned the disappearance of Mr. José Tohá, who had also been a Government minister, and the death of thousands of civilians; had asked that the necessary action should be taken on behalf of the life and freedom of Mr. Almeyda and the political prisoners; and had alerted the international community regarding the conduct of the junta and fate of the Chilean people.

32. The non-aligned countries, the socialist countries and other countries and peoples, irrespective of their form of government or ideology, had expressed their views in a similar manner. The efforts which had been made within the Third Committee to discredit that campaign by calling it a manoeuvre of international communism were contradicted by the indisputable evidence of publicly known facts, by the number and the variety of the sponsors of draft resolution A/C.3/L.2114 and by the attitude of the prime mover of those efforts, who began by attacking international communism and ended by referring to Governments of every colouring, as though communism had infiltrated everywhere. The representative of Chile had also hurled charges against non-communist institutions that had criticized the violations of human rights in Chile. In that connexion, it could be said that there was a universal consensus regarding the repudiation of the Chilean junta and regarding support for the courageous people of Chile. That had been the gist of statements made by the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Economic and Social Council and other bodies such as the ILO, UNESCO and the Trade and Development Board. In view of the unanimous agreement of those bodies, the representative of Chile had foreseen that the same thing would happen again on the present occasion. Therefore, and in the same way as had happened in the debate in those bodies, the Fascist junta was seeking only to gain time in order to perpetuate oppression and to murder patriots.

33. In February 1974, the Commission on Human Rights had expressed its concern over the prisoners in Chile, one of whom had been Mr. José Tohá. The representative of the

Chilean junta had said on that occasion that all the prisoners enjoyed full rights and that their lives were in no danger whatever. Nevertheless, Mr. Tohá had been murdered shortly after that statement, and numerous patriots were still in danger. The Cuban delegation would like to take the present occasion to draw attention to the case of Carmen Castillo Echeverría, a member of the Movimiento de Izquierda Revolucionaria who was in prison and was in the final month of pregnancy. Carmen Castillo had been arrested in the encounter between the forces of oppression and revolutionary elements in which Miguel Enríquez had died. According to the spokesmen of the junta, Carmen Castillo had been seriously wounded. That report appeared to be false, and the lie was perhaps intended to lay the groundwork for the prisoner's murder.

34. The Fascist allegations distorted the truth, but his delegation was not going to discuss them because it did not want to play into the hands of those who were merely trying to gain time and to weary the members of the Committee. In any event, if anyone still had any doubts concerning the Fascist character of the Chilean régime, it was sufficient to recall that, in the month of September, the adoption of unequivocal decisions regarding South Africa had been a matter of urgent concern to the countries of the third world, and especially to the African countries. All Governments had expressed their repudiation of the *apartheid* régime except the junta, which had reacted differently. The Chilean press had announced the arrival in Santiago of the Ambassador Extraordinary and Plenipotentiary of South Africa, who had said that the South African Government was keenly interested in expanding negotiations with Chile as a country which offered attractive conditions for foreign investment and trade. That, without any doubt, was a very significant fact.

35. It was indeed symptomatic that in the present circumstances the Republic of South Africa, unanimously condemned by the international community, considered Chile to be an attractive country for foreign investment. The representative of Chile, in his previous statement, had challenged practically the entire Committee membership to cite a single case or name of a transnational corporation that was engaged in the exploitation and utilization of Chilean resources. The aforementioned Ambassador Plenipotentiary of the Republic of South Africa had pointed out that co-operation between the Governments of Chile and South Africa might be concentrated mainly in the mining industry, and specifically in the extraction and marketing of copper. It was clear that the relationships at the present moment were and what countries found Chile to be attractive. It was equally clear that the international community had the duty to repudiate and combat fascism in all its forms and manifestations, since, in the final analysis, the United Nations had been established for precisely that purpose, namely, to fight fascism.

36. Mr. LÜTEM (Secretary of the Committee) read out a letter sent to the Chairman of the Third Committee by the Under-Secretary-General for Conference Services and Special Assignments, in which it was stated that the latest statistics compiled by the Department of Conference Services showed that, from the opening of the current session of the General Assembly until 11 October, the late starting and early adjournment of meetings together had

accounted for a total of 85 hours and 10 minutes. Of the 123 meetings convened, 110 had started late, with the loss of 42 hours and 25 minutes of working time or 16.3 per cent of the available meeting time. It had thus become necessary to extend proceedings beyond the scheduled finishing times. The resulting situation was a source of acute concern for the Department of Conference Services in view of the consequent strain on its limited staff resources. Quite apart from the decision of the Fifth Committee, on the recommendation of the Advisory Committee on Administrative and Budgetary Questions, not to increase the staff available to the Department during the biennium 1974-1975, it was increasingly difficult to attract conference staff of adequate calibre in sufficient numbers. That difficulty was aggravated by the fact that the Department must compete for the services of temporary staff with other employers, such as IMCO, UNESCO and FAO and the World Food Conference, which had extensive meetings programmes concurrent with the General Assembly.

37. The staff available must therefore be deployed with the greatest care so as not to overtax their physical endurance. The Department had a very slender margin of flexibility in the assignment of staff to duties, and the capacity of the Department to provide proper services had, at that early stage in the Assembly's work, already been taxed to the limit. Those considerations extended to all areas of the Department's activities, affecting the availability of not only interpreters, précis-writers, verbatim reporters and documents and conference officers, but also staff engaged in distribution, typing, reproduction, editorial and clerical duties.

38. In the first four weeks of the Assembly, the Third Committee had lost 9 hours and 40 minutes, owing to the late starting and early adjournment of meetings, that was to say, an average of 45 minutes per meeting. The Department of Conference Services was seeking understanding and co-operation to ensure that full use would be made of the time and resources available for meetings.

39. The CHAIRMAN urged the Committee to facilitate the task of the Department of Conference Services by scrupulously observing the meeting schedules.

40. Miss CABALLERO (Mexico) said that the Spanish version of operative paragraph 3 of draft resolution A/C.3/L.2114 was somewhat inaccurate, and she proposed the following wording for the last part of that paragraph: "*y también a que pongan en libertad a todas las personas detenidas (sin haber sido acusadas) o a las encarceladas exclusivamente por razones políticas y continúen otorgando salvoconductos a quienes lo soliciten*". She also pointed out that at the beginning of operative paragraph 5 of the Spanish version of draft resolution A/C.3/L.2112, the expression "*la política de los Estados Miembros*" should be replaced by "*la política de aquellos Estados Miembros*" in order to make the meaning clearer.

41. Mr. DURAN (Chile), speaking in exercise of the right of reply, said that the arguments advanced in the Committee by the enemies of Chile made it apparent that their basic aim was not the defence of human rights because their entire activities were made to conform to a predetermined

political formula and plan. Obsessed by their turbid political views, they paid no heed to the information supplied by the Chilean delegation demonstrating the absolute falsity and baselessness of the accusations made against the Chilean Government. Thus it was that in the final days of the Allende Government the economic crisis had taken on catastrophic dimensions whereas the situation of the country was now much improved. The representative of Cuba in his statement had said, firstly, that Mr. José Tohá had disappeared in unexplained circumstances and, secondly, that he had been murdered. The truth was that Mr. Tohá had been transferred to Santiago suffering from a serious incurable disease and that not even his wife had been surprised upon hearing of his suicide. With regard to Carmen Castillo Echeverría, she had been taken by surprise after an armed assault on a bank and had defended herself with firearms. As a result, she had been wounded in the fray.

42. He then asked whether judgement could be passed on a Government because it had engaged in trade talks, and he recalled that in a similar connexion the Soviet Union had negotiated with the Hitler régime.

43. The delegation of Chile had expected to meet with something different than that in the United Nations. Countries with an advanced culture were forgetting what they had been preaching throughout the course of history. Speaking as President of the Board of Attorneys of Chile and as a university professor, he would like to say, before the universities of the world, that the United Nations was setting deadlines and then finding fault before they had become due: that was the tactic of shooting first and asking questions later.

44. Mrs. GRINEVICH (Byelorussian Soviet Socialist Republic), speaking in exercise of the right of reply, said that the delegation of Chile was distorting the facts. Her delegation had merely referred to an article by Mr. Figueroa, and it was aware, moreover, that he was in exile. The agents of the junta were hard-headed and did their utmost to sow doubt in an attempt to conceal the evidence of violations of human rights in Chile. The Committee, however, must be guided by the Charter of the United Nations and the International Covenants on Human Rights and must take the necessary steps to ensure that those rights were restored in Chile.

45. Mr. ALARCÓN (Cuba), speaking in exercise of the right of reply, said that the behaviour of the Chilean junta was well known and that, accordingly, there was reason to fear that something might happen to persons who fell into the hands of the forces of oppression in Chile. He took note of the fact that the representative of Chile had recognized the existence of negotiations between Chile and South Africa.

46. Mr. BAROODY (Saudi Arabia) said that despite having been asked to act with greater efficiency, the Committee had embarked on a marathon of verbal exchanges that was going too far. In Chile, a civil war had been instigated by outside forces, and the Chilean people were suffering from its consequences. On the other hand, civil war was nothing new, and a number of examples from

history could be cited in that regard. In the circumstances, he urged all foreign Powers to refrain from interfering in the affairs of Chile and from fomenting civil war from one side or the other, and to leave the Chilean people in peace. Likewise, he asked the Committee not to waste its time in discussions but to get down to work. He therefore moved the adjournment of the meeting.

47. The CHAIRMAN drew attention to the relevant provisions of the rules of procedure and put the motion for the adjournment of the meeting to the vote.

The motion was carried by 52 votes to 5, with 24 abstentions.

The meeting rose at 1.30 p.m.

2070th meeting

Tuesday, 22 October 1974, at 3.10 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2070

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2106/Rev.1, A/C.3/L.2210-2114, A/C.3/XXIX/CRP/1)

1. The CHAIRMAN announced that the representatives of Cyprus and Portugal had become sponsors of draft resolution A/C.3/L.2106/Rev.1; that the representatives of Belgium and Cyprus had become sponsors of draft resolution A/C.3/L.2110; that the representatives of Czechoslovakia, Morocco and the United Republic of Cameroon had become sponsors of draft resolution A/C.3/L.2112; and that the representatives of Czechoslovakia, Turkey, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics had become sponsors of draft resolution A/C.3/L.2114.

2. Mr. JACHEK (Czechoslovakia) said that his delegation noted with satisfaction that the United Nations bodies concerned with the defence of human rights had completed a considerable amount of work over the previous year. The efforts of the Commission on Human Rights and of the Sub-Commission on Prevention of Discrimination and Protection of Minorities aimed at protecting fundamental human rights were particularly laudable. His delegation welcomed the decision taken by the Commission on Human Rights at its thirtieth session in its resolution 10 (XXX)¹ concerning a long-term programme of work in the field of human rights, as that would make it possible to establish priorities in the work of the United Nations and he was also convinced that it would contribute to the greater effectiveness of the activities of the United Nations in that sphere. Czechoslovakia showed not only in words but also in deeds its solidarity with the struggle of the peoples for social and national liberation and with the struggle against aggression, colonialism, racial oppression and exploitation.

3. The provisions of the international conventions adopted by the United Nations and the specialized agencies for the

defence of fundamental human rights were fully respected in Czechoslovakia, and that also applied both to all the multilateral agreements approved by the United Nations to which Czechoslovakia was a party and to the agreements which Czechoslovakia was preparing to sign or ratify. A comparison of Czechoslovak law and the practice of the Czechoslovak legal and administrative bodies with the International Covenants on Human Rights (General Assembly resolution 2200 A (XXI), annex), which had been signed by Czechoslovakia, and with the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex) showed clearly that the requirements of those international instruments were met in Czechoslovakia both in law and in practice.

4. The Committee was rightly concentrating on the measures which the United Nations should adopt for the protection of the fundamental rights and freedoms which continued to be flagrantly violated by the Chilean military junta on a major scale despite the fact that the junta's criminal policy was resolutely condemned throughout the world and despite the many appeals made to it by the United Nations, international governmental and non-governmental organizations, the Governments of many States, well-known political, cultural and scientific personalities and also the national organizations of various countries representing broad strata of the population. The representatives of the Chilean junta at the United Nations had been unable to cast doubt on the many irrefutable charges of serious violations of human rights in Chile. The situation in Chile aroused serious concern in the international community and it had been brought about entirely by the junta. The representative of the junta in the Committee had tried to distract attention from the violations of human rights in Chile by resorting to slander against some of the socialist countries; his delegation resolutely refuted that slander as being completely unfounded.

5. The Government and all the people of Czechoslovakia resolutely condemned the fascist coup in Chile and the bloody terror unleashed by the junta which had led to the deaths of thousands of Chilean patriots. The Czechoslovak Government and the Czechoslovak committee for the defence of the rights of the Chilean people had repeatedly expressed their solidarity with the courageous struggle of

¹ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5*, chap. XIX, sect. A.

the people of Chile against the fascist régime in that country and their full determination to provide the Chilean people with comprehensive aid and support, including the offer of political asylum to the Chilean patriots in accordance with Czechoslovak law. They had also expressed their support for international efforts aimed at achieving the restoration of democratic rights in Chile as soon as possible. The Czechoslovak people resolutely demanded that the terror should be immediately ended and that all political prisoners and eminent representatives of the democratic life of Chile and members of the Unidad Popular Government, including Luis Corvalán and Clodomiro Almeida, should be freed.

6. His delegation fully supported draft resolution A/C.3/L.2114, which was an expression of the combined efforts aimed at the restoration of fundamental human rights and freedoms in Chile and at the liberation of thousands of innocent people. The fact that the draft resolution was sponsored by countries having different social systems showed that the development of events in Chile had deeply shocked democratic forces throughout the world and that the need for the adoption of effective measures by the United Nations to put an end to the dangerous situation there was generally recognized.

7. Draft resolution A/C.3/L.2112 reflected the viewpoint of the Czechoslovak Government on the question of the national liberation and anti-colonialist struggle to which the Czechoslovak people, in accordance with the relevant resolutions of the General Assembly and the Security Council, were providing and would continue to provide comprehensive support and assistance. Czechoslovakia maintained no diplomatic or other links with the racist régimes of southern Africa and considered it imperative to take new and more effective measures through the United Nations to put an end to the policy of racism, *apartheid* and oppression pursued by those régimes against the broad masses of the population. The Czechoslovak Government considered it essential that the United Nations should take measures first of all against those countries which from the very beginning had borne direct responsibility for the development of the dangerous situation in southern Africa because they had been trying to preserve their economic, political and military interests in the area and were continuing, despite repeated appeals by the General Assembly and the Security Council, to give moral and material assistance to the illegal racist régime of southern Africa.

8. Mr. SÖYLEMEZ (Turkey) said that, having listened to the statements made by previous speakers concerning the tragic events that had taken place in Chile, he congratulated the sponsors of draft resolution A/C.3/L.2114 on having negotiated a compromise text without undermining the basic issues and principles involved, namely, the protection of human rights and fundamental freedoms in Chile.

9. The United Nations and the international community had an obvious responsibility to promote human rights in Chile in view of the widely shared alarm and concern at the reported violations of human rights in that country. The draft resolution was a timely and appropriate means of restoring and safeguarding basic human rights, particularly those involving a threat to human life and liberty. It was the duty of the United Nations to appeal for reason and

clemency in such situations. His delegation was particularly pleased that the draft resolution contained no outright and counterproductive expressions of condemnation. It symbolized an act of goodwill and extended the moderating influence of the United Nations, which should obtain the co-operation of the Government of Chile in the restoration of basic human rights and fundamental freedoms. His delegation was confident that the release of political prisoners would contribute greatly to that objective.

10. His delegation hoped that the draft resolution, which was balanced and had the support of many delegations, would be approved unanimously and would contribute to a better understanding of the enormous problems that still existed in Chile.

11. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation was prepared to support draft resolution A/C.3/L.2106/Rev.1, on the understanding that it represented a further act by the General Assembly to protect human rights. His delegation would also support draft resolution A/C.3/L.2112, which would make a definite contribution to the cause of human rights.

12. The position of his delegation with regard to draft resolution A/C.3/L.2114 had already been clearly stated. The document represented a minimum contribution to the urgent measures that were needed to end gross and massive violations of basic human rights and fundamental freedoms in Chile. In considering it, all members of the Committee should bear in mind that, under the Charter of the United Nations, responsibility for the protection of human rights and fundamental freedoms for all, without distinction, was vested in the General Assembly. The adoption of the draft resolution would be further evidence of the will of the international community to restore the human rights and fundamental freedoms that had been trampled underfoot by the military junta and would be a genuine contribution to the cause of human rights.

13. Mr. JAYAWICKREMA (Sri Lanka) said, with regard to draft resolution A/C.3/L.2106/Rev.1, that criminal law in Sri Lanka empowered the courts to impose certain known and accepted forms of punishment which were in conformity with current liberal thought. Prison rules were, so far as resources permitted, consistent with the Standard Minimum Rules for the Treatment of Prisoners,² and in recent years the emphasis had shifted sharply from deterrent punishment to reformation and social rehabilitation. However, police excesses occurred from time to time in all parts of the world, and Sri Lanka did not claim to be completely free of them. He therefore welcomed the draft resolution, particularly the proposal to formulate an international code of ethics for police and law enforcement agencies.

14. His delegation was thankful that it had been possible to formulate a draft resolution on the protection of human rights in Chile (A/C.3/L.2114) which was likely to receive almost unanimous acceptance in the Committee and the General Assembly. It viewed with very deep concern the

² *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

reported violations of human rights in that country since the overthrow of the Allende Government. It was almost axiomatic, on the basis of the Charter of the United Nations, the Universal Declaration of Human Rights, and the International Covenants on Human Rights, that any reported violation of human rights was properly and legitimately the concern of the international community. The paths followed by Sri Lanka and by Chile—before the coup d'état—had been very similar, but, even though the architect of the social revolution in Sri Lanka had been assassinated, the common people had ensured through the free exercise of their right to vote that the social revolution would be carried through. It was sad that Mr. Allende should have died before his efforts had reached any degree of fruition and tragic that the common people were, if normally unimpeachable sources were to be believed, under the iron heel of repressive reaction. His delegation hoped the Chilean authorities would respond to the almost universal appeal made to them in the draft resolution by guaranteeing to the Chilean people the protection of the two International Covenants on Human Rights, which it had recently pledged to defend and uphold.

15. His delegation supported the draft resolution A/C.3/L.2111, but shared the view expressed by the representative of China at the 2068th meeting concerning one most important aspect of the problem of ensuring the effective enjoyment of human rights and fundamental freedoms. Sri Lanka had done its best to guarantee to its population, through legislative and judicial measures, the enjoyment of all the rights referred to in the International Covenant on Civil and Political Rights. It had not, however, been able to implement all the provisions of the International Covenant on Economic, Social and Cultural Rights. Indeed, no State could hope to provide its people with a decent standard of living, the basis for the development of all the other rights mentioned in the Covenant, if it did not know from one week to the next whether it would have sufficient resources or credits to meet its needs, what price its products would fetch in the world market, or whether further increases in the prices of essential commodities would once again compromise its budget. If the international community was serious in its support for the effective enjoyment of human rights and fundamental freedoms not only in the developed world, but also in the developing countries where two thirds of the world's population lived, it should ensure that the proposed new international economic order became a reality. What was needed was a series of mechanisms to ensure a proper balance between the prices developing countries received for their exports and those they paid for their imports, so that their balances of payments and terms of trade would not be subject to fluctuation and they could implement their social and economic development programmes on a steady foundation.

16. Mr. RAZA (Pakistan) observed that the priorities allocated to various agenda items by the Third Committee amply reflected its unanimous concern for human rights, its active and energetic condemnation of oppressive and inhuman situations, wherever they might exist, and its genuine and urgent desire to improve the human condition. Pakistan had consistently and unreservedly supported all initiatives aimed at alleviating human suffering.

17. All would agree that the worst situation that could face mankind was war. The United Nations symbolized

mankind's dissatisfaction with war as a means of settling disputes and its search for peaceful dialogue and détente, rather than conflict and confrontation.

18. During the previous 25 years, Pakistan had experienced three armed conflicts, and that experience lent urgency to its support for draft resolution A/C.3/L.2110. The pitiable plight of those whose relatives and friends were listed as missing in action could be alleviated by the expeditious exchange of accurate information about the fate of the missing. The draft resolution was an attempt to curtail the ordeal of the surviving families of persons who made the supreme sacrifice in time of war. His delegation was pleased to be a sponsor of draft resolution A/C.3/L.2110 and was confident that it would be unanimously approved by the Committee, since it addressed itself directly to a humanitarian issue.

19. Miss VOLLMAR (Federal Republic of Germany) said that her delegation attached special importance to draft resolution A/C.3/L.2110, which was of a highly humanitarian character. In the course of the armed conflicts that had taken place during the twentieth century, the fate of countless persons reported as missing had never been clarified. Every missing person had a family which suffered the torment of uncertainty about his fate and uncertainty was sometimes more painful than certainty, however dreadful it might be. Her delegation therefore considered it an elementary humanitarian task to account as quickly as possible for the fate of persons who were missing or who had died in armed conflicts. It was usually relatively easy to provide such information, given the goodwill of all concerned. In view of the exclusively humanitarian and apolitical character of such information, action on that question should not be delayed pending the resolution of other issues.

20. Many countries had shown the greatest understanding for the desire to give the dead a dignified last resting place. The cemeteries for the war dead which had been established were well cared for, and, if families so requested, the exhumation and return of remains was facilitated. The draft resolution called on parties to armed conflicts to ensure that the desire of surviving families to locate the graves of the dead and to bury them in their homeland was met everywhere, and with equal understanding. She appealed to all delegations to support draft resolution A/C.3/L.2110.

21. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) said that, in the opinion of his delegation, the most important of the draft resolutions currently before the Committee was document A/C.3/L.2114. The flagrant and massive violations of human rights by the Chilean junta had been the subject of much discussion in the Committee. Representatives had cited irrefutable facts concerning the fascist nature of the coup carried out by the military junta and the intolerable situation it imposed on the Chilean people. Since the coup, the world-wide movement of solidarity with the Chilean people had grown unceasingly, despite the efforts of the junta to discredit it by every means possible. The representatives of the junta had even spread lies in the Committee about alleged communist intrigues against Chile and they continued to assert that visitors to that country would find no evidence of violations of human rights.

22. However, a mission from the Sub-Committee on Refugee Affairs of the United States Senate, which had visited Chile earlier in the year, had concluded after direct contact with nearly 400 political prisoners and conversations with dozens of detainees that a substantial number of them had been subjected to intolerable torture during interrogation. An atmosphere of fear and terror had been created among the population, and people were detained for many months without any charges being brought against them and without being permitted to meet their lawyers. Senator Edward Kennedy, commenting on the report of that mission, said that it showed that, despite assurances from officials in the Chilean Government, there was continuous and systematic disregard of human rights in Chile. He had expressed his deep anguish at the fact that the junta was making no response to the legitimate concern expressed by the international community. For those reasons, his delegation supported the draft resolution.

23. His delegation had no objection to draft resolution A/C.3/L.2106/Rev.1, and fully supported draft resolutions A/C.3/L.2110 and A/C.3/L.2112.

24. Lady GAITSKELL (United Kingdom), introducing draft resolution A/C.3/L.2111 concerning the improvement of the effective enjoyment of human rights and fundamental freedoms, said that the draft was procedural, straightforward and largely self-explanatory. The United Nations was enjoined by the Charter to promote the effective enjoyment of human rights and fundamental freedoms, and all members of the Committee undoubtedly shared the desire to help in that task.

25. Members of the Committee would recall that the General Assembly, by its resolution 3136 (XXVIII), had decided to include in the agenda of its thirtieth session an item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms". The discussion at the twenty-eighth session on the item concerning the creation of the post of United Nations High Commissioner for Human Rights had given rise to political wranglings, and the General Assembly, when it adopted the resolution, had therefore decided that there should be no further discussion of that item at the twenty-ninth session, but that the new item should be placed on the agenda for its thirtieth session. However, if the opportunity for a wide-ranging discussion on the improvement of human rights at the following session was to be fully grasped, it seemed essential that adequate documentation should be made available as a basis for the discussion and that delegations should be prepared for a broad review, rather than the contentious and political discussion of previous years. Draft resolution A/C.3/L.2111 was designed to achieve those two objectives.

26. Her delegation had encountered some reluctance on the part of some delegations to be associated with the draft resolution and, rather than submit it with a co-sponsorship that might seem unbalanced or controversial, it had decided to be the sole sponsor, although it had, of course, sought the advice of a number of delegations and made changes to meet the constructive criticism offered.

27. The preamble to the draft resolution was entirely factual. The third preambular paragraph noted that

the Secretary-General planned to issue shortly updated versions of the comprehensive studies prepared for the International Conference on Human Rights held in Teheran in 1968. Those studies should provide useful background for the discussions at the thirtieth session, since they dealt with methods and measures taken within the United Nations system in the field of human rights; they should also provide input for the Secretary-General's study proposed in operative paragraph 1. The title of his study would be that of the agenda item itself, and it would be the principal document for consideration of the item at the thirtieth session.

28. In operative paragraph 2, the Secretary-General was requested to solicit relevant information from Member States, the specialized agencies and appropriate non-governmental organizations in consultative status with the Economic and Social Council. That information should help the Secretary-General in compiling his study. Her delegation wished to revise paragraph 2 by adding the words "intergovernmental organizations" immediately after the words "specialized agencies".

29. She expressed the hope that the Committee would adopt draft resolution A/C.3/L.2111 unanimously.

30. Mr. AL-ZAMEL (Saudi Arabia) said he had some doubts as to the intentions of the United Kingdom delegation in introducing draft resolution A/C.3/L.2111. As was well known, the General Assembly had adopted resolution 3136 (XXVIII) only after lengthy and difficult debates involving most of its members. In adopting that resolution, the Assembly had abandoned the item entitled "Creation of the post of United Nations High Commissioner for Human Rights", since it had decided to include in the provisional agenda of its thirtieth session an item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms". The United Kingdom delegation had used the last part of the latter title as the title of draft resolution A/C.3/L.2111. The inescapable inference was that the United Kingdom representative—who had herself admitted that the desire of some delegations to establish the post of United Nations High Commissioner for Human Rights had encountered stubborn resistance—was making a desperate attempt to revive a proposal that had already been rejected. His delegation would oppose any attempt to reopen that issue.

31. Operative paragraph 1 of the draft resolution requested the Secretary-General to prepare an analytical and comparative study, which his delegation saw as a waste of time. Moreover, he wondered what the financial implications of the preparation of such a study would be and where the Secretary-General would find the necessary funds. It would be better for the Secretary-General to use any funds available to publicize the Universal Declaration of Human Rights, the Charter of the United Nations and the International Covenant on Economic, Social and Cultural Rights. If the Universal Declaration of Human Rights were to be implemented by all States Members of the United Nations, there would be no need to examine ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms.

32. Turning to operative paragraph 2 of the draft resolution, he said that the Secretary-General had already obtained the views of Member States and specialized agencies when the Assembly had been considering the creation of the post of United Nations High Commissioner for Human Rights. It appeared to be the hope of the United Kingdom delegation that the replies from specialized agencies and certain non-governmental organizations on the second occasion would contradict those received earlier by the Secretary-General by advocating the creation of the post of High Commissioner as the best means of improving the effective enjoyment of human rights and fundamental freedoms. His delegation had serious reservations about soliciting the views of non-governmental organizations, most of which had a biased position on the issue. Accordingly, when the draft resolution was put to the vote, his delegation would request that a separate vote should be taken on the phrase “and appropriate non-governmental organizations in consultative status with the Economic and Social Council” in paragraph 2, and would vote against the draft resolution.

33. Mr. GONZALEZ ARIAS (Paraguay), speaking in explanation of vote before the vote, said that his delegation would vote against draft resolution A/C.3/L.2114 because of its firm conviction that the right of peoples to self-determination and the principle of non-interference in the domestic affairs of other States should be respected. Paraguay would continue to support all resolutions aimed at promoting respect for human rights in general without reference to individual countries. If resolutions on all individual countries where human rights were violated were submitted, some of the sponsors of the draft resolution would be involved. It was inadmissible that certain States in whose territory all human rights were trampled on should condemn other countries for alleged violations of human rights. Such States played with words and distorted facts when they were themselves at fault. Draft resolution A/C.3/L.2114 violated the principle of non-interference in the domestic affairs of States; the United Nations could not become a forum for reviewing or interfering in questions of domestic jurisdiction. Many countries would fare badly in such a review.

34. Mr. GIAMBRUNO (Uruguay), referring to draft resolution A/C.3/L.2114, said that whenever events in a particular country were considered his delegation felt that the discussion encroached on the sovereignty of the country in question. The principle of non-interference in the domestic affairs of other States was one of the foundations of the Charter, but at the same time it was the legitimate right of the international community to be informed about and to express concern on such an important matter as fundamental human rights and freedoms. In order to harmonize those two criteria it was necessary to act with equity. The Committee must ensure that both principles were observed.

35. His delegation, like the delegations of other Latin American countries, including Chile, had worked hard for the adoption of the resolutions setting forth the Universal Declaration of Human Rights and the International Covenants on Human Rights, and had also worked on the submission of such proposals as those calling for the creation of the post of United Nations High Commissioner

for Human Rights and the granting to the International Court of Justice of special jurisdiction in respect of human rights claims. Providing for the protection of human rights was a slow process, and it was unwise to act rashly, which was what the Committee would be doing if it adopted the draft resolution under consideration. Those who had made statements in the Committee had spoken of human rights and had at the same time made entirely unjustified references to the situation in Chile, a situation which could be understood only by the people who were experiencing it. Countries like Uruguay, because of their geographical proximity and historical ties to Chile, were deeply grieved at all the implications of those statements for the Chilean people and were disturbed by the attempts being made to use a professed concern for human rights for purely political ends.

36. The adoption of draft resolution A/C.3/L.2114 would do violence to the Charter of the United Nations and to the general principles of international law. It was impossible to apportion blame without hearing the charges and the defence; resolution 8 (XXVII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (A/9767, annex II) had recommended that the Commission on Human Rights should study the charges, but the Commission had not yet had a chance to do so. The ILO Fact-Finding and Conciliation Commission on Freedom of Association had not yet visited Chile. Economic and Social Council resolution 1503 (XLVIII) provided the machinery for investigation and the time-limit for Governments to send in observations to the Commission on Human Rights³ had not yet been reached. At the same time, there were favourable indications of the attitudes of the Government of Chile: the report of the United Nations High Commissioner for Refugees had commented on the co-operation he had received from the Chilean authorities.⁴ The Latin American countries were proud of the institution of diplomatic asylum, and despite the disruption of normal life, the Chilean authorities had respected that institution. The Government and State of Chile had sustained a tradition of humanitarianism over the years and he had no doubt that the Chilean Government would show understanding so that it would be possible to resolve all the individual cases of hardship resulting from the events which had taken place in Chile. The Committee would be prejudging the issue if it did not wait to hear the reports of the various commissions and bodies concerned with the question.

37. Another principle of law—that it was not possible to be judge and party at the same time—was not being respected by a number of delegations. Chile was trying to defend itself against interference by the pervasive forces of international communism. The draft resolution also contained implied prejudgements by delegations whose countries did not belong to any particular ideological group. For several years he had noticed a general attitude of cowardice among States; delegations claimed that they had to support particular draft resolutions because the stability of their

³ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5*, chap. XIX, sect. B, decision 3.

⁴ See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 12*, para. 21.

Governments was involved, so that human rights matters were becoming cheap currency for the attainment of purely political aspirations. His delegation totally rejected draft resolution A/C.3/L.2114.

38. Mr. BENNETT (United States of America) said that the United States had followed developments in Chile over the past year with sympathy and concern, which was only natural considering the long association it had enjoyed with the Government and people of Chile. Reports of violations of human rights in Chile during that period had caused concern in government circles and among the people of the United States as a whole.

39. The attention directed to the subject of human rights in Chile had had a beneficial effect. The Government of Chile—unlike other Governments faced with similar allegations of violations—had taken note of the concern expressed by friendly Governments and in recent months had taken action responsive to that concern. Hundreds of detainees had been released. Most of the persons who had sought asylum in foreign embassies had been permitted to leave the country. There was no longer a significant backlog in the issue of safe-conduct passes. The Office of the United Nations High Commissioner for Refugees had publicly expressed his satisfaction at the Chilean Government's co-operation in refugee matters. His delegation understood that preparations were being made for the resettlement of some detainees abroad, with the assistance of the International Committee of the Red Cross. Detention facilities were also being phased out.

40. His Government looked forward to the further improvement of conditions in Chile as political life there returned to a more normal situation consistent with the long-standing Chilean traditions of democracy and freedom. The willingness of the Government of Chile to permit broad access to the country by outside observers, both public and private, friendly and hostile, was noteworthy. Permission had been granted for freedom of movement in Chile to observers who had sometimes later described conditions in the country in somewhat less than disinterested terms.

41. The Committee was now being asked to vote on a draft resolution (A/C.3/L.2114) which gave not even a hint that there had been some improvement in the situation in Chile since the Commission on Human Rights had sent a telegram to the Chilean Government in February 1974.⁵ The draft resolution should surely have taken some note of the indisputable progress that had been made, since the Chilean Government appeared to have taken the direction in which genuine defenders of human rights had urged it to move. His delegation could have supported a resolution embodying operative paragraph 4 of that draft resolution, which endorsed the recommendation made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities that the Commission on Human Rights should study the reported violations of human rights in Chile. The draft resolution before the Committee, however, made an objective study impossible by prejudging the issue and concluding that there had been no improvement in

conditions in Chile. It completely ignored the lengthy explanation of the present situation in Chile given to the Committee by the Chilean representative. The draft resolution seemed designed more to condemn the Government of Chile than to influence that Government to co-operate in bringing about improvements. Also, it should not be forgotten that there was an element of hypocrisy involved in the Committee's discussions on human rights in Chile. Statements that had been made during the past few days showed the existence of a double standard in the consideration of human rights and democracy.

42. His delegation appreciated the genuine concern of most of the sponsors of the draft resolution. However, some of the sponsors who had denounced the reported violations of human rights in Chile in the strongest terms represented countries in which many of those same rights did not exist. He wondered, for example, whether all the sponsors of the draft resolution allowed representatives of the free press to circulate throughout their countries and to report without censorship. How many political dissidents, writers, or others who dared to oppose the official line of their Governments were imprisoned or suffered an even worse fate? How many sponsors of the draft resolution allowed free movement of their citizens into and out of their national territories?

43. The United States Government, along with all free peoples, would support genuine and objective efforts to secure full enjoyment of basic human rights in Chile or any other country. However, it could not support a text so lacking in essential balance and fairness.

44. Mr. Fazlu! KARIM (Bangladesh) said that his delegation would vote for draft resolution A/C.3/L.2114 because it expressed concern for human rights.

45. Mr. VARGA (Hungary) said that the unceasing concern felt by States Members of the United Nations about the events in Chile was shown by the fact that, on the initiative of the Commission on Human Rights as a result of which the Chairman of the Commission had sent the Government of Chile a cable with a view to ensuring the protection of imprisoned patriots, the Economic and Social Council had adopted by a large majority resolution 1873 (LVI) calling on the Chilean Government to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms. Other bodies and agencies of the United Nations as well as various international organizations had also protested against the grave violations of human rights in Chile.

46. The Hungarian people was among those who strongly condemned the bloody terror of the Chilean military junta; it pledged its full solidarity with the Chilean people suffering from fascist oppression and resolutely demanded that the brutalities of the junta should be ended and the imprisoned patriots released. His delegation regretted that, despite the world-wide protest, the resolutions passed by the United Nations and related agencies, and the declarations of various international conferences, the situation in Chile had not improved: the reactionary military junta continued to apply its punitive measures and thousands of people were still languishing in gaols and concentration camps.

⁵ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5, chap. XIX, sect. B, decision 1.*

47. His delegation welcomed the initiative taken by a number of delegations in urging that action should be taken with a view to restoring basic human rights and fundamental freedoms in Chile, to obtaining the release of those who were detained or imprisoned without charges or solely for political reasons, and to putting an end to torture and cruel, inhuman or degrading treatment of persons. It wholeheartedly supported draft resolution A/C.3/L.2114, which expressed the deep concern of the majority of States Members of the United Nations about the gross violations of human rights in Chile. It fully endorsed the actions envisaged in operative paragraphs 5 and 6 and it felt strongly that the United Nations could not remain idle in the face of the tragic events in Chile but must do everything in its power to put an end to the terror against the Chilean people and the continuing violations of human rights by the military junta.

48. Mrs. DE BARISH (Costa Rica), referring to the question of torture and other cruel, inhuman or degrading treatment or punishment, noted that her delegation had co-sponsored the text of General Assembly resolution 3059 (XXVIII) because it had wished to emphasize the importance and humanitarian content of article 5 of the Universal Declaration of Human Rights on the occasion of the twenty-fifth anniversary of its adoption, and also to show that the practices in question were far from being eradicated. For the same reasons it welcomed draft resolution A/C.3/L.2106/Rev.1, which marked another important step towards the strengthening of existing measures to eradicate such practices, which unfortunately continued to exist in many parts of the world. She noted with satisfaction that the draft resolution enjoyed wide support, as evidenced by the fact it had so many sponsors, and expressed the hope that it would be adopted unanimously. Her delegation also supported draft resolution A/C.3/L.2112.

49. With reference to draft resolution A/C.3/L.2114, she said that her delegation had always supported, and would continue to support, the principles proclaimed in the Charter of the United Nations, the Universal Declaration of Human Rights and other international legal instruments adopted by the United Nations, such as the International Covenants on Human Rights and the Optional Protocol to the International Covenant on Civil and Political Rights. Moreover, it had worked for the creation of the post of United Nations High Commissioner for Human Rights, the purpose of which would be to ensure and promote respect for human rights and to assist in situations involving violations of those rights, wherever they occurred. Nevertheless, despite the safeguards it contained, that proposal had been criticized as a violation of Article 2, paragraph 7, of the Charter, concerning non-interference in the internal affairs of States, by the very States which had supported draft resolution A/C.3/L.2108 entitled "Respect for human rights in Chile". The final text submitted to the Committee on that subject—draft resolution A/C.3/L.2114—took the same position as the earlier drafts, singling out one country and speaking of massive violations of human rights in Chile. Her delegation was not opposed to the denunciation of violations of human rights wherever they occurred, but it did not consider it appropriate to point to one country as if it were the only one where such violations occurred. It therefore did not share the view that the draft resolution in

question had purely humanitarian ends and arose from a genuine concern for the suffering which had resulted from a specific temporary situation with a political origin, including the intervention of certain countries in the internal affairs of Chile. The text took into account all the accusations that had been made concerning violations of human rights by the Government of Chile but failed to take note of the fact that that Government had invited the Secretary-General, or a representative appointed by him, and various international governmental and non-governmental organizations to visit Chile and observe the situation, or of the fact that it had co-operated with the United Nations High Commissioner for Refugees and respected the right of asylum. The Secretary-General had requested information from the Government of Chile concerning the situation in that country; her delegation rejected the idea that a country could be condemned without giving its Government the opportunity to submit the requested evidence. It was therefore unable to support draft resolution A/C.3/L.2114.

50. Miss OSUNA (Argentina) said that her delegation would vote against draft resolution A/C.3/L.2114. It appreciated any steps taken within the United Nations framework to secure the full exercise of human rights, and commended the efforts of some of the sponsors to produce a text which could be unanimously adopted. However, two fundamental difficulties prevented her delegation from accepting the draft resolution in question: first, its obvious political bias; secondly, the attempt to interfere in the internal affairs of a Member State under the pretext of defending human rights. Every day there were press reports of all kinds of violations of human rights and fundamental freedoms, yet they had not always found an echo in the Third Committee. It would therefore be inappropriate to single out for condemnation a particular Member State, as in the case of the draft resolution under consideration. Her delegation considered it deplorable that the sensitive issue of the violation of human rights and fundamental freedoms was being used for non-humanitarian purposes. Accordingly, its negative vote did not imply a value judgement on the conduct of any country, but reflected its traditional commitment to the principle of non-interference in the internal affairs of other States, which was not only a consistent feature of Argentine foreign policy but also one of the basic norms of international conduct proclaimed in the Charter.

51. Mrs. WARZAZI (Morocco) said that her delegation would vote for draft resolutions A/C.3/L.2110 and A/C.3/L.2112, of which latter it had become a sponsor. Also, guided solely by humanitarian concerns, it would vote for draft resolution A/C.3/L.2114, although it would have preferred the inclusion in that text of some mention of the positive developments in Chile, which had been noted in resolution X,⁶ adopted on 24 June 1974 by the International Labour Conference at its fifty-ninth session, and referred to in the draft under consideration. Operative paragraphs 5 and 6 of the draft were particularly important, since they called for a form of action which represented a notable innovation and an encouragement to further efforts to ensure the protection of human rights.

⁶ International Labour Office, *Official Bulletin*, vol. LVII, No. 1, 1974, p. 40.

52. In voting for that draft resolution, her delegation hoped that the Committee's action with regard to Chile, a small country which had been virtually put on trial and required to answer all the legitimate criticisms expressed in the course of the Committee's deliberations, would not constitute an isolated case. It would be unfortunate if small countries alone were subjected to criticism and accusations when situations such as that which currently existed in Chile arose elsewhere. The draft resolution reflected the Committee's strong condemnation of the frequent violations of human rights which still seemed to be taking place in Chile, and her delegation hoped that similar condemnation would be expressed in the case of any country, large or small, where such violations occurred.

53. Mr. FØNS BUHL (Denmark) said that his delegation would vote in favour of draft resolution A/C.3/L.2112 in order to express its concern for the protection of human rights and fundamental freedoms elsewhere, in particular in countries such as South Africa, where racism and *apartheid* were the declared policy of the Government. However, with reference to operative paragraph 5 of that draft resolution, his delegation would abstain if a separate vote was taken. It considered it arbitrary and irrelevant to mention membership of the North Atlantic Treaty Organization in that paragraph, since that organization as such did not in any way co-operate with South Africa. What was important was that all States, irrespective of their affiliations with international or regional organizations, should refrain from assisting the racist régimes in southern Africa and elsewhere.

54. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.2106/Rev.1.

Draft resolution A/C.3/L.2106/Rev.1 was adopted by 111 votes to 1, with 2 abstentions.

55. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.2112.

At the request of the representative of the Federal Republic of Germany, a separate vote was taken on operative paragraph 5 of draft resolution A/C.3/L.2112.

The paragraph was retained by 83 votes to 9, with 23 abstentions.

56. Mr. TELLMANN (Norway), Mrs. BERTRAND DE BROMLEY (Honduras) and Mr. CRESPO (Portugal) said that their delegations wished to be recorded as having abstained in that vote because they had mistakenly thought that it was being taken on the question whether operative paragraph 5 of draft resolution A/C.3/L.2112 should be put to the vote separately.

57. Mr. MADI (Jordan) said that his delegation had been under the same misunderstanding, and wished to be recorded as having voted in favour of the retention of the paragraph in question.

58. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.2112 as a whole.

Draft resolution A/C.3/L.2112 as a whole was adopted by 108 votes to none, with 9 abstentions.

59. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.2114.

60. Mr. AZIZ (International Labour Organisation) pointed out that the word "Committee" in the seventh preambular paragraph should be replaced by "Commission".

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

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

In favour: Denmark, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia, Algeria, Australia, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen.

Against: Guatemala, Nicaragua, Paraguay, Uruguay, Argentina, Bolivia, Brazil, Chile, Colombia.

Abstaining: Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Grenada, Honduras, India, Indonesia, Jordan, Malawi, Malaysia, Philippines, Singapore, Spain, Thailand, Togo, United States of America, Venezuela, Barbados, Costa Rica.

Draft resolution A/C.3/L.2114 was adopted by 83 votes to 9, with 21 abstentions.

61. Mr. KABORÉ (Upper Volta), supported by Mr. BAL (Mauritania), proposed that the Committee, in order to emphasize its concern at violations of human rights wherever they occurred, should submit for consideration by the plenary General Assembly a report on the relevant aspect of its deliberations on the human rights questions dealt with in chapter V, section C, of the report of the Economic and Social Council (A/9603).

62. The CHAIRMAN said that if she heard no objections, she would take it that the Committee agreed to that proposal.

It was so decided.

63. Ms. MEAGHER (World Health Organization), referring to draft resolution A/C.3/L.2106/Rev.1 concerning torture and other cruel, inhuman or degrading treatment or punishment, which had just been adopted by the Committee, indicated that WHO had followed with great

interest the discussion of that important subject, and particularly the comments made on operative paragraph 5, which was specifically addressed to WHO. The steps contemplated by WHO for the implementation of that paragraph were the following: The Director-General of WHO intended to place the text in question before the WHO Executive Board meeting in January 1975. In issuing the relevant directives on the matter, the Board would certainly bear in mind the historic role of the World Medical Association in the development of medical ethics and the latter's current studies directly related to torture and other inhuman or degrading treatment. With the approval of the Board, WHO intended to consult with the Association on those studies and with other competent organizations, such as the International Committee of the Red Cross, which might be interested in the different aspects of the principles of medical ethics relevant to the protection against torture of persons subjected to any form of detention or imprisonment. In conclusion, she said that WHO would endeavour, in accordance with paragraph 5 of the text in question, to communicate the results of those studies and consultations to the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in order to assist in its task.

64. Miss CAO-PINNA (Italy) said that Italy's deep concern for the protection of human rights and its support for the strengthening of the United Nations role in that field were well known. Her delegation therefore fully agreed with the sponsors of draft resolution A/C.3/L.2112 that the international community should reaffirm both its attachment to the principles of the Charter of the United Nations and the Universal Declaration of Human Rights and its determination to ensure their effective implementation free from any distinction, particularly with regard to the inalienable right to self-determination. The only reason why it had abstained on the draft resolution was that it failed to see any justification for the condemnation of specific countries contained in operative paragraph 5, which it had repeatedly rejected as contrary to the spirit of mutual respect that should prevail among Members of the United Nations.

65. Italy was participating in the resettlement of Chileans who wished to leave Chile, some of whom were even now awaiting exit permits in the Italian Embassy at Santiago. Her delegation was confident that the adoption of draft resolution A/C.3/L.2114 would serve the cause of human rights in Chile and that all human rights and fundamental freedoms would soon be fully restored in that country in compliance with the Universal Declaration of Human Rights. It was also confident that the Chilean authorities would respond positively to any initiatives taken by the President of the General Assembly and the Secretary-General on the basis of that text.

66. Mr. GHAUSSY (Afghanistan) said that his delegation had unfortunately been absent when the vote was taken on draft resolution A/C.3/L.2114, and it wished to place on record that it would have voted for that resolution had it been present.

67. Mrs. SHAHANI (Philippines) said that her delegation had consistently condemned flagrant violations of human rights wherever they occurred. It had therefore been a sponsor of draft resolution A/C.3/L.2106/Rev.1, and had voted for draft resolution A/C.3/L.2112. On the other hand it had abstained on draft resolution A/C.3/L.2114 because it considered that the Committee should carefully follow established procedures concerning the condemnation of individual Member States for violations of human rights, regardless of ideological considerations. Such a condemnation was a very serious matter, since it involved the sovereignty and domestic jurisdiction of a Member State. The procedure for dealing with communications relating to violations of human rights and fundamental freedoms had been fully outlined in Economic and Social Council resolution 1503 (XLVIII), which was a document of major importance. It had been debated in the Commission on Human Rights and prepared with great care. In accordance with that resolution, the Sub-Commission on Prevention of Discrimination and Protection of Minorities had recommended that the Commission on Human Rights should undertake a study on violations of human rights in Chile, with particular reference to torture and cruel, inhuman or degrading treatment or punishment. Moreover, all action envisaged in the implementation of that resolution by the Sub-Commission and the Commission would remain confidential until such time as the Commission decided to make recommendations to the Council. Her delegation considered that the Third Committee would have a firmer basis on which to act on the matter under consideration once the Commission had completed its study and the Council had acted on the Commission's recommendations. In conclusion, she said that the credibility of the Committee in discharging its task of protecting human rights and fundamental freedoms would be seriously eroded, and the capacity of the United Nations and all its agencies to act effectively in the field of human rights greatly weakened, if its condemnation of a country for gross violations of human rights was not based on facts and decided upon in a fair and objective manner.

68. Mr. ARMAN (Democratic Yemen) suggested that draft resolution A/C.3/L.2110, concerning assistance and co-operation in accounting for persons who were missing in action, should be referred to the Sixth Committee, since it related to questions of aggression, prisoners of war and other legal matters. He also requested a postponement of the time-limit for amendments to that draft resolution.

69. The CHAIRMAN pointed out to the representative of Democratic Yemen that the Third Committee was already entrusted with the draft resolution, which had been introduced at the previous meeting by the representative of the United States, and suggested that he should consult with the sponsors of the draft resolution concerning any question he might wish to raise in that connexion.

The meeting rose at 6.05 p.m.

2071st meeting

Wednesday, 23 October 1974, at 10.40 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2071

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2110, 2111, 2113 and 2115)

1. Mrs. MASSON (Canada), speaking in explanation of her delegation's vote on draft resolution A/C.3/L.2112, said that her Government's position concerning racial discrimination was well known, as was the assistance her country gave to the victims of discriminatory practices. Her delegation had nevertheless had to vote against that draft resolution because it considered that operative paragraph 5 relating to the North Atlantic Treaty Organization (NATO) was inappropriate since that organization had no decision-making powers or any jurisdiction over its member States.
2. Mr. BASCIO (Grenada) said that his country respected the rule of law, the Charter of the United Nations and other related instruments. The Government and people of Grenada appreciated the work of the Committee, but, since Grenada was a country which had only recently achieved independence, they had to proceed with extreme caution and his delegation had therefore abstained in the vote on draft resolution A/C.3/L.2114.
3. Miss VOLMAR (Federal Republic of Germany) said that her country's attitude towards racial discrimination was already known, as was the fact that her Government respected the resolutions relating to the embargo against the countries which practised it. Nevertheless, with regard to operative paragraph 5 of draft resolution A/C.3/L.2112, it should be stressed that NATO had been established specifically in order to guarantee respect for human rights in the Federal Republic of Germany. NATO was a valuable instrument for détente and had nothing to do with the subject of the draft resolution. For all these reasons, her delegation had voted against paragraph 5 of that draft resolution and had abstained in the vote on the text as a whole.
4. Mr. NOTHOMB (Belgium) said that his Government rejected discrimination and violations of human rights. Thus, his delegation would have voted in favour of draft resolution A/C.3/L.2112 if it had not been for operative paragraph 5. That paragraph had nothing to do with the subject of the draft resolution and its maintenance in the text had obliged his delegation to abstain in the vote on the draft resolution as a whole.
5. Mr. HAUGSTVEDT (Norway) said that his delegation would have liked to vote in favour of draft resolution A/C.3/L.2112 since it was in full agreement with the text and condemned any Power which assisted the racist régimes which deprived peoples of the exercise of human rights. However, since NATO did not take part in such practices and one of its tasks was precisely to safeguard human rights, his delegation had abstained in the vote on the draft resolution.
6. Mr. GROS (France), referring to draft resolution A/C.3/L.2112, said that his country's position with regard to *apartheid* was well known. It had always condemned the philosophy of that system, had supported the relevant United Nations Trust Fund for South Africa and had contributed to the United Nations Educational and Training Programme for Southern Africa. His delegation had, however, voted against operative paragraph 5 of that draft resolution and had abstained in the vote on the text as a whole. That matter should have been considered in connexion with other items, such as agenda item 56. The consideration of the problem from the political point of view was contrary to the spirit of the Committee since politics should not enter into discussions of humanitarian questions.
7. Mr. JACHEK (Czechoslovakia) said that his delegation had been a sponsor of draft resolutions A/C.3/L.2112 and A/C.3/L.2114. With regard to draft resolution A/C.3/L.2106/Rev.1, its contents were of a humanitarian nature and in keeping with his country's legislation and practice; his delegation had therefore voted in favour of that text.
8. Mr. WILSON (Liberia) said that his delegation had voted in favour of the draft resolution relating to torture (A/C.3/L.2106/Rev.1) because torture was an affront to mankind and was incompatible with the Charter of the United Nations and the Universal Declaration of Human Rights. It nevertheless regretted that many delegations had referred to a single country, although the Committee was a humanitarian body and should consider matters from a global point of view. He deplored the failure to stress the existence of torture throughout the world and hoped that, when the question was raised again, it would be considered from the humanitarian, rather than the political, point of view.
9. Mr. SPEEKENBRINK (Netherlands) said that his delegation had abstained in the vote on draft resolution A/C.3/L.2112 because it did not want a negative vote to prejudice the idea behind the draft resolution, namely, respect for human rights. It had not, however, been able to support operative paragraph 5, which referred to NATO, an organization of which the Netherlands was a member and which had strictly defensive purposes and specific geographical limits.
10. Mr. MACRAE (United Kingdom) said that he had abstained in the vote on draft resolution A/C.3/L.2112

because operative paragraph 5 constituted a mistaken interpretation of the purposes of NATO, an organization which was in no way responsible for racial discrimination. His delegation also had doubts about the fourth preambular paragraph: the countries referred to in that paragraph were free from racism. On the whole, his delegation supported the philosophy on which the draft resolution was based. He suggested that the question would be better considered in connexion with agenda item 56.

11. Mrs. WATANABE (Japan) said that, although her delegation had voted in favour of draft resolution A/C.3/L.2114, she wished to point out that, in the seventh preambular paragraph of resolution X, adopted by the General Conference of the International Labour Organisation at its fifty-ninth session,¹ and referred to in the draft resolution, it had been considered that the Chilean authorities had given a favourable response to the request of the Governing Body of the ILO.

12. Mr. ELTAYEB (Sudan) said that, in accordance with its policy of support for the struggle for liberation, his delegation had been a sponsor of draft resolution A/C.3/L.2112. With regard to operative paragraph 5 of the draft resolution, he said that he did not understand the allegations of the countries which had opposed that text, since it was not news that NATO had given assistance to the racist régimes.

13. Mrs. WU Yi-yu (China) said that her delegation's views with regard to draft resolutions A/C.3/L.2112 and A/C.3/L.2114 had already been made known. Although her delegation had voted in favour of draft resolution A/C.3/L.2106/Rev.1, it wished to express some reservations with regard to the reference made in the preamble to Economic and Social Council resolutions 663 C (XXIV) and 1794 (LIV) and with regard to operative paragraph 1, because those paragraphs included references to the domestic laws of countries.

14. Mr. BAKER (United States of America) said that his delegation had abstained in the vote on the draft resolution A/C.3/L.2112 because, although it considered that all régimes, whether in southern Africa or elsewhere, should foster the full enjoyment of human rights by all their citizens, it did not agree with operative paragraph 5 referring to NATO. In that connexion, a condemnation of a general nature would have been sufficient. With regard to the words "the right . . . to self-determination, freedom and independence" in operative paragraph 3, he noted that in accordance with General Assembly resolution 1514 (XV), his delegation considered independence to be one form of self-determination and that each people should be able to decide which it considered most suitable.

15. Mrs. SIVOMEY (Togo) said that her delegation wished to change its abstention on draft resolution A/C.3/L.2106/Rev.1 to an affirmative vote because it considered that torture was degrading for mankind.

16. Mrs. BERTRAND DE BROMLEY (Honduras), speaking in explanation of her delegation's abstention in

the vote on draft resolution A/C.3/L.2114, said that her delegation had always favoured the adoption of resolutions which promoted respect for human rights, a matter which gained in importance when violations of such rights occurred in brother countries. The current debate had, however, taken a political turn which was improper in the Committee. It should not be forgotten that Chile allowed the entry of observers and that the situation in that country had improved substantially. Moreover, many of the countries which had attacked Chile were States which did not respect human rights and other delegations which had condemned it remained silent with regard to the situation in other parts of the world.

17. Mr. DIEZ (Chile) said that he had voted for draft resolution A/C.3/L.2106/Rev.1 for obvious reasons, since his country, by tradition and on moral grounds, was utterly opposed to torture and other cruel, inhuman and degrading treatment or punishment. He had also voted for draft resolution A/C.3/L.2112, although he had abstained in the voting on operative paragraph 5, since it contained a condemnation of a group of specific countries, and his delegation considered that the alleged facts had not been sufficiently established, with the result that a bad legal precedent was being created with which he did not wish to associate himself. It was regrettable that those directly concerned, who had also expressed their reservations on the matter, were only sensitive concerning their own affairs and behaved thoughtlessly when it was a question of the affairs of others. His country followed an unchanging line of conduct, based on ethical and legal considerations, and made no distinction between those matters which directly affected it and those which concerned others.

18. With regard to draft resolution A/C.3/L.2114, his delegation was gratified by the statements of the representatives of Argentina, Uruguay, Colombia and Paraguay, among other fellow Latin American States, who had not joined in the shameful farce and had followed their own judgement. He also thanked the countries which had recently joined the United Nations, such as Grenada and Barbados, for the prudence they had shown in abstaining in the voting. His delegation had voted against the draft resolution for two major reasons: first, because the reports which had given rise to the denunciation of torture and violations of human rights and fundamental freedoms in Chile were false, and secondly, because there existed in the United Nations a procedure, which had been confirmed both by theory and by practice, for the protection of human rights. In the case of Chile, the established norms had not been followed and the Third Committee had been transformed into a judicial body that had applied political sanctions to one of its members, with the added aggravation of basing its sanctions on facts which had never been sufficiently proved. Chile had opened its frontiers to international bodies, intergovernmental organizations and private missions to allow them to examine on the spot the true facts of what was happening in the country.

19. In the specific case of reports of alleged interviews with 400 prisoners who were supposed to have complained about certain irregularities in the judicial procedure followed with regard to them, including the absence of defence lawyers, he pointed out that such reports were tendentious, since throughout the world it was well known

¹ International Labour Office, *Official Bulletin*, vol. LVII, No. 1, 1974, p. 40.

that a prisoner never admitted his guilt, but attributed his imprisonment to injustice, error or arbitrariness. The Chilean exiles had been granted the necessary safe conducts to leave their country, although in the majority of cases the authorities had not even asked for them, and there was no treaty obligation whatsoever towards the States which had received them.

20. In response to a comment made at the previous meeting by the representative of Italy, who had said that she hoped that Chile would continue to give safe conducts to persons who wished to leave the country, he pointed out that in the Italian Embassy in Santiago there were 70 exiles who had been given the necessary safe conducts, but whose departure for Italy had been held up by the Italian authorities because of the Italian economic situation. Furthermore, the United Nations High Commissioner for Refugees indicated in his report that Chile had fulfilled its international obligations and had solved the problem of some 14,000 refugees, the majority of whom belonged to extremist organizations. All the concrete denunciations and accusations that had been made against the Chilean Government had been based on confidential, fragmentary and, almost always, incomplete information, in spite of which the Committee had not hesitated to pronounce its condemnation, when in fact the inquiry of the Inter-American Commission on Human Rights and of the Organization of American States was still pending, as was the report of the ILO's Commission of Inquiry. As St. Thomas had said, reason governed all that was submitted to its rule and dominion, and it was necessary to have knowledge first and judge afterwards.

21. Chile was the only country to have been condemned by the Third Committee, and that seemed to suggest that human rights and fundamental freedoms were not being violated anywhere else in the world. In that connexion, it was appropriate to recall an interview with the Prime Minister of Cuba that had been broadcast by CBS (the Columbia Broadcasting System) on American television, in which Castro had admitted that, after 15 years, 20 per cent of the people originally imprisoned still remained in Cuban prisons, and had flatly stated that he would not allow freedom of the press nor political parties. If the Committee did not take the hint and take the necessary action under its mandate to watch over respect for human rights, it was because it lacked the moral authority to condemn anyone, even in cases which could not be more flagrant, such as the situation in Cuba, openly admitted by the Caribbean dictator. Equally relevant was a report of the Canadian Psychiatric Association denouncing the situation of 7,000 persons confined in Soviet clinics.

22. In conclusion, he denounced the hypocrisy and injustice which his country had suffered, and reaffirmed its firm intention of continuing on the course which it had taken and of giving full scope to every human right, out of respect for the values and the traditions inherited from Roman law and Christianity.

23. Mr. ALARCON (Cuba), speaking in exercise of the right of reply, said that as soon as the question of the violation of human rights in Chile had been raised, the representative of that country, joining sermon to insult, had attempted in every way to convince the members of the

Third Committee that they were ignorant, mad or acting in bad faith. The vote of the day before on draft resolution A/C.3/L.2114 had shown that the members of the Committee thought quite differently; but the representative of Chile had continued not to understand, and in that special state of mind he had watched a television programme which he had not understood either. The Cuban delegation would provide those representatives that so requested with a reliable transcript made by CBS of the interview in question from which to judge the truth of the situation.

24. Mr. DURAN (Chile) observed that if to tell the truth, make a realistic analysis of the facts and defend one's country, while refuting politically motivated accusers who made denunciations based on false or incomplete documents and statements, was to make a sermon, the representative of Cuba was in complete disagreement with the dictionary of the Royal Academy. Chile was not worried by the brutal injustice of which it was the object, and time would prove who was truly right. He was confident that those non-communist circles which still retained their independence and freedom of opinion would eventually realize the truth. Chile had been condemned by the Committee, and since it was the only country to have had the honour, it was appropriate to deduce that in the rest of the world there was no irregular situation with regard to human rights. Such flagrant facts as the Berlin Wall and the public, televised statement by Fidel Castro that 20 per cent of the political prisoners in Cuba were still imprisoned were thus being overlooked. Nothing which the Cuban representative might say and no document, possibly prepared, which he might submit could make the world forget the tragedy of Cuba, where popular courts applied unjust criminal laws retroactively in order to bring the people before a firing squad.

25. Mr. ALARCON (Cuba) said that he had never spoken of providing a document prepared by himself but rather the CBS transcript of the televised interview. Nor had he offered it to the representatives of Chile, but to any representative capable of understanding it.

26. The CHAIRMAN said that the Committee would resume its consideration of the part of the report of the Economic and Social Council relating to human rights (A/9603, chap. V, sect. C) at a later meeting. The Assistant Secretary-General for Social Development and Humanitarian Affairs wished to make a statement in the context of consideration of the report of the Commission on the Status of Women,² dealt with in chapter V, section D, of the Council's report.

Statement by the Assistant Secretary-General for Social Development and Humanitarian Affairs relating to the International Women's Year

27. Mrs. SIPILÄ (Assistant Secretary-General for Social Development and Humanitarian Affairs) said that the interdependence of nations and of the problems facing them was being increasingly understood. Those problems should be considered together, although it was necessary to focus attention on some of them, as had been done with

² Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 4.

regard to the environment, population, food and natural resources. The Third Committee had the responsibility to draw the attention of Member States to those questions from the point of view of the individual human being.

28. The International Women's Year, which was to be observed in 1975 as provided by General Assembly resolution 3010 (XXVII), sought to draw attention to a group of human beings which consisted of over half of the world's population. Clearly, however, the objectives of the Year did not concern women alone. The first objective was to obtain equal rights, opportunities and responsibilities of men and women *de jure* and *de facto*. The second purpose was based on one of the goals of the International Development Strategy for the Second United Nations Development Decade (General Assembly resolution 2626 (XXV)), namely, to integrate women and youth in the development effort and promote child welfare. There was no doubt that a relationship existed between the condition of the mother and that of the child yet to be born, and also between the condition of the mother and that of the child in her care.

29. Therefore, and in accordance with the unified approach to development and popular participation, the integration of women in the development effort must mean their right, their opportunity and their responsibility to participate in it and to benefit from it on equal terms with men in all spheres and at all levels. In addition, particular attention must be paid to the special needs of women in their role as mothers. Equality in rights, opportunity and responsibility could only be achieved if women had, both in law and in fact, freedom of choice between various alternatives.

30. The third purpose of the International Women's Year was to increase women's contribution to the development of friendly relations and co-operation among States and to the strengthening of world peace. Very few women had played any part in political decision-making in connexion with important questions and, in general, the political role of women was still desperately small at the world level. The lack of women's participation had become obvious during the preparations for the World Population Conference: women gave birth to children, but men made the population policies. The Conference, which had been held at Bucharest in August 1974, had provided an excellent piece of evidence of what could be done if women were more directly involved in political decision-making. Nevertheless, women needed a new confidence and a greater awareness of their own ability for political participation.

31. The studies made for the World Population Conference had shown the complexity of the relationship among the problems of population on the one hand and of development, environment, family and human rights on the other. Thus, the Conference had shifted the emphasis from the need to control population growth to the need for economic and social development. The right to decide freely and responsibly on the number and spacing of children—which had previously been considered as a right of the couple—had been set forth as a right of the individual. Recent United Nations studies had revealed the impact of the cultural, economic, social, legal and political status of women on the formation and composition of their families. Conversely, it was obvious that the formation and

composition of the family affected the status of women and their participation in various aspects of the life of the society.

32. There were, of course, women who could make free choices in their lives, who had access to information and means to act accordingly; but hundreds of millions of women were still without those rights and the consequences were detrimental not only to them, but to society as a whole. Those differences did not appear between countries only, but within countries as well. The stage of development of a country had an impact in many ways on the status of women, but the status of women was one of the factors which hampered a country's development efforts. The lack of women's participation in national and international planning might be one of the most serious defects in the formulation and application of national and international policies, including population policies. The recognition of the necessity to improve the status of women and the measures proposed by the World Population Plan of Action³ to that end marked a very significant step forward, although it represented only a beginning.

33. The World Population Plan of Action had provided an excellent basis for the efforts to be made during the International Women's Year at every level. The Economic and Social Council, at its fifty-sixth session, had approved plans for the programme of the International Women's Year (Economic and Social Council resolution 1849 (LVI), annex) that were already being implemented in many countries and one country was making the necessary amendments to its Constitution to provide for equal rights of women and men.

34. A great deal of anxiety had been expressed regarding the short period of time and the limited financial means available for the preparation of the International Women's Year, as compared with the resources and time that had been available for the preparation of the World Population Year. On the other hand, most of the principles which formed the basis of the International Women's Year had already been adopted by the United Nations and the specialized agencies; it was only a matter of implementing them, since women themselves had frequently not even been aware of the existence of principles which guaranteed their equal rights with men. At any rate, the universal efforts made during recent years towards development, and particularly the question of population, had heightened the impact of the role of women on the entire development of a country, including its population policies. The World Food Conference, to be held in Rome in November 1974, should give additional evidence of that.

35. To facilitate the planning activities in countries having similar problems, it had been suggested in the programme for the Year that international and regional organizations should consider the possibility of establishing programmes designed to promote the objectives of the Year. The action already taken by the Economic Commission for Africa (ECA) should provide an example. Consultations on the integration of women in development had been held in the region of the Economic and Social Commission for Asia and the Pacific (ESCAP) in May 1974 and similar meetings

³ See E/5585 and Corr.1, chap. I.

were to be held in the regions served by the other economic commissions.

36. The national programmes would be financed by national budgets or through international aid. The regional and international programmes would be partly covered by the existing budgetary provisions, even though they were extremely limited as compared with those for the World Population Year. Additional staff had been needed for the World Population Year and the same would be the case with respect to the International Women's Year. The Economic and Social Council, in its resolution 1850 (LVI), had therefore asked the Secretary-General to accept voluntary contributions from Member States for the International Women's Year.

37. The parallel needs of women and youth were well understood by young people, a fact which had been reflected in the recommendations of the International Youth Population Conference, held at Bucharest from 11 to 15 August 1974, and of the two *ad hoc* advisory groups convened to advise the Secretary-General on United Nations action referring to the needs and aspirations of youth.

38. The Third Committee had successfully dealt with a number of items of great importance to all human beings. It was well known that problems of racial discrimination could not be solved simply through constitutional or legal provisions: a much more dynamic initiative was required to redress the existing imbalance. The same was true in the case of women and youth. The slow progress achieved in that field stemmed from the fact that neither women nor youth were generally in a position to make the required changes because of their negligible participation in the policy-making process. The international community must understand that it was in the interest of social progress and development to solve those problems. Furthermore, their solution required concerted action and the International Women's Year could represent a significant contribution to the attainment of that goal, similar to that which the International Year for Action to Combat Racism and Racial Discrimination had made in 1971 to the struggle against those evils.

39. It might not be realistic to expect that the problems connected with equality of the sexes could be resolved in one stroke; but, at least, a strategy could be devised to that end. There could be no doubt that equality of the sexes called for a unified approach whereby the relevant problems were tackled not in isolation but as a part of over-all development. On the other hand, action might be required in favour of women in order to redress existing imbalances. In view of the paucity of resources available, it had not been possible to make International Women's Year known in the same way as other Years; in 1975 it was, however, imperative to direct the attention of the international community to the human person instead of jumping from the human environment to human settlements and overlooking those who had to live in them. It should be borne in mind that the results achieved would be of benefit to all countries and to both sexes, since they would improve the quality of life. There were several pragmatic reasons, therefore, for participating in the Year and contributing towards the achievement of its objectives.

40. The CHAIRMAN expressed her satisfaction at the potential of the International Women's Year and expressed the hope that in the near future women would cease to be "the second sex" and become simply "the other sex".

41. Mrs. BRUCE (Deputy Director, Centre for Social Development and Humanitarian Affairs) said that the report of the Economic and Social Council on the activities of the Commission on the Status of Women (A/9603, chap. V, sect. D) was of very special significance during the current year. The programme for the International Women's Year had been drawn up, and it had been decided in Council resolution 1851 (LVI), to hold a major international conference as a focal point of United Nations observance of the Year. With regard to the work carried out by the Commission on the Status of Women at its twenty-fifth session, which had been reviewed by the Economic and Social Council at its fifty-sixth session, two draft resolutions adopted by the Council and recommended to the General Assembly for adoption were particularly noteworthy: one dealt with the protection of women and children in emergency and armed conflict (Council resolution 1861 (LVI)) and the other concerned the employment of women by the secretariats of organizations within the United Nations system (resolution 1857 (LVI)). With regard to the latter, the latest statistics showed little marked improvement in the percentage of women employed throughout the United Nations system. A further very important recommendation was contained in Council resolution 1855 (LVI), which dealt with the role that the Commission on the Status of Women should play in the review and appraisal of the International Development Strategy for the Second United Nations Development Decade. Council resolution 1854 (LVI) had had a significant impact, as the report of the Special Rapporteur on the subject of the interrelationship of the status of women and family planning⁴ had become one of the background documents for the World Population Conference in Bucharest. Several Governments had made special efforts to comply with one of the recommendations of that resolution.

42. She welcomed the fact that the World Population Plan of Action stressed the importance of the status of women and recognized their right to complete integration in the development process, particularly through equal access to education and equal participation in social, economic, cultural and political life. In addition, it had recognized that the necessary measures should be taken to facilitate the integration of women with regard to family responsibilities, that such responsibilities should be fully shared by both men and women, and that the right to plan freely and responsibly the number and spacing of births was a fundamental right of the individual.

43. With respect to the reporting of information on the implementation of the Declaration on the Elimination of Discrimination against Women (General Assembly resolution 2263 (XXII)), which was the subject of Council resolution 1852 (LVI), it should be noted that, regrettably, only 34 Governments and four non-governmental organizations had sent in replies. In that connexion, she pointed out that the Council had asked Member States to indicate any

⁴ E/CN.6/575 and Add.1-3.

action taken to appoint national correspondents by the beginning of the International Women's Year.

44. The Commission on the Status of Women had decided in 1974 that a single comprehensive draft convention on the elimination of discrimination against women should be prepared, without prejudice to the preparation of any future instruments relating to specific fields. The draft text of the convention was currently before Governments for comment.⁵

45. Another matter dealt with by the Commission had been the influence of mass communication media on the formation of new attitudes towards the roles of women in contemporary society.⁶ Traditional attitudes, frequently reinforced by the communication media, impeded efforts to improve the situation of women throughout the world. That would be the subject of one of the seminars planned for the celebration of the International Women's Year.

46. The Programme for the International Women's Year approved by the Economic and Social Council in its resolution 1849 (LVI) proclaimed, among other things, the threefold theme of the Year: equality, development, peace. At the same time, the Council, in resolution 1850 (LVI), had established a fund for voluntary contributions for the Year in order to supplement the limited resources available to carry out the programme. The Government of the Philippines, whose representative was the Chairman of the Commission on the Status of Women, had been the first to contribute to the fund. Other Governments had also indicated their intention to contribute.

47. The focal point of the observance of the International Women's Year by the United Nations would be the international conference which was to take place in Colombia⁷ from 23 June to 4 July 1975. The Secretary-General had appointed Mrs. Helvi Sipilä, Assistant Secretary-General for Social Development and Humanitarian Affairs, as Secretary-General of the Conference and of the Year. The main items on the agenda of the Conference would be the following: current trends and changes in the status and roles of men and women, and major obstacles to be overcome in order to achieve equal rights, opportunities and responsibilities; the integration of women in the development process as equal partners with men, and a world plan of action. It was planned to send invitations to Governments, together with a draft provisional agenda, before the end of 1974.

48. As part of the preparation for the Conference and the Year, a number of meetings and seminars had been held, and several others were contemplated throughout 1975. In addition, the necessary efforts were being made to give maximum publicity to the Conference and the Year. A young woman designer had designed the symbol for the year, which had been enthusiastically received in many parts of the world. The Administrative Committee on Co-ordination was co-ordinating the activities. Further-

more, many national programmes, both governmental and non-governmental, were already being implemented. Over 60 Governments had appointed liaison officers, and several had established national committees for the Year. A periodic bulletin describing the activities contemplated or already under way in connexion with the International Women's Year was being issued. The first issue had appeared in July, and the second would be issued shortly. Mention should also be made of the tremendous enthusiasm shown by non-governmental organizations and private groups and individuals with respect to the Year and the Conference.

49. She hoped that the Conference and the Year would focus not only on women belonging to the élite, but also on women in rural areas, and on those who were poor, young or aged, or who were members of ethnic or other minority groups. In conclusion, she expressed her confidence that the Year, despite its title, would not only be a year for women, but would also be the first step towards the solution of the crucial problems facing men and women in the modern world.

50. Princess ASHRAF PAHLAVI (Iran) said that her experience of over a quarter of a century of struggle for the cause of human rights had taught her that no project, whether social, economic or cultural, could achieve success without the total participation of women, who made up half the population of the planet. It was necessary to put an end to one of the most harmful forms of imperialism, namely, male imperialism, which paralysed and rendered powerless a large part of society, not only in developing countries, but also in industrialized and advanced countries. On the threshold of the third millennium, and at a time when the last colonies were freeing themselves from imperialism, it was entirely unacceptable that women should continue to be colonized by men.

51. The world was currently experiencing a period of unprecedented social and economic upheaval. The gap between developed and developing countries was growing at an alarming rate. In such circumstances, it would be useless to try to use and develop the resources and wealth of the planet more rationally in order to cope with the crisis, without the participation of half of the population. An improvement in the status of women was, therefore, essential to the welfare and prosperity of all human beings. In that context, the International Women's Year took on special importance.

52. In Iran there had been two guiding principles in the adoption of various measures to implement the Programme for the International Women's Year. First, that women would not act alone, since the success of their action depended on direct and continuous association with men. Secondly, that while certain problems were common to women of all countries, conditions varied according to region, and decisions must therefore be adopted at the regional level, taking into account specific regional characteristics. At the national level, a committee had been set up with the participation of all the ministers concerned, for the purpose of preparing and implementing, in close co-operation with the Women's Organization of Iran, many programmes based on the Programme for the Year approved by the Economic and Social Council. The Women's

⁵ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 4*, chap. III.

⁶ *Ibid.*, chap. IX.

⁷ It was subsequently decided that the Conference would be held in Mexico (see 2075th meeting, paras. 17 and 18).

Organization of Iran had also undertaken a series of studies, including a study of the laws currently in force, with a view to ensuring full legal equality, and a revision of all school textbooks, so as to reflect a more active and intelligent image of women. The text of the Declaration on the Elimination of Discrimination against Women would be distributed in all colleges and secondary schools throughout the country, and a simplified version of that text would be distributed to workers. In 1975 a seminar would be held each month in one of the provinces of Iran with the participation of men and women from various sectors. In co-operation with universities and research institutes, study groups had been set up to examine the various aspects of the problem of the advancement of women and their integration in the economic and social development of the country. In addition, courses on the status of women would be given at the main universities.

53. She expressed the hope that close co-operation between all sectors and at all levels would make it possible to

remove all obstacles and achieve final success. The success of that undertaking, which could make 1975 a turning-point in the history of mankind, would exert a decisive influence on the solution of a multitude of problems facing mankind, such as those of population, family planning, the struggle against illiteracy, the eradication of poverty, and so on.

54. Mr. HUME (United States of America), speaking on behalf of the sponsors of draft resolution A/C.3/L.2110, introduced a change in the last part of the third preambular paragraph of that text, which should read: "the lack of information on persons, civilians as well as combatants, who are missing or who died in action in connexion with the conflict". He also announced that Bangladesh and Honduras had become sponsors of the draft in question.

The meeting rose at 1 p.m.

2072nd meeting

Thursday, 24 October 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2072

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2110, 2111, 2113, 2115 and 2116)

1. Miss TROPP (United Nations Educational, Scientific and Cultural Organization) said that the root of the problem of the status of women lay in women's long history of under-development, a situation from which they could emerge only by a massive effort of self-help. There were three fundamental prerequisites for the promotion of women: first, they must develop an awareness of their condition and their current role in society, of their potential value and the type of obstacles to be overcome; secondly, they must decide to think for themselves, without adopting a male approach to problems; thirdly, they must seek and take every opportunity to express their personality.

2. More than 60 per cent of the world's illiterates were women, and the ratio was rising steadily. The primary school drop-out rate for girls, particularly in the rural areas of developing countries, was often as high as 80 per cent. At the secondary school level, the range of courses available to girls in most nations was still very small by comparison with opportunities open to boys, especially in technical education. A recent UNESCO study on access of girls and women to education in the context of rural development

had shown that the main type of training for rural women was related above all to their image as wives and mothers and only secondarily to their role in the processes of production.

3. As the Director-General of UNESCO had often said, the problem of development required psychological solutions before all else. For that reason, UNESCO strongly urged that women should develop an awareness of their condition and of their potential contribution to over-all development in their community. To stimulate such thinking, the first contribution of UNESCO to the International Women's Year, to be observed in 1975, would be the forthcoming issue of *Impact* entitled "Women as Innovators". Several other UNESCO periodicals would also be devoted to the role of women in those fields of human endeavour in which UNESCO was primarily concerned, namely, education, the social sciences, culture and communication. Furthermore, UNESCO was formulating a long-range programme of studies and publications on such subjects as women's attitude towards their condition, the educational problems confronting women in selected countries, the problems of working mothers and their role in early childhood education, the image of women in textbooks and in the mass media, and a study of the concept of equality which would include an investigation of the cultural and biological factors which conditioned children of both sexes to the roles they would eventually play as adults.

4. UNESCO would continue and expand programmes begun several years previously, such as experimental projects for literacy, technical education and the use of radio and television in the education of women. If the General

Conference so decided, UNESCO would follow up an investigation undertaken two years previously in collaboration with the ILO in five developing countries on the relationship of educational and employment opportunities open to women, in order to assist those nations in gearing women's education to actual employment possibilities.

5. Finally, it should be stressed that none of the objectives of the International Women's Year could be achieved without an intensive exchange of information and experience. In that respect, UNESCO, with the approval of the General Conference, would initiate a programme to take an inventory of the innovative measures undertaken by Member States for the advancement of women, and would make the results of that study available to women from different cultures.

6. Mr. HAUGSTVEDT (Norway) said that his Government hoped that, through the observance in 1975 of the International Women's Year, the status of women would be recognized by the United Nations, Governments, non-governmental organizations and private institutions as a matter of major importance to the entire international community. It was imperative to bring about a radical change in the traditional attitudes towards women in order to eliminate discrimination on grounds of sex and to ensure the full integration of women in the over-all development process. He stressed the importance of the World Population Conference held at Bucharest in August 1974, where the status accorded to women in society had been recognized as a key factor in creating a climate conducive to the implementation of various population programmes.

7. The success of the activities being undertaken for the International Women's Year would depend to a great extent on the co-operation initiated by Governments at the national level. Norway's preparations for the Year included the establishment of a national committee composed of representatives of close to 50 organizations encompassing political parties, national women's organizations, universities, government agencies, trade unions and employers' organizations. The national committee had established a working group responsible for co-ordinating the various activities. In its budgetary proposals for 1975, his Government had proposed the appropriation of 300,000 Norwegian kroner, or about \$55,000, to activities to be carried out throughout the country in connexion with the International Women's Year. It was expected that local authorities would supplement that amount by earmarking funds for local projects. A commemorative stamp would be issued, and a school contest on the best treatment of the International Women's Year theme by school newspapers would be organized. As local elections would be held in Norway in 1975, the working group had met with representatives of the political parties to discuss the promotion of a just distribution of political assignments between men and women.

8. A bill to terminate legislative discrimination on the grounds of sex would shortly be introduced in the Norwegian Parliament. The bill provided for a general prohibition of discriminatory treatment of women, and, in that context, the appointment of an *Ombudsman* to review complaints of violations of the law was under consideration. His Government had also recommended that the

budgetary proposals for 1975 should include an appropriation of 100,000 Norwegian kroner (approximately \$18,000) to the United Nations fund for voluntary contributions to the International Women's Year (see Economic and Social Council resolution 1850 (LVI)), which would be earmarked for activities for the benefit of developing countries.

9. Mrs. SHAHANI (Philippines) said that despite the opposition encountered, the movement to accord women their worth and dignity as human beings could be considered one of the great socio-economic revolutions of the century. The General Assembly, in resolution 3010 (XXVII), had stated that the International Women's Year should be centred on equality, development and peace, and her delegation thought that each country should give meaning to that proposal within its particular cultural context and stage of development. Women constituted half the population, and if they were properly educated and trained, they could contribute substantially not only to an increase in the gross national product of their respective countries, but also to the quality of life in their communities. Women could certainly help to promote international peace and co-operation, and they could participate in the fight against racial discrimination and colonialism and assist peoples in the exercise of their right to self-determination. In all those fields, women could make a significant contribution, and, to that end, it was very important to achieve equality before the law, without discrimination on grounds of sex, since women should not be regarded as second-class citizens. Any legislation which still discriminated against women should be amended and revised, and such discrimination should be eliminated as a vestige of the past which no longer met current needs. It was perhaps more difficult to define the emotional and psychological aspects of equality between the sexes although, in the final analysis, equality between the sexes basically meant recognizing and respecting the dignity and worth of men and women as human beings. The pattern of domination and submission must be replaced by a more humane and equitable relationship of comradeship and partnership.

10. She then introduced draft resolution A/C.3/L.2113 and said that the delegations of Afghanistan, Chad, Cyprus, France, Federal Republic of Germany, Guatemala, Guinea, Guyana, Indonesia, Jamaica, Lesotho, Liberia, Mexico, Senegal, Sierra Leone, Somalia, Togo, Uganda and the United Kingdom had also become sponsors.

11. After pointing out the most important aspects of the draft resolution, she said that she had had the privilege of attending a seminar on national machinery to accelerate the integration of women in development and to eliminate discrimination on grounds of sex, held at Ottawa in September 1974 and jointly sponsored by the United Nations and the Government of Canada, at which it had been recognized that without efficient national machinery, programmes to improve the status of women could not be effective. The seminar had further recommended that the United Nations should continue to assist Governments in setting up channels of communication on questions relating to women. In that connexion, it should be noted that the UNDP Governing Council, at its eighteenth session, had asked the Administrator of UNDP to submit a report, at its

forthcoming session, on the involvement of women in development.¹ It was to be hoped that other United Nations bodies concerned with economics and finance would consider what role women could play in the mobilization of resources.

12. Her Government had been the first to make a contribution to the International Women's Year, which, although modest, showed the importance that her country attached to the integration of women in development. She hoped that other Member States would contribute to the fund for the Year, since the resources currently available were limited.

13. Mr. PERCY (United States of America) said that, among the draft resolutions approved by the Commission on the Status of Women at its twenty-fifth session, he attached special importance to the draft on the employment of women by the secretariats of organizations within the United Nations system (draft resolution IX),² since, as of June 1974, only 18 per cent of United Nations professional posts, 3 per cent of directorial posts and 3 per cent of the posts of Under-Secretary-General and Assistant Secretary-General had been held by women. In view of that situation, his delegation would seek to strengthen the resolution when the Fifth Committee, in its consideration of agenda item 12, studied chapter V, section D, of the Council's report, which related to the report of the Commission on the Status of Women. When the Economic and Social Council had adopted that draft resolution, which it recommended to the General Assembly in its resolution 1857 (LVI), it had not retained operative paragraph 3 of the original draft, an essential part of the text. That operative paragraph requested the Secretary-General of the United Nations as well as the executive heads of all organizations of the United Nations system to establish an advisory committee to assist in the formulation of measures and policies aimed at achieving the objective of an adequate balance between the numbers of men and women, particularly in policy-making posts. His delegation would press for the creation of such a committee, since it would be the height of hypocrisy if the International Women's Year was observed in 1975 without prior action in the United Nations to put its own house in order.

14. The United Nations should realize that, as an institution, it had not complied with Article 8 of the Charter, which provided that the United Nations should place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs. An effort must be made to implement the draft resolution of the Commission on the Status of Women if those provisions of the Charter were to be fulfilled and discrimination against women was to be eliminated. In order to do so, practical field experience in the form of assignment to missions should be made available to women staff members. More women staff should be involved in UNDP activities, and more women should be given responsible posts, including that of resident representative; such assignments would also set a good example for Governments. Moreover, UNDP should estab-

lish regulations requiring that determined efforts be made to recruit women for posts in programmes funded by the Programme. The United States had a great deal of experience in that regard and would be glad to share it with officials of the United Nations, including UNDP.

15. With the International Women's Year beginning very shortly, the United Nations had an opportunity to demonstrate that the equitable inclusion of women in policy-making roles was an attainable as well as a desirable goal. In addition, there were two steps which the United Nations should take as quickly as possible so that International Women's Year would prove a success: first of all, the Secretariat should accelerate planning activities for the Year, since there was as yet no agenda and the necessary staff had not yet been assigned, secondly, additional funds must be committed for the Year, since those available were very meagre. Only \$400,000 had thus far been allocated. Compared with the \$2 million spent for the International Year for Human Rights and the \$3,500,000 allotted for the World Population Year, that sum was, in the eyes of many, evidence of the secondary importance which the United Nations attached to the question of improving the status of women. His delegation was convinced that much greater funds were needed to ensure that the International Women's Year achieved its objectives, and he was pleased to announce that the United States was making a voluntary contribution of \$100,000; he hoped that other countries would also make contributions according to their capacity as evidence of their conviction that the integration of women was an essential factor in development. There was no question that all countries would benefit tremendously from the integration of women into all aspects of economic and social activity. His delegation was therefore pleased to co-sponsor draft resolution A/C.3/L.2113, which gave expression to those ideas.

16. Another very important topic dealt with at the twenty-fifth session of the Commission on the Status of Women had been the relationship of the status of women to population questions. His delegation supported the Commission's request in its draft resolution VI²—subsequently adopted in a modified form by the Economic and Social Council as resolution 1854 (LVI)—that the Secretary-General should undertake further interdisciplinary and cross-national studies based on the findings of the Special Rapporteur's report on the interrelationship of the status of women and family planning³ and the conclusions and recommendations of the seminars. The fact that 1974 had been designated as World Population Year was evidence of the concern felt by nations about population problems. One of the major successes of the World Population Conference had been the consensus on the value of women in population policy planning and implementation. The World Population Plan of Action⁴ approved by the Conference placed greater emphasis than had all previous drafts of the Plan on the view that family planning policies could be most effectively implemented if women, on whom the success of such policies largely depended, played an important role in their development and implementation.

¹ See *Official Records of the Economic and Social Council, Fifty-seventh Session, Supplement No. 2A*, para. 462.

² *Ibid.*, *Fifty-sixth Session, Supplement No. 4*, chap. I, sect. A.

³ E/CN.6/575 and Add. 1-3.

⁴ See E/5585 Corr. 1, chap. I.

17. Also of special concern to the United States was the current global food crisis, in which women could play a significant part since in many countries they were of fundamental importance in agricultural production and in virtually all countries women had the major responsibility for feeding the family. Once women were integrated into society, they could make a major contribution to the solution of both short-term and long-term food problems. Draft resolutions VII and VIII of the Commission on the Status of Women²—adopted in a modified form by the Council as resolutions 1855 (LVI) and 1856 (LVI)—concerning the implementation of a programme of concerted international action to promote the advancement of women and their integration in development and the status of rural women, especially agricultural workers, could, if implemented, bring about significant improvement in global agriculture and nutrition.

18. The United States had adopted a position in favour of improving the status of women in all phases of economic and social development, particularly in leadership positions. It strove constantly to implement its own domestic policy of non-discrimination in employment on the basis of sex. An effort was being made to implement the so-called Percy amendment calling for United States bilateral foreign aid programmes to be administered so as to give particular attention to those programmes, projects and activities which tended to integrate women into the national economies of their countries, thus improving their status and assisting the development effort.

19. The draft resolutions approved by the Commission on the Status of Women at its twenty-fifth session, which were evidence of the important work accomplished by the Commission, closely paralleled his country's goals and, in the opinion of his delegation, were relevant to the problems of all nations. His delegation endorsed not only those resolutions but also many of the other concepts set forth in the Commission's report, and it was confident that many other nations shared its position.

20. Mrs. TAKLA (Egypt) said that, in preparing for the International Women's Year, her country was conducting an information campaign based on the belief that there was a direct correlation between the moral and material standard of a country and the role played by its women and that only in weak societies were women weak. Egypt's own history proved that point, since, at the time when that country had been the centre of civilization, some of its principal figures had been women. The resurrection of the Egyptian woman had also been linked with the rise of modern Egypt. The women's emancipation movement had begun to emerge in the early part of the nineteenth century, but it had come up against the force of tradition and prejudice and the opposition of the occupying foreign Power to social reform.

21. In her opinion, three points should be stressed in connexion with the matter under discussion: first of all, that the status of women was merely a reflection between the rise of a society and the movement for women's emancipation; and, thirdly, that men and women should co-operate on an equal basis in integrating women into society so that they could contribute to the development process. Women had provided many examples of what they

could do if given the opportunity, but, in the present era of universality and interdependence, a great deal remained to be done.

22. The International Women's Year was a time to review and appraise the progress that had been made, particularly in the following three fields: the promotion of equality between men and women, the full integration of women into the development effort, and recognition of the importance of women's increased contribution to the strengthening of world peace. It was essential to give serious attention to such urgent situations as the fate and the sufferings of women and children who were subjected to repression, aggression, colonialism, alien domination, *apartheid*, racism and racial discrimination. A woman who was subject to such conditions could hardly be expected to contribute to development and peace. How was it possible to enjoy the benefits of certain rights while women and children were suffering under those circumstances? Her delegation trusted that the Secretary-General would focus his attention on those conditions as an obstacle to the realization of basic human rights and fundamental freedoms, including the promotion of the status of women. The plan of action to be drawn up at the international conference on women to be held during the International Women's Year and the activities undertaken during the Year should also be directed towards alleviating the sufferings of those women and children. She noted in that connexion that the Economic and Social Council had, on the recommendation of the Commission on the Status of Women, adopted resolution 1861 (LVI), which contained a draft resolution recommended to the General Assembly for adoption. The Programme for the International Women's Year (Economic and Social Council resolution 1849 (LVI), annex) also recognized the importance of women's contribution to the struggle against racism, racial discrimination and *apartheid*.

23. Discrimination against women was detrimental not only to the future of national societies but also to the future of the international community. Development could never be achieved without the participation of all sectors of the population, including women. In that regard, emphasis must be placed on resolution 1856 (LVI) of the Economic and Social Council, concerning the status of rural women, especially agricultural workers, and on the technical co-operation activities of the ILO and UNESCO in those fields.

24. As a result of the stand taken by the United Nations and the instruments it had adopted, many States had incorporated in their constitutions and legislation provisions aimed at establishing equality between men and women. In many cases, however, those provisions did not reflect the real situation. Negative attitudes towards equality between the sexes derived, *inter alia*, from a mental attitude influenced by certain traditions which left their imprint on children in the formative years. Thus, mass communications media should be used to influence the formation of new attitudes towards the role of women in present-day society and to provide information on the relevant activities of national bodies, the United Nations and the specialized agencies, and the intergovernmental and non-governmental organizations.

25. Religious beliefs were often alleged to have an unfavourable impact on the advancement of women. In

many cases that was a misconception, and a more accurate scientific study would serve to demonstrate the real effect of such beliefs on the role and status of women. To give a specific example: Islam had, for political reasons, been cited as hindering the advancement of women, but in actual fact, the advent of Islam had improved the status of women by ending the pagan practice of killing new-born female infants, giving women the right to inherit, stipulating the need for the consent of the bride before marriage, and encouraging the education of girls and women. It was therefore to be hoped that due attention would be given to a correct interpretation of the role of cults and beliefs.

26. Special attention should also be given to the ecological factors which shaped social ideas. Accordingly, the choice of apparatus and priorities should be left to the individual country.

27. Another important question was recognition of the right of women, not only to work, but also not to work outside the home and yet still be considered an important factor in the development of society. Home-makers had a significant impact on the economy and constituted the most effective "non-governmental organization" for furthering the cause of peace.

28. In Egypt, the Constitution guaranteed equal rights to all citizens regardless of race, sex, religion, language, origin or creed. Women occupied posts at all levels of the governmental apparatus, owned their own enterprises and were elected to the Parliament. There was a woman member of the Cabinet, and the Arab Socialist Union, the political organization, had a special division for women, with regional and local offices throughout the country. In every city council two seats were reserved for women. All the factories had female workers, and in some they formed the majority; their pay was equal to that of the men, and they were granted special maternity privileges. It was prohibited by law for women to perform dangerous tasks or heavy labour and, in some instances, to work on the night shift. None the less, much more still needed to be done: for instance, greater attention should be paid to women workers in rural areas.

29. In the area of education, there was complete equality in Egypt at all levels. The number of female students had increased markedly in recent decades. At the same time, men's attitudes were undergoing an important socio-psychological change. In contrast to what had occurred previously, most men today preferred to marry working women. During the October War, women had actively participated in the discharge of such technical and professional responsibilities as providing assistance to military and civilian victims of napalm and other weapons.

30. The leader of the present feminist movement in Egypt, Mrs. Gihan El Sadat, was the wife of the President; she genuinely believed in the role of women and was working with dedication to improve their status.

31. Despite the progress made, her country realized that there was still a long way to go. It therefore awaited the results of the International Women's Year with interest, and it intended to participate actively in the observance of the Year.

32. Mrs. BAILOR (Sierra Leone) said that her delegation welcomed the designation of the year 1975 as International Women's Year, and also the holding of a related international conference during the Year. In the past, the approach to the problem of women's role in society had been a legal one. The International Women's Year must serve as a point of departure for a positive action programme. While women certainly played an important role in all Member States, their efforts could be intensified. The aim must be to ensure that a woman's work was more productive, that her family responsibilities were less onerous and that her integration in development was further enhanced. At the same time, it must not be forgotten that most of the world's population lived in rural areas; her delegation therefore welcomed Economic and Social Council resolution 1856 (LVI).

33. A number of Member States had already taken positive action on behalf of women. France had perhaps taken the most decisive step by appointing Mrs. Francoise Giroud to the post of Secretary of State for the Advancement of Women. Other countries had drawn up programmes for women in the fields of nutrition, health, and agricultural production and distribution. In Sierra Leone, not only was priority being given to the well-established practice of ensuring equality of opportunity in education, training, employment and remuneration, but, in addition, a multidisciplinary project for the further integration of women in the over-all national development effort had been adopted.

34. Turning to draft resolution A/C.3/L.2113, she noted that subparagraph (b) of the first preambular paragraph, which referred to the Second United Nations Development Decade, was not directly matched with operative paragraph 2, which mentioned only the International Women's Year. With the object of remedying that defect, her delegation, after consulting the original sponsors of the draft resolution and obtaining their approval, was proposing an amendment (see A/C.3/L.2115) which would add a new paragraph 2 in the operative part, with the result that the present paragraphs 2 and 3 would become 3 and 4, respectively. Her delegation had accordingly become a sponsor of draft resolution A/C.3/L.2113, as amended by the new operative paragraph 2. She pointed out that the word "economic" in that paragraph should be deleted.

35. If women were to withhold their present contribution to development at the domestic, national and international levels, the world would be considerably impoverished from the social, economic and even political standpoints. The reverse would be true if women could make an even greater contribution and become fully integrated in the economic and social life of all States. The main obstacles to development could not be overcome without the participation of women, who in some countries outnumbered men by 2 per cent. Women were ready, and indeed anxious, to participate fully in development. The International Women's Year could be a spring-board for the new policy if the participants in it decided to make it one.

36. Mrs. REMPT (Netherlands) noted that the World Population Conference, held at Bucharest in August 1974, had reached the conclusion that it was impossible to find

lasting solutions for current population problems without the involvement and full support of women, who constituted one half of the world's population. Accordingly, the Governments of Member States should give careful attention to the implementation of the resolutions drawn up by the Commission on the Status of Women and adopted by the Economic and Social Council, particularly those relating to the integration of women in the productive and development processes. She welcomed the fact that the Commission on the Status of Women had not restricted its attention to the activities of the United Nations in that sphere but had also concerned itself with the role being played by other organizations within the system, such as the ILO and UNESCO.

37. The United Nations and related agencies should recognize and admit that the full integration of women in society was no longer an isolated problem to be remedied in an intermittent or piecemeal way, but that its topicality and importance called for an over-all approach. For example, UNDP should evaluate its development plans in the light of the role of women in their implementation—something which hitherto had rarely been done. It was obvious that neither the developing nor the developed countries could afford not to make full use of all their human resources and that many of the attitudes which constituted barriers to doing so were based on deeply-rooted prejudices which were resistant to change. It was to be hoped that the forthcoming international conference on the status of women, to be held in 1975, would help to eliminate those barriers which, besides perpetuating an inequitable situation, were a cause of economic and social backwardness.

38. In conclusion, she noted that recent reports on the status of women failed to include any reference to the impact of the activities of transnational corporations on the status of women in the regions in which those corporations operated; her delegation believed that special attention should be paid to that subject by the competent organs of the United Nations.

39. Lady GAITSKELL (United Kingdom) said that there was an acceleration in the emancipation of women in the United Kingdom. Ironically, the process had been hastened by the two world wars as a result of the work that women had then been called upon to do. At the present time, nearly half of all married women in the United Kingdom were in paid employment, so that the increased prosperity of families since the Second World War was due in part to the mothers at work. Paradoxically, greater opportunities for women could actually make their lives harder, in so far as they had to carry on their traditional duties in the home while expanding their activities in paid employment. A reality which could not be ignored was that mothers with young children presented special problems, and that young children themselves had special needs which mothers alone could meet. A more equitable distribution of the tasks both in the home and outside it was obviously needed.

40. Despite the large number of married women in paid employment in the United Kingdom, there was still discrimination in employment with regard to the level of the jobs open to them and in the matter of pay, and although sex disqualification for jobs had been illegal for

over 50 years, prejudice and the resultant psychological barriers held back the progress of women. That was demonstrated, for example, by the fact that only one seventh of the doctors in the United Kingdom were women, and although women were in the majority in teaching, very few reached the level of university professors. The reasons were to be sought in the roots of the traditional education of the two sexes, according to which certain scientific subjects, such as chemistry, physics and engineering, were unsuitable for girls.

41. The Labour Government was convinced that the movement towards equality for women required the active support and intervention of the State, and it had recently published a pamphlet called "Equality for Women". The Government proposed to introduce comprehensive legislative measures applying to areas such as, employment, training, education and practically all aspects of social life. Every effort would be made to promote genuine equality between the sexes, and the necessary machinery to punish violations would be set up. The machinery and procedures for enforcing the legislation would be complemented by a new public body, the Equal Opportunities Commission. The Government hoped that the measures would come into force at the same time as the Equal Pay Act, i.e., in December 1975. The Government could also help in another way, by providing help and advice with family planning, a field in which women should be able freely to determine the number of children they wished to have, on an equal footing with men.

42. The full integration of women in the total development effort would require not only the elimination of all forms of discrimination against women, but also the integration of women into the decision-making process of national development. That would lead to a better utilization of the skills and talents of the entire population and thus benefit not only women but society in general. Although the problems of women cropped up in different forms in different countries, there were certain universal principles, beginning with the relevant articles of the Universal Declaration on Human Rights, which applied to women everywhere, regardless of where they lived or their level of development. The Declaration on the Elimination of Discrimination against Women (General Assembly resolution 2263 (XXII)) was a valuable instrument, and it should become a binding international agreement. But if it was to be effective, such an agreement must receive wide support, and the process of drafting a generally acceptable text was a lengthy one and should not be precipitately hurried forward. It was to be hoped that the celebration of the International Women's Year would influence Governments to study the text in detail and send their comments in good time for the next session of the Commission on the Status of Women, so that a text could be agreed upon for adoption in 1976.

43. Mrs. SHAHANI (Philippines) proposed that in the amendment submitted by Sierra Leone (A/C.3/L.2115) to draft resolution A/C.3/L.2113, of which her delegation was a sponsor, the word "further" after the word "Recommends", and the words "whatever their stage of economic development" should be deleted, and the word "all" should be inserted before the expression "Member States". The text of the new paragraph 2 would then read as follows:

“*Recommends* that all Member States include in their national development plans . . .”. The delegation of Sierra Leone had indicated its willingness to accept that wording.

44. The CHAIRMAN said that if the sponsors of draft resolution A/C.3/L.2113 had no objection to that amendment, a revised version of the draft would be circulated.

It was so decided.

45. Mr. AZIZ (International Labour Organisation) said that, in accordance with a request of the Economic and Social Council, the ILO had submitted to the twenty-fifth session of the Commission on the Status of Women a report on its activities to promote the advancement of women.⁵ Since that time, the Governing Body of the ILO had decided to place on the agenda of the sixtieth session of the International Labour Conference the question of equality of opportunity and treatment for women workers. The conclusions that would be reached after discussion of the question would doubtless constitute the ILO's main contribution to International Women's Year.

46. The decision to include that question in the Conference's agenda had been based on a report on women workers which revealed that there was still a clear division of labour by sex and a marked tendency everywhere to recruit on the basis of sex rather than qualifications. The report stated that women made up more than one third of the work force in the world but that there had been little basic change in the pattern of women's economic activity over the last decade. It stressed that women's social function of reproduction must be fully protected, that was to say, that women should not be penalized because they were mothers. The session of the International Labour Conference to be held in 1975 would also have before it a survey of the application of the principle of equal pay in countries which had ratified the Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value⁶ and in those which had not.

47. The ILO was also fully conscious of the importance of the question of the status of rural women, and it believed that that problem could only be approached in the framework of integrated rural development. Two primary considerations seemed to stem from the available data regarding women's participation in agriculture: the first was that women were rarely included in vocational, technical and professional training courses in the field of agricultural production and modernization; the second was that the mistaken concept that women were primarily concerned with home economics had severely limited women's contribution to rural development. In the ILO's view, home economics was not enough, and the contribution of women

to rural development was essential. The urgency of the problem had been recognized by the Conference and it had produced a draft recommendation which would probably be adopted as an international labour standard.

48. The Conference had also concluded that training for work, and guidance in choice of jobs, should be available to men and women throughout their working lives. A draft Convention and Recommendation to that effect had been prepared to complement existing international labour standards, with the aim of developing the worker's ability to participate actively in the process of change in the economy and acquire new skills and knowledge as they were needed.

49. A meeting of the ILO's Panel of Consultants on Women Workers' Problems had been held in 1974, and the Panel had concluded that the problem of equal pay for women had its roots in social attitudes that led to persistent discrimination and that strong measures were still needed to change concepts about the role of women. The Panel had proposed universal abolition of separate wage scales for men and women and had suggested that the ILO should re-examine its Convention No. 100 on equal pay to determine whether its provisions were still adequate. Immediately before or immediately after the sixtieth session of the Conference in 1975 it was proposed to hold a meeting on the same subject with non-governmental organizations concerned with women's problems.

50. A positive effort had been made also to improve the conditions of work of nurses, who were mainly women. The ILO was also making a study of women's rights and benefits under national social security régimes. It was preparing for late 1974 a seminar on the role of women's organizations with a view to co-ordinating measures to meet the problems of women. The analysis of government replies to the questionnaire on part-time employment had been completed. In the past 10 years there had been an increase in the number of part-time workers, both men and women, but particularly women, and Governments were giving increasing attention to that problem. However, the trade unions, for the most part, retained their basic reservations with regard to the part-time work of women, which, they felt, was not good for careers and tended to facilitate exploitation. They maintained that the real solution lay in shorter working hours for all.

51. Further progress had been made also under the World Employment Programme, and women's needs and problems in the employment field would be examined. An expert meeting on equal remuneration in the developed countries was to be held shortly, and a symposium on equality of opportunity in employment for the European region would be held towards the end of 1974. Women were specifically mentioned on its agenda.

The meeting rose at 1 p.m.

⁵ See E/CN.6/579.

⁶ International Labour Organisation, *Conventions and Recommendations, 1919-1966* (Geneva, 1966), Convention No. 100.

2073rd meeting

Friday, 25 October 1974, at 3.15 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2073

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2110/Rev.1, 2111, 2113/Rev.1, 2115 and 2116)

1. The CHAIRMAN said that Turkey had become a sponsor of draft resolution A/C.3/L.2110/Rev.1 and that Chad, Italy, Niger, Sudan, Tunisia and the United Republic of Cameroon had become sponsors of draft resolution A/C.3/L.2113/Rev.1.

2. Mr. GRAEFRATH (German Democratic Republic), introducing his delegation's amendments (A/C.3/L.2116) to draft resolution A/C.3/L.2110, said that the general purpose of the amendments was to stress the humanitarian nature of resolution V, adopted by the twenty-second International Conference of the Red Cross¹ held at Teheran from 28 October to 15 November 1973, of which his delegation had been a sponsor. The subject had been dealt with efficiently by the Red Cross and his delegation doubted whether anything was gained by introducing it in the Committee. In any case, it was not helpful to politicize the subject.

3. The proposed amendment to the first preambular paragraph was intended to bring the wording of draft resolution A/C.3/L.2110 into line with Article 1 of the Charter of the United Nations. His delegation proposed that the third preambular paragraph should be reworded so as to refer not only to the lack of information on missing persons, but also to widespread human suffering, loss of human lives and devastation of property. In the fourth preambular paragraph, his delegation proposed that the words "with approval" should be deleted because it considered that it was not the Committee's task to approve a resolution already adopted by the International Conference of the Red Cross, an independent body with specific tasks of its own.

4. His delegation had some difficulties with regard to the sixth preambular paragraph, which gave higher priority to information on missing persons than to other important issues. Information on missing persons was in many cases regulated by international treaties, and the Committee could not interfere in treaty relations between countries by requesting priority for one party to a conflict. Moreover, no Red Cross convention or resolution gave higher priority to any one humanitarian objective than to others. For

¹ See *International Review of the Red Cross*, No. 154 (January 1974).

example, his delegation could not agree that information on missing persons should be given higher priority than the obligation to care for the victims of aerial bombardment. It was therefore proposing that the sixth preambular paragraph should be deleted.

5. With regard to operative paragraph 3, his delegation considered that it would be useful to refer to the Geneva Conventions of 1949,² because they provided the legal background for what the draft resolution under consideration requested from the parties to conflicts. Exchanges of information had been carried out very efficiently with the assistance of the International Committee of the Red Cross (ICRC), and his delegation was of the opinion that the ICRC should co-operate with other bodies in that work. It was questionable whether the United Nations should ask parties to armed conflicts to co-operate with unspecified agencies which were not States or bodies accepted by the Geneva Conventions. His delegation therefore proposed that the words "with protecting powers, with the ICRC and with such other agencies as may be appropriate for this purpose" in operative paragraph 3 should be replaced by "in accordance with the Geneva Conventions of 1949 with protecting powers and with the ICRC".

6. His delegation hoped that the sponsors of draft resolution A/C.3/L.2110 would agree to its amendments and that the draft resolution, as amended, would be adopted by consensus.

7. Mr. BAKER (United States of America), introducing draft resolution A/C.3/L.2110/Rev.1, said that the sponsors had taken account of amendments suggested earlier by the representative of the German Democratic Republic when preparing the revised text. The title and the first and fourth preambular paragraphs had been revised accordingly. In the second preambular paragraph the words "in violation of the principles of the United Nations Charter the resort to force has continued to occur, causing loss of human lives, widespread devastation, and other forms of human suffering" had been added in order to reflect the sponsors' concern to show that they were not giving higher priority to the question of persons missing or dead in action than to the problem of human suffering. The sponsors had revised the sixth preambular paragraph in an attempt to deal with a problem of semantics and to show that they agreed with the delegation of the German Democratic Republic that the concern for persons missing or dead in armed conflicts should not be exclusive.

8. Operative paragraph 3 had been amended in order to bring it into line with the Geneva Conventions of 1949. Finally, the words "and with such other agencies as may be appropriate for this purpose", which had been used in the

² United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

original version, had been replaced by “or any organ presenting satisfactory guarantee of impartiality, such as envisaged in the Fourth Geneva Convention”.

9. The sponsors of the draft resolution under consideration differed from the delegation of the German Democratic Republic in that they attached great importance to the expression of humanitarian concern, and they hoped that the revised draft resolution would be adopted by consensus.

10. Mr. NOTHOMB (Belgium) said that despite all the efforts made by the United Nations armed conflicts continued to occur, and it was with that fact in mind that his delegation had supported draft resolution A/C.3/L.2110, which had been submitted on purely humanitarian grounds. His delegation noted with satisfaction that Pakistan and Bangladesh were among the sponsors of the revised draft resolution, thus demonstrating their spirit of moderation and conciliation. It also noted that the list of sponsors included Cyprus, whose two communities were experiencing serious armed conflict. His delegation was a sponsor of the draft resolution because it considered that its application might alleviate the suffering of all countries involved in armed conflict.

11. Articles 16 and 17 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of 12 August 1949,³ contained provisions relating to the dead and to an Official Graves Registration Service; one of the horrors of war was the resulting uncertainty as to the fate of the dead or the site of their graves. In that connexion, he paid tribute to the International Committee of the Red Cross, which was the depositary of the Geneva Conventions; he was glad that the draft resolution under consideration appealed to the ICRC for its co-operation. It was also fitting that the draft resolution should call for the co-operation of the protecting powers, in accordance with article 16 of the First Geneva Convention.

12. His delegation hoped that, as a result of the agreement reached by the sponsors of the draft resolution and the delegation of the German Democratic Republic, the Committee would be able to adopt by consensus draft resolution A/C.3/L.2110/Rev.1.

13. Mrs. HEANEY (Ireland) said that the timely presentation of documentation by the Secretariat was a factor in the efficiency of the Committee's work. Her delegation considered that, when necessary, the Committee should request the Secretary-General to prepare documentation in respect of particular items, as it had done in the case of General Assembly resolution 3059 (XXVIII), relating to torture. That documentation had formed the basis for draft resolution A/C.3/L.2106/Rev.1, which had been adopted by the Committee at its 2070th meeting.

14. It was in the same spirit that her delegation supported draft resolution A/C.3/L.2111. The Committee had a formidable task ahead of it at the thirtieth session of the General Assembly in implementing General Assembly resolution 3136 (XXVIII) and it would be immeasurably

assisted by having before it the fullest possible information on all the alternatives open to it, assembled from comprehensive sources in a systematic and orderly fashion. Draft resolution A/C.3/L.2111 would be extremely helpful in that respect. When resolution 3136 (XXVIII) had been adopted, it had been agreed that the substance of the item concerning the alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms would not be discussed until the thirtieth session. Her delegation intended to abide by that decision and appealed to all delegations to do likewise.

15. Mr. BAROODY (Saudi Arabia) said that his delegation considered draft resolution A/C.3/L.2110/Rev.1 to be most appropriate, particularly on account of the amendments submitted by the delegation of the German Democratic Republic. The draft resolution was of a humanitarian nature and his delegation would have no difficulty in supporting it.

16. Referring to draft resolution A/C.3/L.2113/Rev.1, on the International Women's Year, he said that his delegation found the text satisfactory, although it saw no need for the first preambular paragraph: it considered that women already had equality with men and that, in some cases, they had even more privileges than men. According to the Koran, men were responsible for the welfare of women, and he could not see what greater privilege women could have. Moreover, women in Moslem countries had the right to custody of their children during their formative years, when a child's character was determined for the rest of its life, and also had full control over their property. With regard to the promotion of equality in the political field, he pointed out that some countries still had tribal systems and that everyone, man or woman, could, for example, approach the Head of State. In such a case, equality of men and women had already been achieved. The Moslem countries had thousands of years of experience in such matters, but the Western countries were slow to learn that, although women had a great deal of influence, it could not be legislated into existence, as was being attempted in draft resolution A/C.3/L.2113/Rev.1.

17. Miss DIAROMEYE (Niger), speaking on a point of order, said that, in accordance with the decision taken at the 2072nd meeting, the Committee had to conclude its discussion of draft resolution A/C.3/L.2110/Rev.1 before dealing with the question of the International Women's Year.

18. The CHAIRMAN confirmed that the Committee had at its 2072nd meeting decided to consider draft resolutions A/C.3/L.2110 and L.2111 as the first order of business at the current meeting so as to enable the Rapporteur, pursuant to the proposal made by the representative of the Upper Volta at the 2070th meeting, to submit as soon as possible for consideration by the plenary a report on the relevant aspects of the Committee's deliberations on the human rights questions dealt with in chapter V, section C, of the report of the Economic and Social Council (A/9603).

19. Mr. BAROODY (Saudi Arabia) appealed to the United Kingdom delegation to withdraw draft resolution A/C.3/

³ *Ibid.*, No. 970.

L.2111. His delegation did not believe that the Secretary-General and the Secretariat should be asked to prepare additional analytical and comparative studies, when a multiplicity of studies was already being carried out by experts within the United Nations under the auspices of the Third and other Committees. There was in any case the question of whom to entrust with the task of carrying out the study proposed in the draft resolution.

20. Referring to operative paragraph 2 of the draft resolution, he pointed out that the representatives of Member States in the Third Committee were themselves specialists in the field of human rights and could individually elicit the views of their Governments on any human rights matter. The proposal that the Secretary-General should solicit the views of Member States was therefore superfluous. There was likewise no need for the Secretary-General to consult the specialized agencies as if they were on an equal footing with the Governments of sovereign States; they could easily transmit their views to the Secretariat in the form of documents. Moreover, there was an imbalance among Member States with regard to non-governmental organizations. In some States there were no non-governmental organizations having consultative status with the Economic and Social Council, and such States would be placed at a disadvantage under the terms of the draft resolution. All of the activities proposed in paragraph 2 of the draft resolution would place an additional burden on Governments and demand much effort and expense on the part of the Secretariat in connexion with bureaucratic action of dubious value. He therefore proposed that the entire question should be left in abeyance until the thirtieth session.

21. No satisfactory system had yet been devised to deal with complaints of alleged violations of human rights. The section of the Division of Human Rights which had been dealing with such complaints in recent years had itself frequently complained about the paucity of replies from Governments to its inquiries. Alternatives to the existing system, such as the establishment of national committees, could be discussed at the thirtieth session.

22. If draft resolution A/C.3/L.2111 was not withdrawn, his delegation would ask for a statement of the financial implications of the proposals which it contained before it was put to the vote. It would also ask how many hours would be spent on the study proposed in operative paragraph 1 and how many States would be required to reply to the Secretary-General's inquiries under paragraph 2. His delegation was opposed to such activities, which appeared to have political overtones.

23. Mr. ALFONSO (Cuba) said that he had not yet had time to study draft resolution A/C.3/L.2110/Rev.1 in detail. He would therefore confine himself to making general remarks on draft resolution A/C.3/L.2110, and reserved the right to present his views on the revised document at a later stage.

24. His delegation had listened with great interest to the debate on human rights matters, and particularly to the introduction of draft resolution A/C.3/L.2110 by the representative of the United States at the 2069th meeting. The problems dealt with in the draft resolution were not unknown to Cuba, a small country which had experienced

armed conflict in its own territory as a result of armed aggression. The problem of persons missing in action should be analysed, not in isolation, but on the basis of an over-all study of all its factual, political, technical and legal aspects, especially as it related—either directly or indirectly—to the Charter of the United Nations.

25. At the first session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, held in Geneva from 20 February to 29 March 1974, the United States delegation had advanced specific proposals similar to those contained in draft resolution A/C.3/L.2110. Circumstances had made it impossible to study the subject at the time. However, it had been clear that the proposals of the United States were based on its involvement in recent armed conflicts, in particular the conflict in Indo-China, and that many questions still remained to be answered in connexion with the plight of the people of Viet-Nam. His delegation therefore had serious reservations of a general nature with regard to draft resolution A/C.3/L.2110, during the discussion of which it should be borne in mind that one party to the conflict in Indo-China would have no opportunity to state its views on the experience of armed conflict of the people of that region. The voice of the Provisional Revolutionary Government of South Viet-Nam had not been heard at the Geneva Diplomatic Conference because of the efforts of one major Power—the United States—to prevent the admission of that Government to the Conference. Accordingly, any decision taken by the General Assembly on the subject-matter of the draft resolution would have far-reaching implications for the Diplomatic Conference, at its second session.

26. Another thorny problem raised by the draft resolution was that, in addition to dealing with persons missing in action, it raised constitutional questions in relation to the Charter. Article 51 and other provisions of the Charter were very clear on the question of the lawful or unlawful use of force. Consideration should always be given to the question whether the use of force was consistent with or in violation of the Charter. All armed conflicts since the Second World War had occurred in the under-developed world, which had been the scene of acts of aggression in violation of the principles of the Charter. Those facts could not be separated from the draft resolution.

27. His delegation also had reservations of a specific nature with regard to the draft resolution. As far as the first preambular paragraph was concerned, his delegation agreed that one of the purposes of the United Nations was the promotion of international co-operation to resolve humanitarian problems, but that purpose should not be divorced from or set above other purposes which, in the general context of the work of the United Nations, had greater priority. Aggression was a far greater problem than accounting for persons missing in action.

28. The second preambular paragraph rightly stated that the Assembly regretted the suffering caused by armed conflicts, but nothing was said of the obligation of Member States to renounce the use of force. Similarly, the lack of information on persons who were missing in action or who had died in connexion with armed conflict could not be divorced from other problems caused by armed aggression,

particularly aggression against the third world by the major Powers, using all their technological might. In other words, while the international community should not be indifferent to the problem of persons missing in action, by far the most serious need in that sphere was to eliminate armed aggression and develop international humanitarian law applicable in armed conflicts, which was the goal of the Diplomatic Conference. Referring to the sixth preambular paragraph, he pointed out that all problems required over-all solutions and that one aspect of a problem could not be dealt with in isolation.

29. Operative paragraph 1 of the draft resolution appeared to envisage a situation in which a country which suffered armed aggression in violation of the principles of the Charter would, in addition to the enormous economic problems posed by the act of aggression itself, be required to compile a detailed list of enemy casualties and to provide information about persons missing in action to an international body to which it would be accountable under a resolution of the General Assembly. The provisions of that paragraph could be exploited in the international press as a means of condemning countries which, because of a manpower shortage, were unable to meet their obligations in respect of the provision of information.

30. Operative paragraph 3 of the draft resolution contained a series of ambiguities. He did not understand the reference to the International Committee of the Red Cross, whose duties were clearly laid down in the Geneva Conventions of 1949. He wondered whether the intention was to create machinery not provided for in the Geneva Conventions.

31. Operative paragraph 4 was superfluous. The Diplomatic Conference already had before it the United States proposal to which he had referred and had already begun to consider the subject.

32. Many of the amendments to the draft resolution submitted by the German Democratic Republic in document A/C.3/L.2116 would greatly improve the text. He understood that some of those amendments had been incorporated in the revised draft resolution. However, on the basis of its views on the original draft resolution, his delegation would have to vote against the revised draft.

33. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that hardly any people in history had suffered such great losses in war as had the people of the Soviet Union in the Second World War. It was well known that more than 20 million Soviet citizens had been lost in that war, and thousands of villages and towns had been destroyed. The material losses were incalculable, as were the personal losses, since hardly a family in the Soviet Union had not lost at least one of its members. It was clear, therefore, that the Soviet delegation shared the concern of others about the humanitarian problems to which armed conflicts gave rise. However, the humanitarian aspects could not be separated from the other aspects of armed conflicts, and it was on that basis that his delegation approached the draft resolution submitted by the United States.

34. His delegation wondered why the draft had been submitted in such an unusual manner, circumventing the

normal procedure for the introduction of new items in the General Assembly. It was clear that the matter had not previously been discussed in the Economic and Social Council.

35. He recalled that, out of concern for the humanitarian problems arising from armed conflicts, his delegation had, at the fifty-sixth session of the Economic and Social Council, submitted a draft resolution on the protection of women and children in emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence. The draft resolution, recommending to the General Assembly the adoption of a declaration on the subject, had been adopted by the Council (resolution 1861 (LVI)), but the matter had then been referred to the Sixth Committee, under agenda item 12, rather than the Third Committee. However, since the United States delegation had now raised a question relating to armed conflicts, his delegation would consider the possibility of formally requesting that the Council resolutions should be considered by the Third Committee.

36. His delegation endorsed the comments made by the representative of Cuba on draft resolution A/C.3/L.2110, and felt that it should be considered very carefully, bearing in mind not only the humanitarian aspects but all other aspects of the problem as well. The amendments put forward in document A/C.3/L.2116 by the German Democratic Republic, a country which was well acquainted with the problem, deserved attention, and draft resolution A/C.3/L.2110/Rev.1 also merited careful consideration although, even at first glance, his delegation had some doubts about it. The amendments submitted by the German Democratic Republic could be studied in the light of that revised text.

37. Turning to draft resolution A/C.3/L.2111, his delegation agreed with much of what had been said by the representative of Saudi Arabia, who had raised a number of valid points. With regard to operative paragraph 1, he wished to know what type of study was to be prepared, when it was to be carried out, and in accordance with which decisions of the United Nations. He agreed with the representative of Saudi Arabia that the studies which had been prepared by the United Nations in the past had not always been of great help to delegations in considering the questions to which they related. Recalling the Secretariat's statement that it did not have the capacity to take up all the items connected with the Decade for Action to Combat Racism and Racial Discrimination, he expressed doubt as to whether it would have sufficient capacity for the study envisaged in operative paragraph 1, particularly as the United Nations budget for 1975 had already been approved. With regard to operative paragraph 2, he considered that it was inappropriate to solicit the views of the specialized agencies and of non-governmental organizations, as that would be outside the scope of their links with the Economic and Social Council; it was for Member States alone to put forward views on the subject-matter of the study referred to in operative paragraph 1.

38. His delegation considered that the first preambular paragraph should clearly reflect the fact that the item mentioned in that paragraph had been included in the provisional agenda of the thirtieth session of the General

Assembly after the General Assembly had discussed the question of establishing a post of United Nations High Commissioner for Human Rights and represented an alternative approach to improving the effective enjoyment of human rights and fundamental freedoms.

39. His delegation would make specific suggestions about draft resolution A/C.3/L.2111 later, as it considered that the Secretariat should first provide information on the study and on its financial implications, unless the United Kingdom withdrew the draft in response to the appeal made to it by the representative of Saudi Arabia.

40. Mrs. BALDÉ (Guinea) said that her delegation welcomed and would vote in favour of draft resolution A/C.3/L.2110/Rev.1, which once again drew attention to the appalling consequences of armed conflicts. However, while regretting the lack of information on persons missing in armed conflicts, it considered that the first task of the Committee was to use all the means available to the international community to prevent conflicts from arising in the first place. In speaking of the problem, her delegation was thinking of the people of Viet-Nam who were struggling for their legitimate rights to independence, freedom and dignity and of all those who had fallen during that long and terrible war which had never had any justification. In that connexion, the Committee should consider the violations of the Paris Agreement on Ending War and Restoring Peace in Viet-Nam, of 27 January 1973, and the disastrous consequences of those violations, which compromised the aim of the draft resolution. She had referred to the Viet-nam conflict because it seemed the most topical and perhaps the most appropriate example. The international community should not lose sight of that aspect of the problem and the Committee should concern itself with it.

41. Mrs. YOTOPOULOS-MARANGOPOULOS (Greece) said that, unless the Committee was duplicating the work being done on the problem in Geneva by the Diplomatic Conference, she thought draft resolution A/C.3/L.2110/Rev.1 should be adopted because it was concerned with a humanitarian and not a political question. However, she felt that the words "in action" were out of place, since civilians as well as combatants were the object of humanitarian concern.

42. With regard to draft resolution A/C.3/L.2111, her delegation agreed that practical and effective measures needed to be taken to promote the improvement of the effective enjoyment of human rights and fundamental freedoms; she was only sorry to have heard so many remarks of a political nature in connexion with that draft resolution.

43. Mr. SPEEKENBRINK (Netherlands) said that his delegation would vote for draft resolution A/C.3/L.2111, as the purpose of the draft resolution was to facilitate the work of the Committee in dealing with a very complex item. Arduous discussions in the previous year and before had led to the adoption by the General Assembly of resolution 3136 (XXVIII), which had indicated the need for adequate preparation for the discussions at the thirtieth

session of the General Assembly. That preparation should not be left solely to Member States; they should draw on the Secretariat's store of knowledge and experience, and on the Secretary-General's own competence in the matter: he should be included in any work which was done. It was also essential that the non-governmental organizations should contribute to the study because of their familiarity with the subject matter and their understanding of the problems involved. He agreed with the representative of Ireland that the draft resolution in no way touched on the substance of the item to be discussed at the thirtieth session of the General Assembly but was purely procedural.

44. Mr. LAWSON (Deputy Director, Division of Human Rights) said that the purpose of the study referred to in operative paragraph 1 of draft resolution A/C.3/L.2111 would be to assist the General Assembly, at its thirtieth session, in considering the question. As members of the Committee would realize, that question might prove to be a controversial one on which there would be a wide range of divergent views.

45. The updated versions of the comprehensive studies prepared for the International Conference on Human Rights in 1968 mentioned in the third preambular paragraph of the draft resolution would be issued shortly under the title "United Nations Action in the Field of Human Rights" and would describe in detail the existing machinery and procedures for dealing with human rights matters by all elements of the United Nations system. Like most comprehensive studies of that nature, the updated versions would themselves be somewhat out of date by the time they were issued because of the time-lag entailed in translation and publication. However, the Secretary-General would endeavour to make them as timely as possible in connexion with the report which he was requested to present to the thirtieth session. In addition, the Secretary-General would comply with the request in operative paragraph 2 of the draft resolution, and would prepare the analytical and comparative study called for in operative paragraph 1 essentially on the basis of the views and information received from Member States, the specialized agencies and appropriate non-governmental organizations in consultative status with the Economic and Social Council. On that understanding, the study called for in the draft resolution could be carried out by the existing staff of the Division of Human Rights and without extra cost.

46. Mrs. WARZAZI (Morocco) said that, like the delegation of Guinea, her delegation was prepared to support draft resolution A/C.3/L.2110/Rev.1 for humanitarian reasons. She was pleased to note that it did not refer to a particular situation, for it must apply to all situations. However, as the Guinean representative had observed, the draft resolution did not attempt to solve the basic problem of the existence of armed conflicts. Her delegation therefore proposed that the third preambular paragraph should be reworded to read:

"Affirming, however, that it is one of the fundamental obligations of the international community to ensure and promote international peace and security by preventing or ending armed conflicts."

47. Mr. BAKER (United States of America) said that he would be prepared to discuss the amendment proposed by the representative of Morocco with her.

48. Mr. MACRAE (United Kingdom) said that he wished to answer some of the questions which had been raised during the discussion of draft resolution A/C.3/L.2111. As his delegation had explained when introducing the draft resolution, it had felt that two kinds of preparation were necessary before the item was discussed. First, it should be made clear that there would not be a repetition of the kind of discussion held at the twenty-eighth session of the General Assembly; secondly, if the objectives were to be achieved, it was vital to have the best kind of documentation. His delegation had therefore felt that some kind of report was necessary, and it had considered various precedents. One such precedent was General Assembly resolution 3026 A (XXVII), which in paragraph 2 had requested the views of the Director-General of UNESCO, who had responded by producing a useful report. At the same time it was clear—as had been confirmed by the representative of the Secretary-General—that because of the nature of the subject-matter it would not be possible to obtain the kind of report that was needed from the Secretary-General. His delegation had therefore considered the possibility of asking the Secretary-General to prepare a report with the help of experts; there were precedents for such a request, for example, the method of work envisaged in operative paragraph 1 of resolution 3093 B (XXVIII) concerning the reduction of military budgets of States permanent Members of the Security Council, and many delegations had been in favour of that approach. However, it was difficult to find experts in the field of human rights, and the financial implications might not be as acceptable in the present instance as they had been in that case. His delegation had therefore reverted to the idea of requesting Governments, specialized agencies and non-governmental organizations to submit their views on the subject. That would enable Member States and organizations with the requisite expertise to submit their views, which would provide a broad enough background to supply a flexible basis for a concise and analytical document.

49. Two main criticisms had been made so far. First, some representatives had questioned the value of preparing the study at all. However, the representative of the Secretary-General had stated that the study could be prepared without additional expenditure, and Governments would probably be only too ready to respond because of the importance of the subject, despite any costs involved for them. The money and man-hours devoted to the study by the Division of Human Rights would, in the view of his delegation, be well spent. Secondly, the idea of soliciting the views of the specialized agencies and appropriate non-governmental organizations had been criticized. A precedent could be found in draft resolution A/C.3/L.2114, operative paragraph 4 of which referred to resolution 8 (XXVII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, a text which had requested the specialized agencies and other intergovernmental and non-governmental organizations to submit information. Resolution A/C.3/2114 had had wide sponsorship and had been passed by a considerable majority. Furthermore, during the discussion of that resolution information made available by non-governmental organizations had been widely quoted.

His delegation considered that it was worthwhile to include the widest possible spectrum of opinions put forward.

50. His delegation did not see why there should be any serious objection to draft resolution A/C.3/L.2111, as it contained no proposals, binding recommendations or suggestions. While fully understanding the reasons why the representative of Saudi Arabia had appealed to his delegation to withdraw the draft resolution, he did not feel able to respond to that appeal, but he would not object to postponing the vote if that would make it easier for some delegations. However, there might be some pressure if it was delayed for too long.

51. Mr. AL-QAYSI (Iraq) said that his delegation thought it would be easier for the Committee to reach a decision if the vote on draft resolution A/C.3/L.2111 was postponed. He also felt that the vote should be postponed on draft resolution A/C.3/L.2110/Rev.1, as the text had not been received until the beginning of the current meeting and delegations needed time to consider it. A precipitate vote might not lead to the best results.

52. Mr. EVANS (Australia) said that his delegation approved draft resolution A/C.3/L.2111 in the light of what the representative of the Secretary-General had said about the resources available for the proposed study.

53. The CHAIRMAN suggested that the Committee should postpone the vote on draft resolutions A/C.3/L.2110/Rev.1 and A/C.3/L.2111 until the next meeting.

It was so decided.

54. The CHAIRMAN reminded the Committee that the time-limit for the submission of amendments to the draft resolutions under consideration had been 23 October; the amendments contained in document A/C.3/L.2116 had been received on that day, but no amendments to draft resolution A/C.3/L.2111 had been received. Therefore, the amendment put forward by the representative of Morocco could be accepted only as a revised text.

55. Miss VOLLMAR (Federal Republic of Germany) said that her delegation had supported the resolutions adopted by the fifty-sixth session of the Economic and Social Council on matters relating to the attainment by women of equal rights and opportunities. The adoption of the Programme for the International Women's Year by the Council, in its resolution 1849 (LVI), had given rise to considerable activity within the Federal Republic of Germany. Her Government and the many non-governmental women's organizations and associations in the Federal Republic were making preparations for a national campaign during the Year. Although women in her country had already attained equality under the law, much remained to be done from the *de facto* point of view, particularly in making women aware of their rights and opportunities and making society willing to recognize those rights fully.

56. On 17 October 1974 the Federal Cabinet had discussed the International Women's Year. The Federal Minister for Youth, Family Affairs and Health had been made

responsible for co-ordinating plans for observance of the Year in the Federal Republic, assisted by a Committee of Parliamentary State Secretaries drawn largely from the ministries dealing with women's affairs. In order to solicit the participation of all major groups of society, the Ministry for Youth, Family Affairs and Health would form a board of some 45 representatives of the relevant organizations and associations, mainly women holding prominent positions in public life, with a view to promoting the aims of the International Women's Year and acquainting the public with them; making suggestions for the programme, approving it and submitting it officially; and suggesting action to be taken by the various organizations and providing information on such activities. The Committee of Parliamentary State Secretaries would co-ordinate the programme at the interdepartmental level. The programme was to be under the patronage of the President of the Federal Parliament, the woman holding the highest political office in the Federal Republic. Further plans included publicity work on a comprehensive scale to improve the legal and social status of women, publication of documentation on the implementation of equal rights for women, examination of the rating of jobs held by women, opinion polls on equal rights, panel discussions with journalists on the subject of equal status and the publication of a brochure by the Federal Press and Information Office. The Ministry for Youth, Family Affairs and Health also planned a campaign to combat prejudices concerning the roles of men and women in society and to encourage active participation of women in public life.

57. In January 1975 the Federal Government would sponsor an International Congress of the German Women's Council in Bonn and a Congress of the German Women's Association in Mainz. Both Congresses would be attended by the United Nations Assistant Secretary-General for Social Development and Humanitarian Affairs and would give a promising start to the activities planned for the International Women's Year in the Federal Republic.

58. Her delegation fully supported draft resolution A/C.3/L.2113/Rev.1 and had joined the list of sponsors.

59. Mr. KLEMOLA (Finland) said that his Government based its consideration of the status of women at the national and international level on the concept of equality among all human beings. Improvement in the status of women was an integral part of human development and should not be isolated from other political, economic and social issues or discussed by women alone, as was frequently the case. There was no reason to restrict the question of women to certain specific fields or to limit certain responsibilities to women alone. For instance, the concept of family planning was often associated with the status of women alone, although the right and responsibility to decide on the number and spacing of children belonged to both men and women. Reference was frequently made to the employment of women with family obligations. In his delegation's view, facilities should be established for both working parents, since both should share family responsibilities.

60. The United Nations had decided to launch yet another international year for one specific issue, the International

Women's Year. The Economic and Social Council had decided in May 1974, by its resolution 1851 (LVI), to highlight the year by convening an international conference in June 1975, leaving limited time for preparations for the conference. Unlike procedures for similar conferences on specific topics, an intergovernmental preparatory group had not been established to deal with the Conference under consideration. His delegation had already expressed its concern regarding the procedure adopted at the fifty-sixth session of the Council, but it had supported the resolution on the conference and therefore shared responsibility for it.

61. In view of the insufficient financial resources available for the implementation of the programme of the International Women's Year in the regular budget of the United Nations, his Government intended to contribute to the voluntary fund established by Council resolution 1850 (LVI). In Finland, a committee had been entrusted with the task of co-ordinating the implementation of the programme for the International Women's Year. It had outlined Finnish national goals and was in charge of mass information, educational programmes and other measures.

62. It would have been useful if the Secretariat had provided the Committee with more detailed information on, for instance, the substantive content of the conference, the agenda, the way in which Governments would be involved in preparations.

63. His delegation hoped that the conference would not become yet another occasion at which only women would talk about their status. It therefore welcomed Economic and Social Council resolution 1851 (LVI) which called for equal representation of women and men at the conference. It was to be hoped that Governments would bear that recommendation in mind when nominating their delegations and that they would prepare their delegations to express their position on the specific action to be taken both nationally and internationally to achieve equality between the sexes. His delegation believed that that was essential for the success of the conference and that the conference must produce some plan of action which would take full account of national differences regarding the required measures. The agenda should be drawn up so that the conference would not spend too much time on general topics but would concentrate on specific action to be taken in the future.

64. Miss BEAGLE (New Zealand) said that the decision to designate 1975 as International Women's Year showed that the international community recognized that in order to meet the demands of modern society and to improve the quality of national life, women must be able to exercise their capabilities in a much wider context than had hitherto been the case for the vast majority. During the International Women's Year, particular attention would be focused on the potential and the problems of women, but it was to be hoped that the interest generated by the activities would continue beyond 1975.

65. New Zealand was relatively free of discrimination on the grounds of sex. New Zealand women played an active part in all facets of national life. A more flexible approach to the sharing of roles and responsibilities was being evolved but the values of family life were being preserved. Long

overdue recognition was being given to the important contribution made by women in the home and voluntarily outside the home in assisting community and welfare services. New Zealand was also working to remove economic and social barriers which inhibited both initial employment opportunities and re-employment of women in satisfying jobs.

66. Considerable progress had been made. Equal pay was the rule throughout the Government service and legislation passed in 1973 required that it should be put into effect throughout the private sector by 1978. Rights granted by law, however, were not sufficient. There must also be acceptance of the need for fundamental changes in long-standing attitudes and practices. Although New Zealand had been the first nation in the world to give women the vote, in 1893, in the most recent general election 92 per cent of the candidates and 95 per cent of those elected had been men. It was therefore imperative that efforts during the International Women's Year should not be directed exclusively towards women: it was equally important that men should re-evaluate their traditional roles in the family and society.

67. In 1973 her Government had established a parliamentary select committee to look into all aspects of women's rights in New Zealand, and in 1975, that committee would report to Parliament on areas where administrative, legislative and other measures might be required. A national committee on women had also been set up on a permanent basis and, under the Cabinet Committee on Policy and Priorities, it would promote and co-ordinate activities in New Zealand to mark the International Women's Year. The Committee also had the task of monitoring the situation of women in New Zealand and advising the Government on a continuing basis. It would act as a link between the public and the private sectors and ensure that non-governmental organizations from every section of the community were involved in promoting the objectives of the Year.

68. Her delegation supported draft resolution A/C.3/L.2113/Rev.1. It looked forward to the International Women's Year conference, which related directly to the activities undertaken in connexion with the Second United Nations Development Decade and would provide an opportunity for every State to review its progress in implementing United Nations standards relating to women's rights. Her delegation felt that it was essential that the United Nations itself should set an example in that field and therefore fully supported Economic and Social Council resolution 1857 (LVI) on the employment of women by the secretariats of organizations within the United Nations system.

69. The time had come for all nations to look at the position of women in their societies seriously and objectively. It had become increasingly obvious that the complex problems facing the world could be solved only by utilizing to the full the potential of every citizen, male and female.

70. Miss HARELI (Israel) said that the real value of dedicating a single year to a subject as broad and complex as the position of women in society might well give rise to doubt. Therefore, the Year should not be a passing episode,

but rather an occasion to intensify past efforts which would, it was to be hoped, be continued at a higher level after 1975. In Israel it was intended to implement the International Women's Year by intensifying a process which had already been initiated. A national committee for International Women's Year had been formed representing all national women's organizations, voluntary agencies, universities and Government ministries. The highlight was to be a special day celebrating the Year, while intensive information and educational activities were being planned to take place throughout the Year.

71. Turning to the subject of equality of occupational and economic opportunity, she said that *de jure* equality was not sufficient to allow women to develop their full potential. Women would continue to develop their role as mothers in all societies and under all circumstances and therefore so-called "special privileges" were necessary to ensure effective equality as opposed to *de jure* equality. That was a fairly straightforward matter where special health regulations for working women or maternity leave and benefits were concerned. But in the professional and economic fields, effective equality was often impaired in subtle ways: for instance, many women who would like to work outside their homes were prevented from doing so by the absence of *crèches* and nursery schools for their small children. In many countries tax systems were another obstacle to married women seeking employment. Either the wife's earnings were added to her husband's income, placing both in a high income tax bracket, or, where their incomes were considered separately, the cost of help in the home was not recognized as a deductible expense. Some ministries of finance tended to be rather obtuse about matters of that kind and their policies sometimes ran counter to the national interest as perceived by other Government agencies. For example, the Ministry of Health might wish to see urgently needed married women doctors and nurses return to work while income tax regulations acted as deterrents to their doing so.

72. Such questions should receive systematic attention from national Governments and international organizations, including the competent organs within the United Nations system. Economic planning and policy-making with special reference to the utilization of "woman power" at all levels should be given priority consideration in the dual context of the International Women's Year and the International Development Strategy for the Second United Nations Development Decade (General Assembly resolution 2626 (XXV)). Of course, women should be full partners in the planning and policy-making process.

73. Although tradition, concepts and problems concerning women varied considerably from country to country, depending on the stage of development of each, the basic elements of the status of women in society were common to all. Thus international exchanges of views and co-operation in solving the problems of women were of vital importance. Her delegation therefore valued the seminars, meetings and study tours organized by the United Nations as well as the international programmes for women conducted by other international organizations and by individual Governments. Israel had been making contributions in that field. The first International Seminar on the Role of Women in a Developing Society had been held in March in

1971. Due to its success, it had been followed by six similar seminars. The Mount Carmel International Centre for Community Development, in Haifa, ran intensive international courses devoted to a specific aspect of development with special emphasis on the role of women, particularly rural women. Many of its programmes were being carried out in co-operation with United Nations specialized agencies, including the ILO, FAO, WHO and UNESCO.

74. In her delegation's view, equality in job opportunities should begin in the United Nations. However, women in positions of responsibility and decision-making within the Secretariat were still few and far between. The appointment of a woman Assistant Secretary-General was gratifying, but the uniqueness of the event pointed up the unsatisfactory general situation. Her delegation was aware of the problems posed by the need to pay attention to both equitable geographical distribution and wider employment of women, but that awareness should not lead to acquiescence. It would seem that the difficulty applied more to the recruitment of new staff members than to promotion. It was incongruous that there were only 10 women in the category of principal officers and above out of a total of 298 such posts. Similarly, the number of women already employed in the Secretariat who were qualified for professional posts was higher than the number of women who actually held such posts. Her delegation hoped that the Secretary-General would take note of the situation.

75. Israel supported draft resolution A/C.3/L.2113/Rev.1.

76. Mr. ELTAYEB (Sudan) said that development and state-building were accorded top priority in many developing countries but neither could be achieved without the active participation of women. The real measure of development was not *per capita* income but the ability to

respond to modern needs; it entailed adaptation and innovation not only in the political but also in the economic, social and cultural fields. Women had a role to fulfil in all those fields and his Government had striven to create a climate in which Sudanese women would be encouraged to realize their full potential.

77. Under the Constitution every citizen was entitled to an education and efforts had been made to increase the number of schools throughout the country. Sudanese women enjoyed all political rights on an equal footing with men and were represented in the People's Assembly as well as in local councils. There was even a specialized Women's Secretariat in the Sudanese Socialist Union, the highest political organization in the country. The Public Service Law, promulgated by the May Revolution of 1969, had established the obligations and privileges of working women on an equal footing with men; they included equal pay for equal work and equal access to employment. Continuing efforts were being made by all Government services to bring those rights to the knowledge of people in rural as well as in urban areas, for awareness was the best guarantee of the rights of all citizens, both men and women.

78. His delegation fully supported draft resolution A/C.3/L.2113, of which it was a sponsor, for it believed that political, economic and social issues could not be solved without the participation of women, who accounted for 51 per cent of the world's population. The Sudan would welcome the opportunity to host regional seminars and conferences in connexion with the International Women's Year; indeed, various organizations in the Sudan were already working to publicize and solicit support for the International Women's Year.

The meeting rose at 6.10 p.m.

2074th meeting

Monday, 28 October 1974, at 3.10 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2074

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2110/Rev.1, 2111/Rev.1, 2113/Rev.1, 2115-2118)

1. The CHAIRMAN announced that Australia, Dahomey, Greece, Nepal and Yugoslavia had joined the sponsors of draft resolution A/C.3/L.2113/Rev.1 and that Nepal had joined the sponsors of draft resolution A/C.3/L.2110/Rev.1.

2. She invited delegations to continue their statements on chapter V, section D, of the report of the Economic and

Social Council (A/9603), on the report of the Commission on the Status of Women.¹ The draft resolutions on improvement of the effective enjoyment of human rights and fundamental freedoms (A/C.3/L.2111/Rev.1) and assistance and co-operation in accounting for persons missing or dead in armed conflicts (A/C.3/L.2110/Rev.1) and the amendments thereto (A/C.3/L.2116) would be taken up later in the meeting.

3. Mrs. ABANKWA (Ghana) said that, although many countries had accepted the principle of equality between men and women proclaimed in the Charter and other relevant instruments and had adopted progressive laws to put that principle into effect, the position of women in society was in practice far from one of equality with men.

¹ *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 4.*

The low status currently accorded to women was due partly to discrimination against them by men and partly to deeply rooted attitudes on the part of both sexes towards their respective roles in society. Consequently, although women accounted for more than 50 per cent of the world's population, more women than men were illiterate, under-employed and unemployed; more girls than boys dropped out of school; and very few women graduated from universities to occupy responsible and policy-making positions.

4. The status of women and the opportunities open to them differed from region to region and country to country. In Ghana, women enjoyed equal political rights with men. They could vote and hold public office. In the traditional area, women could be chiefs. They had equal opportunities in education, and there was no discrimination in employment. What was needed was the appropriate qualifications to fill a post. There were women judges, lawyers, doctors, diplomats, university lecturers and scientists, but they were few in number. There were more women teachers and nurses. Women enjoyed equal rights with men in employment. In addition, they were entitled to three months' maternity leave with full pay for three pregnancies. Married women were taxed differently from their husbands and could own property and dispose of it as they wished. There were also women who were self-employed. A few were in manufacturing and transportation businesses, and a great number were traders on a small or a large scale. They controlled a vital sector of the economy, and successive Governments had always sought their co-operation. In the rural areas most of the women were farmers who either had their own small farms or helped their husbands.

5. However, the majority of the women in Ghana were not gainfully employed. Although equal opportunities in education existed for both men and women, the majority of the women were either illiterate or under-educated. That was due to traditional customs, practices and attitudes that discriminated against women. Some parents preferred to encourage boys to obtain higher education because they felt the woman's place was in the home. The result was that some girls grew up with little ambition for higher studies. However, those attitudes were rapidly changing, although a great deal still remained to be done.

6. If women were to be integrated into the Ghanaian economy, the traditional attitudes limiting the roles of women, had to be eradicated. Women should be well educated; the illiterate and half-educated should receive vocational training or training in farming and cottage industries, and credit facilities should be made available to them. More day nurseries and health centres, including family planning clinics, should also be opened.

7. Her delegation wished to commend the Commission on the Status of Women for its recommendations regarding action to be taken for raising the status of women to equality with men and for integrating women in development. Economic and Social Council resolution 1856 (LVI) on the status of rural women and resolution 1858 (LVI) on technical co-operation activities for the advancement of women should be of particular interest to developing countries. The granting of technical assistance by the

appropriate United Nations bodies and self-help activities in support of technical assistance projects should lead to progress.

8. The mass media played a vital role in the dissemination of information. Her delegation therefore appreciated the studies which the Commission on the Status of Women was conducting on the operations of the mass media to ensure that deep-rooted attitudes held by women and men about their respective roles were not perpetuated by the mass media.

9. The Programme for the International Women's Year, annexed to Council resolution 1849 (LVI), was unique in the sense that it reflected almost all the concerns or needs of women as a group and indicated action that could be taken during the Year. To achieve the three objectives of the Year—equality between men and women, integration of women in the development effort, and increasing women's contribution to the strengthening of world peace—Governments and United Nations bodies, and intergovernmental and non-governmental organizations should implement the Programme effectively. The mobilization of public opinion in support of the objectives of the International Women's Year was most important also.

10. In Ghana, a national *ad hoc* committee, composed of men and women representing all the interested ministries and women's voluntary organizations, had been set up to plan and organize Ghana's programme for the International Women's Year. It would undertake publicity and educational measures to eradicate traditional attitudes towards the roles of women and to make women aware of the opportunities open to them and encourage them to take advantage of such opportunities.

11. As a co-sponsor of the draft resolution on the International Women's Year (A/C.3/L.2113/Rev.1), she expressed the hope that it would command unanimous support.

12. Dr. MALAFATOPOULOS (World Health Organization) said that WHO was an active supporter of the aims of the International Women's Year. It had expressed its views on the status of women and on the various roles of women, particularly in family formation and reproduction. It believed, first, that the interrelationships between a woman's physical, mental, and social health, their special health needs deriving from their life-cycle and their child-bearing and child-rearing roles required stress; secondly, that those aspects must be viewed together with the role of women in society as participants in production and socio-economic development.

13. Recognizing the renewed emphasis on community participation and the role of the primary health worker in meeting basic health needs, WHO was relying on the contribution women could make to the delivery of health services, particularly in rural areas and in shanty towns, through a simple but efficient health system. During 1975, WHO would stress the Year's central theme in its maternal and child health programme, particularly in relation to the protection of pregnant women, the promotion of breast-feeding, the reduction of child and maternal mortality, and the increasing of social benefits to women through day-care

centres and nurseries. In short, it aimed to uphold the right of women to play a full role in development and to lead a full life to the utmost extent of their potential. In May 1974, the World Health Assembly had adopted a resolution calling upon health authorities to promote breast-feeding and also calling for adequate social measures for mothers working away from their homes during the lactation period.

14. WHO had designated its maternal and child health unit as the focal point for its activities in support of both the Year and the international conference to be held during the Year. It had participated in the United Nations international forum on the role of women in population and development, held earlier in 1974. It had participated in the *ad hoc* interagency meeting convened in July 1974 by the United Nations Administrative Committee on Co-ordination on the International Women's Year, and it would take part in the international women's conference itself. In addition, it would continue its previous co-operation; it would contribute its views to the documents being prepared for the Conference, and it would contribute ideas about some of the items on the Conference's agenda, particularly those concerning current trends and changes in the roles of women and men in family life, and the identification of major obstacles and constraints to the contribution of women as full partners for progress. It would participate in all regional preparatory meetings for the Year and collaborate through the WHO regional offices with the organizers of such meetings. The objectives and the Programme of the Year would be brought to the attention of the WHO Executive Board, and of the World Health Assembly, which were due to meet in January and May 1975 respectively. WHO was also contemplating a proposal, subject to availability of resources, for an interregional meeting in 1975 on the theme of the health aspects of increased participation of women in development. Finally, to herald the opening of the Year, in addition to other public information programmes of the Organization, WHO was devoting a full issue of its magazine *World Health* to women. In 1969 and 1971, the cause of women had been espoused also in cover stories in *World Health*, which he would be happy to make available to interested delegations.

15. Mr. AL-SHAMSI (United Arab Emirates) said that, since the United Arab Emirates had achieved independence, increasing attention had been given to improving the lot of all its people, which naturally included women. The Government was doing its best to see that women received all possible care and assistance to guide them towards well-being. Education was therefore important. His country, with its small population, was dependent upon every individual, whether male or female. The Government could not afford to leave women behind, since it was a fact that women could excel in the same way as men.

16. The Government was taking the following measures, which applied to both men and women. All girls and boys were required to enroll in elementary school from their formative years; television programmes brought awareness of education into the homes; secondary school, together with after-school activities, helped to form a solid social background in an atmosphere of co-operation among peers; the enrolment of women of the United Arab Emirates in the universities of other Arab countries was increasing rapidly as more opportunities for education abroad became

available; plans were under way for providing more higher education institutions in the area; for wives and mothers, there were women's clubs and organizations which met regularly to teach new concepts in the fields of medicine, the teaching of reading and writing, and the introduction of modern equipment and methods in housekeeping, domestic tasks and child raising. The United Arab Emirates was carrying on an ambitious programme to wipe out illiteracy and a high-level committee had been set up to conduct adult education. There were 91 male and 23 female adult education centres in the country, with 7,797 male and 2,139 female students. In co-operation with UNESCO, plans had also been made to increase the number of centres for adult female education to 50, so as to cater to at least 3,400 female students.

17. In the short period since the country had attained unity, a substantial number of women had become workers in the professional fields, such as education, social welfare, nursing and related areas. Women were also active in government service, private enterprise, television and radio, journalism and commercial institutions. From 1975 onwards, the women of his country would be capable of filling more and more jobs; they would enjoy equality with men and would contribute to the development and the welfare of both their country and the rest of the world.

18. Mrs. MALLOUM (Chad) said that her delegation hoped that the International Women's Year would contribute substantially to the emancipation of women, thus enabling them to play the important role that was theirs in economic, social and cultural development at the national, regional and international levels. All representatives on the Third Committee should feel deeply involved with the Year, it was their duty to bring women to an understanding of their role. Women should understand that as the equals of men, they should join hands with men in pursuing common constructive goals.

19. It was regrettable that, in the second half of the twentieth century, there were still women who did not enjoy full civil rights, but that was not the case in her country. In Chad, women had equal access with men to all levels of education and to all employment according to their capacities, and they enjoyed full rights. Chad was at the point of no return in its history under the auspices of the National Movement for the Cultural and Social Revolution. The Movement had confirmed the rights that she had mentioned and it was convinced that once they were freed from certain customary fetters impeding their political, economic, social and cultural emancipation, the women of Chad would be able to play a more constructive role than hitherto in building their country. The Movement's manifesto contained a section on the liberation of women in which the Movement pledged itself to give all women the same opportunities for development through the spread of education, particularly literacy campaigns and vocational training. The real barriers to the emancipation of women were illiteracy and ignorance. The women's organization of the Movement was mobilizing all women to carry out the agricultural development programme announced by the President of the Republic of Chad on the first anniversary of the foundation of the Movement.

20. She strongly supported draft resolution A/C.3/L.2113/Rev.1.

21. Mrs. WATANABE (Japan) said that in Japan the Government had completed its initial preparations for participation in the International Women's Year. A survey of the problems and needs of women had been carried out in 1972 and 1973, and the results had been published. It was planned to use that study as the basis of a nation-wide discussion programme for improving the status of women. The Working Woman's Welfare Law had been enacted in 1972 to promote the welfare and improve the status of working women and open up opportunities for equal partnership with men workers.

22. Using the survey and the new law as a starting point, the Government was now planning national programmes to attain the objectives of the Year, as set out in Economic and Social Council resolution 1849 (LVI). They included a conference at the national level, commemorative publications, essay and speech contests, lectures or tours, studies and surveys on the status of women. In addition, the establishment of suitable machinery to deal with questions of competence and with complaints by men and women regarding discriminatory treatment in employment on the basis of sex was now being studied.

23. At the international level, Japan would participate in as many activities of the International Women's Year as possible. It would send a delegation to the international women's conference and, at the Asian regional level, to the ILO/Japan Joint Meeting on Public Service. It had sent a representative to the interregional seminar on national machinery to accelerate the integration of women in development and to eliminate discrimination based on sex held at Ottawa in September 1974. Early in October, the International Women's Year National Standing Conference, composed of representatives of women's organizations, labour unions, employers' organizations and the relevant government ministries, had been established in Japan under the auspices of the Women's and Minors' Bureau of the Ministry of Labour.

24. The member organizations of the National Women's Committee of United Nations Non-Governmental Organizations in Japan were also co-ordinating the activities they would carry out in connexion with the International Women's Year, while the representatives of labour unions would also participate in a conference of affiliated international bodies. The National Women's Association of Agricultural Co-operation had issued a voluminous report on its post-war activities to give wider publicity to the life of rural women and the co-operative movement. The Declaration on the Elimination of Discrimination against Women (General Assembly resolution 2263 (XXII)) had been translated into Japanese and was being widely distributed.

25. Her delegation hoped that the International Women's Year would provide an opportunity to examine thoroughly the use of the word and concept of equality, as used in the expression "equality between men and women". Her delegation did not agree with the view that equality always meant identical treatment for men and women; there should be identical respect for them as human beings, but they were not identical in themselves. She welcomed the fact that UNESCO was planning to carry out a new examination of the very concept of equality. She drew

attention to paragraph 3 of Economic and Social Council resolution 1859 (LVI) on activities of the International Labour Organization to promote the advancement of women and their integration in development. In the draft resolution submitted to the Council by the Commission on the Status of Women,² the only convention mentioned had been the Convention concerning Maternity Protection, but the Council had added two others. The reference to the ILO Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value was of particular interest. That was one of the key human rights conventions and the ILO had urged all its member States to ratify it as part of the observation of the International Human Rights Year in 1968. Japan was among the member States which had done so at that time. The Convention established the principle of remuneration without discrimination based on sex, and it had therefore become a bulwark of democratic social order and justice. The fact that that Convention had been included in resolution 1859 (LVI) was highly significant; the Convention concerned a subject which would be at the centre of the discussions of the theme "equality" in the International Women's Year, for the kind of development and peace to be achieved by the Year would depend to a large extent on the concept of equality that would be pursued. There must be a realistic understanding of the fact that conditions varied from country to country and that economic situations and limited natural resources had an impact in the field of human rights, as international technological and scientific developments had on employment and on human life at large. But if, in a year of radical change, the human rights of working women were not secured, the gains from the International Women's Year would be only half-way towards the desired goal.

26. In conclusion, she whole-heartedly supported draft resolution A/C.3/L.2113/Rev.1.

27. Mrs. JONÄNG (Sweden) said that demands for equality and social justice between nations, within nations and between individuals had been recognized in the International Development Strategy for the Second United Nations Development Decade, which had been adopted by the General Assembly in 1970 in its resolution 2626 (XXV) and which contained the most essential expressions of solidarity with the poor, the neglected and underprivileged groups in the world today. In 1972, by its resolution 3010 (XXVII), the General Assembly had decided to proclaim 1975 International Women's Year; the mid-term review and appraisal of the International Development Strategy would also take place that year. It would be necessary to reformulate the International Development Strategy from the point of view of the status of women and their role in economic and social development and her delegation was of the opinion that the International Women's Year and the forthcoming international conference to be held during the year would make a substantial contribution to the mid-term review and appraisal of the Strategy.

28. The central theme of the International Women's Year was equality, development and peace. The struggle for equality between men and women and for equal rights and

² *Ibid.*, chap. I, sect. A, draft resolution XI.

opportunities for women took different forms in different societies. In some countries, women were still fighting for equal legal and political rights, but even in countries where equal rights for men and women had been achieved, the struggle was not yet over because open and direct discrimination had been replaced by more refined forms of discrimination. The preliminary report of the ILO entitled *Women Workers in a Changing World*³ which had been submitted to the Governing Body of the ILO at its one hundred and ninety-first session showed that there was still a clear division of labour between sexes and a marked tendency everywhere to recruit on the basis of sex rather than on the basis of ability.

29. The Programme for the International Women's Year, annexed to Economic and Social Council resolution 1849 (LVI) provided that women and men had to participate fully and as equal partners in policy formulation and decision-making. Her delegation hoped that, during the International Women's Year, the Members of the United Nations would be able to intensify their efforts towards the achievement of a more egalitarian relationship between men and women and to adopt a universally accepted system of standards in that respect.

30. Whatever the provisions of the United Nations resolutions or national laws might be, however, the structure of economic production, values, standards and prejudices still constituted obstacles which had to be removed in most societies before lasting change could be achieved. A long-term programme for the emancipation of women must therefore be an integral part of a restructuring of contemporary society designed primarily to establish equality between individuals and groups. Such a programme for the political, social and economic liberation of women must also be based on the conviction that all individuals must have not only the same rights and opportunities for education and employment, but also equal responsibilities for the home and children and for political decision-making. A programme of that kind would require a new perception of sex roles in society. Changes in the traditional female sex roles would inevitably bring about changes in the traditional male sex roles. The struggle for the emancipation of women would therefore ultimately lead to the emancipation of men and to a new society based on solidarity and equality.

31. A major share of the activities to take place during the International Women's Year must be focused, at the national and international levels, on the problems of women in developing countries. The situation of most women in developing countries was aggravated by widespread poverty and sometimes by the process of development itself. It must also be borne in mind that the process of political and national liberation in developing countries might provide new possibilities for changing old structures and achieving social liberation, including the emancipation of women. At present, however, the majority of those who, through education, training and employment opportunities, moved into the modernized sector of society were men, while the majority of those remaining in the comparatively unproductive traditional sector were women. Women formed a

³ G.B. 191/2/1, appendix IV (International Labour Office, Geneva, 1973).

majority of the world's untapped or underutilized human resources. Thus, one of the main objectives of the International Women's Year and the forthcoming international conference to be held during the Year, must be to give substance to paragraph 18 (h) of the International Development Strategy, which stated that "the full integration of women in the total development effort should be encouraged".

32. With regard to plans being made in Sweden for activities during the International Women's Year, she said that, in late 1972, her Government had appointed an advisory council on equality between men and women. A consultative group had ensured that women from all walks of life would be represented in the Council, whose task was to improve the understanding of the issue, guide governmental policy on equality between women and men and recommend measures for the implementation of that policy. The Council co-operated with political parties, trade unions, women's organizations and non-governmental organizations in a wide range of research and information activities and was the co-ordinating body for national activities to be carried out during the International Women's Year. A working group had been established under the auspices of the Council to ensure governmental co-ordination and it consisted of representatives of the Ministry for Foreign Affairs, the Swedish International Development Authority, the Swedish United Nations Association and the Council.

33. One of the Council's tasks was to survey the plans and activities of governmental and non-governmental organizations during the International Women's Year. To that end, a questionnaire had been sent to a large number of governmental and non-governmental organizations, about 100 of which at the national, regional and local levels had replied that they were planning a wide variety of activities, including folders, exhibitions, reports, courses, seminars and conferences. For example, at the governmental level, an exhibition on the theme of "The right to be a human being" would be opened in connexion with the national inauguration of the International Women's Year. The exhibition would focus on the ways in which the traditional sex roles in society prevented men and women from realizing their full potential as human beings. The Swedish Institute for Social Research was preparing a comprehensive report on the situation of women in contemporary Sweden and the report was intended as a follow-up to the report⁴ submitted to the Commission on the Status of Women at its twenty-third session in 1968 on the status of women in Sweden. With regard to activities relating to the situation of women in developing countries, the Swedish International Development Authority had published a book entitled "Women in Development", which was used as part of the educational material for courses and seminars.

34. Her delegation would give full support to draft resolution A/C.3/L.2113/Rev.1, relating to the International Women's Year. With regard to the international conference to be held during the International Women's Year, her delegation considered that the preparations for the Conference and the composition of delegations must reflect the conviction that men must also take part in the work.

⁴ See E/CN.6/531/Add.1.

35. She was pleased to introduce, on behalf of the sponsors, draft resolution A/C.3/L.2117, relating to the International Women's Year conference. She drew attention to the third preambular paragraph of that draft resolution and, in that connexion, said that it was of utmost importance that the results of the forthcoming Conference should influence the work of the special session called for by the General Assembly in its resolution 3172 (XXVIII) and that, at its thirtieth session, the General Assembly should consider the proposals and recommendations of the Conference in a separate item. She hoped that, since draft resolution A/C.3/L.2117 was a procedural one, it would be adopted by consensus.

36. Mr. MADI (Jordan) said that his country's Constitution, which stated that Jordanians were equal before the law, provided for equality between the sexes. Women in Jordan had the same rights and duties as men. Elections were based on universal suffrage, thus enabling women to run for any office. They had the same rights as men with regard to employment and received equal pay for equal work. Both sexes had equal opportunities for education at all levels. There were 75.4 female students for every 100 male students. In general, there was nothing in Jordanian legislation to prevent the advancement of women. In fact, all the laws gave women the rights which enabled them to achieve their full potential on an equal footing with men.

37. Referring to family planning in Jordan, which would undoubtedly improve the status of women in society, he said that there were branches of private and public family-planning associations in many Jordanian cities, towns and villages. The Government and some private groups provided information on the advantages of the spacing of children both for the mother and the child and gave expectant mothers advice on health and child care. Particular attention was being paid to the establishment of maternal and child health centres throughout the country. Moreover, the mass media had launched an information campaign to introduce and explain the idea of family planning.

38. Referring to Jordanian plans and activities for the International Women's Year in 1975, he said that a group of Jordanian women had formed a committee for the International Women's Year. Their goal was to encourage the participation of men and women in the activities relating to the Year in order to make it a milestone on the road to complete emancipation and to ensure for coming generations a happy life free from want, misery and war and with full equality and rights for all. The National Assembly of Women in Jordan had published a declaration to inform the public of the International Women's Year and to call for the support and participation of women in the preparations for the Year.

39. His delegation would co-operate fully to ensure the success of the International Women's Year and hoped that draft resolution A/C.3/L.2113/Rev.1 would be adopted by consensus.

40. Mr. EVANS (Australia) said that his delegation considered the status of women to be one of the most important factors in the field of human rights and of profound significance for the future development of man-

kind. Too often in the past, the question of the role and status of women in society had been accorded only token attention. Fortunately, however, it was now being recognized that there was a clear relationship between the improvement of the status of women and the social, economic and political development of society. There was no major issue confronting the world at the present time which could be dealt with effectively unless the role of women was taken into account. Just as the achievement of a new economic order was considered vital for the survival of society, so the achievement of a new order for women was essential if the international community was to resolve global problems and achieve the goals it had set for itself.

41. No two countries confronted the same problems in providing opportunities for women in society and the measures adopted by Governments must be suited to the specific social, economic, historical and cultural context of each society. Referring to the action taken by his own Government to improve the status of Australian women, he said that one of its fundamental objectives was the achievement of full respect for the civil liberties and equal rights of women. In the two years since the present Government had come to power it had endeavoured to effect changes that would ensure the elimination of discrimination and to bring about economic, social and cultural adjustments that would broaden the experience of women and the range of their participation in society for the benefit of all Australians. The Government had worked towards the ratification of the Convention on the Political Rights of Women (General Assembly resolution 640 (VII), annex) and the ILO Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value⁵ and it had ratified the Convention concerning Discrimination in respect of Employment and Occupation⁶ in June 1973. Committees had been set up to promote the elimination of discrimination against women and provision had been made for the investigation of allegations in that connexion. The committees intended to launch a campaign to direct public attention to discriminatory practices and attitudes.

42. The Government had also taken other practical measures, which included the extension of maternity leave for Government employees to 12 weeks with full pay and a further 40 weeks without pay and without prejudice to continuity of service or status. It had likewise introduced a system of paternity leave to allow fathers to assist in discharging family responsibilities when children were born. It had removed the upper age limit on government appointments so that people of mature age, particularly women, could enter the work force, for example after raising their families. It had also increased opportunities for flexible working hours and part-time employment and had allocated funds for training and retraining schemes for women. The Government realized that an essential aspect of its programme for the improvement of the status of women was the provision of assistance for family planning and improved facilities for child care. Extensive grants had been made available both for research into child care and for the construction and operation of child care centres.

⁵ International Labour Organisation, *Conventions and Recommendations, 1919-1966* (Geneva, 1966), Convention No. 100.

⁶ *Ibid.*, Convention No. 111.

43. Speaking at the inaugural meeting of the National Advisory Committee for the International Women's Year in September 1974, the Australian Prime Minister had stated that the programme was particularly ambitious in that it recognized the need to combine health and welfare aspects of child care services, whether provided at home or elsewhere. All children would have access to local centres designed to take care of their education, health, psychological and other needs. The implementation of that programme would place Australia among those countries most genuinely concerned with the welfare of the young.

44. As part of its campaign to achieve more enlightened attitudes towards women, the Government had established a committee to examine the relationship between social change and the education of women and girls and to specify areas of education in which women were at a disadvantage. Recommendations from that committee would be included in a report to be submitted to Parliament in 1975.

45. With regard to women's health, greater participation by women at all levels of health care planning and administration was being promoted and that policy was providing women with increased opportunities to influence the direction taken by health care in the community. For example, the Government had established a women's community health centre in Sydney the aim of which was to meet the need expressed by women for a health service staffed by women and intended to meet the special health needs of women. Aboriginal women were also being involved to an increasing extent in the promotion of health care for their own people.

46. The Government recognized, however, that reforms to enable women to develop more fully their potential as individuals and members of society could not be brought about by purely legislative means. No lasting improvements in society would be achieved until social attitudes could be changed. Often those attitudes were deep-seated, unconscious or unquestioned. Any attack on social inequality must relate to the hidden and usually unspoken assumptions which affected women not only in employment, but in their entire social life. Such reforms required the re-education of the community and it was clear that the Government alone could not be expected to do the whole job. The education of men, women and children was needed to make them aware of the obstacles to the development of women and alert them to the advantages of change. The first step towards such freedom was awareness by women themselves of their inequalities and of the extent of their social, political, economic and cultural deprivation.

47. As a first practical step in educating the community the Government had established a royal commission on human relationships. The Commission's task was to investigate the stresses that society placed on the relationships between people because of such factors as housing, money, children and medical care, and it would present regular interim reports.

48. As part of its efforts to combat the prejudices and attitudes entrenched in its society, Australia placed much emphasis on the importance of the International Women's Year. The Government was in complete accord with the objectives of the Year enunciated by the United Nations

and intended to do its part to make it a year of real significance and substantial achievements in furthering the opportunities of women in society. It was determined to involve Australian women in discussions and decisions about their own future and the future of their country. Men too must participate fully, at both the national and international levels, in examining the status of women and the over-all nature of male-female relationships in society. It was encouraging to note that the designation of 1975 as International Women's Year had aroused great interest in Australia and representations had been made by many bodies urging Government support for the Year in various ways and requesting financial support for projects to mark the Year. The Government had made an initial allocation of \$A 2 million to finance the International Women's Year activities in Australia, and an interdepartmental committee had been established under the chairmanship of the Prime Minister's Special Adviser on Women's Affairs to develop, co-ordinate and publicize the Government's programme. A national advisory committee on the International Women's Year had also been appointed. In addition to that Committee, task forces whose members would be drawn from both Government and non-government sectors might be established to participate in the study of special areas relating, for example, to aboriginal, migrant, elderly and country women. The Government's programme for the Year would embrace research projects, seminars and conferences, the preparation of special publications, and the development of action programmes in various fields. Its focal point would be the organization of a United Nations interregional seminar on the theme of women and the media, which would take place in Sydney towards the end of 1975. The Government was also concerned to examine the role of education, the arts and creative activities aimed at bringing communities closer together. It was hoped that the policies which had been initiated would lead to constructive social readjustments in society and that the plans drawn up for the Year would help women to express more fully their sense of self-respect, dignity and freedom.

49. With respect to draft resolution A/C.3/L.2117, of which his delegation was a sponsor, he said it was essential for the United Nations to do its utmost to eliminate discrimination within its own system if its recommendations on the subject were to be taken seriously. Governments too must participate in that effort and adopt an equitable approach in nominating personnel for the United Nations and other bodies. His delegation recognized that the Secretary-General had taken steps to improve opportunities for recruitment and promotion of women within the United Nations, but a more determined effort must be made if the United Nations was to live up to one of the most important principles of its Charter.

50. Mr. BROAD (United Kingdom) said that his delegation had held consultations with a number of other delegations concerning the draft resolution on the improvement of the effective enjoyment of human rights and fundamental freedoms and a revised text had been worked out, which appeared in document A/C.3/L.2111/Rev.1. A reference to the debate at the twenty-eighth session of the General Assembly had been included in the first preambular paragraph, which was followed by a new second preambular paragraph referring to the International Covenants on Human Rights. The operative paragraphs had been slightly

reworded to distinguish between regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council. He pointed out that in operative paragraph 2 the phrase “the non-governmental organizations” should read “appropriate non-governmental organizations”.

51. Miss HARELI (Israel) said that her delegation fully sympathized with the aims of draft resolution A/C.3/L.2110/Rev.1, as her country was well acquainted with the anguish of families whose relatives were missing in action and whose pain would be eased if they knew what had happened to them. No considerations of State could stand in the way of that elementary demand, and her delegation fervently hoped that Governments would respond to it.

52. Mr. BADAWI (Egypt) said that his delegation appreciated the humanitarian considerations underlying draft resolution A/C.3/L.2110/Rev.1 and welcomed the reference in that text to the Geneva Conventions of 1949.⁷ The draft resolution should be clearly linked with those Conventions. He therefore proposed that a new preambular paragraph should be inserted between the fourth and fifth preambular paragraphs reading: “*Bearing in mind* the inadmissibility of refusal to apply the Geneva Conventions of 1949”. The existing fifth and sixth preambular paragraphs would thus become the sixth and seventh respectively, and in the latter the words “adherence to” should be inserted between “full” and “and effective”. Also, the comma at the end of that paragraph should be deleted and the words “by all Member States and in particular those signatories to the Geneva Conventions of 1949” should be added.

53. He further proposed the addition of a new operative paragraph 1 reading: “*Reaffirms* the applicability of the Geneva Conventions of 1949 to all armed conflicts”. In operative paragraph 2 the word “*Endorses*” should be changed to “*Appreciates*” and in paragraph 3 the words “or their substitutes” and the words “such as envisaged in the Fourth Geneva Convention” should be deleted.

54. The sponsors of draft resolution A/C.3/L.2110/Rev.1 had indicated that they would be prepared to accept his amendments, and had recognized the importance of applying the four Geneva Conventions. His delegation considered that no country should refuse to apply any of those Conventions in order to further its expansionist aims.

55. Mr. PETROV (Bulgaria) said that his delegation fully supported the amendments put forward by the representative of Egypt. He proposed that the words “regardless of their character or location, during hostilities and after the end of hostilities,” should be deleted from operative paragraph 1 of draft resolution A/C.3/L.2110/Rev.1, since the applicability of the Geneva Conventions of 1949 to all armed conflicts had already been confirmed. In the seventh preambular paragraph the words “who have died” should be replaced by “dead”.

56. Mr. HUME (United States of America) said that although his delegation had on the whole endorsed the

changes outlined by the Egyptian delegation in informal consultations, it had not agreed to the text of the amendments read out by the representative of Egypt. It would also have to give further consideration to the amendments submitted by the representative of Bulgaria.

57. Mr. ALLAGANY (Saudi Arabia), referring to draft resolution A/C.3/L.2111/Rev.1, proposed that at the end of operative paragraph 2 the semicolon should be changed to a comma and the words “taking into account that such material will not be politically motivated contrary to the principles of the Charter of the United Nations” should be added.

58. Mr. BROAD (United Kingdom) said that he understood the Saudi Arabian representative’s difficulties with the present wording of operative paragraph 2 of the draft resolution in question. He had no objection to including the wording proposed by Saudi Arabia, which he interpreted as a general provision that non-governmental organizations should act in good faith. For reasons of logic, the order of the second and third preambular paragraphs should be reversed.

59. He expressed the hope that with those changes, the draft resolution could be adopted without a vote.

60. Mr. AL-QAYSI (Iraq), referring to draft resolution A/C.3/L.2110/Rev.1, asked the United States representative where the expression “missing in action”, used in operative paragraph 1 of that draft, occurred in the Geneva Conventions of 1949. He had searched the text of the four Geneva Conventions without coming across it. Information about missing persons would be covered by the provisions on exchange of information in those instruments. He read out articles 16 and 17 of the First Geneva Convention and drew attention to the parallel provisions in the Second and Third Geneva Conventions, none of which contained the phrase “missing in action”. Secondly, the words “regardless of their character or location, during hostilities and after the end of hostilities” also seemed to diverge from those Conventions. Some such wording as “as soon as possible” or “as soon as circumstances permit” was used in the Conventions and it seemed inadvisable to adopt a different wording for the draft resolution. By doing so, the Committee might be inducing the General Assembly to adopt a text which was not in accordance with the Geneva Conventions, a course which would be highly undesirable. The Committee should be chary of using a wording which might create difficulties for Governments because it was not in harmony with that of instruments which they had already ratified.

61. Mr. HSING Sung-yi (China) said that when the United States representative had introduced draft resolution A/C.3/L.2110 at the 2069th meeting, he had mentioned the question of Indo-China. The Chinese delegation felt bound to comment on that reference.

62. If any mention was to be made of the war in Indo-China, it should be stated that it had been the United States violation of the Geneva Agreements of 1954 and its dispatch of troops to South Viet-Nam that had led to the South Viet-Nameese people’s war against United States aggression and for their national salvation. Thereafter

⁷ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

United States troops had invaded Cambodia, thus spreading the war to the whole of Indo-China, and had massacred thousands of people in those countries, inflicting huge casualties and losses on the Indo-Chinese people. But the United States representative had made no reference to those facts. The senseless death of American soldiers in the aggressive war in Indo-China was entirely due to the United States Government's policy of aggression. It was now using the pretext of accounting for persons who were missing or dead in armed conflicts to create an issue in the United Nations in the name of humanitarianism, while remaining completely silent on the crimes of the United States Government in its war of aggression in Indo-China. Was that not sheer hypocrisy?

63. As was well known, the question of Viet-Nam had nothing to do with the United Nations. Since the Geneva Conference of 1954, the United Nations had never intervened in the question of Viet-Nam. The Agreement on Ending the War and Restoring Peace in Viet-Nam signed by the parties concerned in Paris on 27 January 1973 contained explicit provisions on various questions related to the ending of the war, including the question of the dead and missing, but the United States representative had now raised those questions in the United Nations. Had he not done so with an ulterior motive?

64. More than a year had elapsed since the conclusion of the Paris Agreement but the United States was still interfering in the internal affairs of South Viet-Nam. The Saigon authorities, with the support and assistance of the United States, had refused to implement the Paris Agreement. Peace had not been restored in Viet-Nam. The situation remained tense. The urgent task now before the United States Government was to implement the Paris Agreement and cease its involvement and interference in South Viet-Nam and the whole of Indo-China. That would be in the interests of the Indo-Chinese people and also of the people of the United States and the rest of the world.

65. In view of what he had said, his delegation would not participate in the voting on draft resolution A/C.3/L.2110/Rev.1. At the same time, it wished to state that it fully understood the concern over the matter shown by other sponsors of the draft resolution.

66. Mr. BADAWI (Egypt) asked what the situation was with regard to the amendments to draft resolution A/C.3/L.2110/Rev.1 submitted orally by his delegation. It would be necessary for the sponsors of the draft resolution to take a decision on those amendments because their decision would determine the way in which Egypt would vote on the draft resolution.

67. Mr. HUME (United States of America) said that the sponsors could accept the Egyptian amendments, on the original understanding, reached during the informal consultations, that the proposed new operative paragraph 1 would include the words "as stipulated by those Conventions" and that, in the present operative paragraph 3, the words "or any organ presenting satisfactory guarantee of impartiality, such as envisaged in the Fourth Geneva Convention" would be deleted.

68. Mr. GRAEFRATH (German Democratic Republic), referring to the amendments to draft resolution A/C.3/

L.2110 submitted by his delegation in document A/C.3/L.2116, said that he was pleased to note that the sponsors of the draft resolution had taken some of those amendments into account in their revised text. He pointed out, however, that the sponsors had accepted only part of his delegation's proposed amendments to operative paragraph 3; he therefore requested that a vote should be taken on the proposed amendments to that operative paragraph, which corresponded to the amendment proposed by the Egyptian delegation. Also, his delegation had proposed in document A/C.3/L.2116 that the whole sixth preambular paragraph should be deleted. It maintained that proposal and therefore requested that a vote should be taken on it.

69. Mr. BADAWI (Egypt) said that the representative of the United States still had not specified whether the Egyptian amendments concerning the sixth preambular paragraph, the proposed new operative paragraph 1 and operative paragraph 2 were acceptable.

70. Mr. AL-QAYSI (Iraq) pointed out that the representative of the United States had stated that he would accept the new operative paragraph 1 proposed by the representative of Egypt, with the inclusion of the words "as stipulated by those Conventions", but he again wished to ask where that stipulation existed in the Geneva Conventions.

71. Mr. HUME (United States of America) said that he would have no difficulty in accepting the amendments proposed by the representative of Egypt to the preambular paragraphs and to operative paragraph 2. Referring to the question asked by the representative of Iraq, he said that the words "as stipulated by those Conventions" would reaffirm the applicability of the Geneva Conventions. Moreover, the inclusion of those words in the new operative paragraph 1 would make it clear that reference was being made to the Geneva Conventions in the new operative paragraph 2.

72. Mr. EVANS (Australia) said that he was not sure whether the suggestions by the representative of Bulgaria had been made as a formal proposal. Similarly, he was uncertain about the amendments in document A/C.3/L.2116, particularly if a vote was to be taken on two of them, as requested by the representative of the German Democratic Republic. He pointed out that the issues involved in some of the amendments submitted would cause difficulties for many delegations.

73. Mr. PETROV (Bulgaria) said that he had formally submitted amendments to draft resolution A/C.3/L.2110/Rev.1, but he was not sure whether they had been accepted by the representative of the United States.

74. Miss CABALLERO (Mexico), speaking on a point of order, said that many delegations were probably in the same situation as her own and very confused about the status of the oral amendments proposed by several delegations. Without a final text incorporating those amendments, her delegation would not be able to vote on draft resolution A/C.3/L.2110/Rev.1.

75. Mr. AL-QAYSI (Iraq) said that he again wished to ask the representative of the United States where provisions existed in the Geneva Conventions concerning persons

missing in action. He understood the meaning of the words “as stipulated in those Conventions” which the representative of the United States wished to be included in the proposed new operative paragraph 1 of the draft resolution, but the representative of the United States first had to prove that the concept of persons missing in action was actually mentioned in the Geneva Conventions.

76. Mrs. WARZAZI (Morocco) proposed that a vote should be taken on draft resolution A/C.3/L.2111/Rev.1 since there was so much confusion with regard to draft resolution A/C.3/L.2110/Rev.1. She appealed to the delegation of the United States and other delegations concerned to hold consultations on the amendments to the latter text submitted orally at the current meeting.

77. Mr. VELA (Guatemala) supported the appeal made by the representative of Morocco.

78. Mr. RAZA (Pakistan) said that he also supported the appeal by the representative of Morocco and her proposal that the Committee should proceed to vote on draft resolution A/C.3/L.2111/Rev.1.

79. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that in the second preambular paragraph of draft resolution A/C.3/L.2111/Rev.1, the words “on Human Rights” should be inserted after the words “the International Covenants”.

80. Mr. BROAD (United Kingdom) said that that amendment was acceptable to his delegation.

81. The CHAIRMAN said that if she heard no objection she would take it that the Committee wished to adopt draft resolution A/C.3/L.2111/Rev.1 as orally amended.⁸

Draft resolution A/C.3/L.2111/Rev.1, as amended, was adopted without objection.

82. Mrs. DE BARISH (Costa Rica) said that her delegation had joined in the consensus on draft resolution A/C.3/L.2111/Rev.1 because it considered that the draft resolution was a very constructive contribution to the subject to be discussed at the thirtieth session of the General Assembly. Her delegation agreed with the need for appropriate documentation and information, and was pleased that the report would not entail additional expenditure. It welcomed the reference to the International Covenants on Human Rights, which would enter into force in the near future, and hoped that the Optional Protocol to the

⁸ The amendments appeared in document A/C.3/L.2111/Rev.1/Corr.1, dated 29 October.

International Covenant on Civil and Political Rights would also be implemented. The report should include proposals relating to the International Covenants on Human Rights and to the Universal Declaration of Human Rights. Her delegation considered that any delegation was entitled to raise the question of the “creation of the post of United Nations High Commissioner for Human Rights”, as no vote had been taken on the matter. No serious study of human rights and fundamental freedoms could ignore that point. The question had been before the General Assembly since 1965 and many delegations had shown interest in the idea.

83. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation had not objected to draft resolution A/C.3/L.2111/Rev.1 because it understood the draft resolution to be an alternative approach to creating the post of United Nations High Commissioner for Human Rights.

84. His delegation attached particular importance to the second preambular paragraph, as it had stated on several occasions that the International Covenants on Human Rights should be implemented as soon as possible. In preparing his report, the Secretary-General should state his views on how the entry into force of the International Covenants would affect the activity of all the organs concerned with human rights. The report should be based primarily on the views of Member States.

85. Mr. STÅHL (Sweden) said that although his delegation had supported draft resolution A/C.3/L.2111/Rev.1, it stressed the fact that the item entitled “Creation of the post of United Nations High Commissioner for Human Rights” had never been put to the vote, and it hoped that the question would be discussed during the thirtieth session of the General Assembly.

86. The CHAIRMAN noted that the vote on draft resolution A/C.3/L.2110/Rev.1 had been postponed several times, and therefore requested the representatives concerned to present their amendments to that draft resolution in writing by the next morning.

87. Mrs. WARZAZI (Morocco) suggested that the delegations of Bulgaria, Egypt, the German Democratic Republic and Iraq should be requested to hold consultations after the meeting in order to decide on their amendments. Any amendments they did not agree on could then be sent to the Secretariat in writing. She therefore moved that the meeting should be adjourned.

The motion to adjourn the meeting was approved by 66 votes in favour, 3 against, and 13 abstentions.

The meeting rose at 6.10 p.m.

2075th meeting

Tuesday, 29 October 1974, at 3.10 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2075

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2110/Rev.2, 2113/Rev.1, 2117, 2118/Rev.1, 2119, 2120)

1. The CHAIRMAN announced that Belgium, Turkey and Zambia had become sponsors of draft resolution A/C.3/L.2113/Rev.1. She then invited the Committee to consider the amendments to draft resolution A/C.3/L.2110/Rev.2 contained in documents A/C.3/L.2119 and A/C.3/L.2120.

2. Mr. ALFONSO (Cuba) said that although the text in document A/C.3/L.2110/Rev.2 was an improvement over the original, his delegation still had serious reservations about the draft resolution, as he had explained in a previous statement. It would therefore abstain in the vote.

3. The CHAIRMAN invited the Committee to vote on the first of the amendments to draft resolution A/C.3/L.2110/Rev.2 contained in document A/C.3/L.2119.

The first of the amendments contained in document A/C.3/L.2119 was adopted by 21 votes to 10, with 47 abstentions.

4. The CHAIRMAN invited the Committee to vote on the fourth preambular paragraph, as amended, of draft resolution A/C.3/L.2110/Rev.2.

The paragraph, as amended, was adopted by 47 votes to none, with 31 abstentions.

5. The CHAIRMAN invited the Committee to vote on the second of the amendments contained in document A/C.3/L.2119.

The second of the amendments contained in document A/C.3/L.2119 was rejected by 33 votes to 21, with 36 abstentions.

6. The CHAIRMAN invited the Committee to vote on the amendment to draft resolution A/C.3/L.2110/Rev.2 contained in document A/C.3/L.2120.

The amendment contained in document A/C.3/L.2120 was rejected by 32 votes to 21, with 31 abstentions.

Draft resolution A/C.3/L.2110/Rev.2 as a whole, as amended, was adopted by 72 votes to none, with 27 abstentions.

7. Mrs. RAKOTOFIRINGA (Madagascar) said that her delegation considered that the full integration of women into the over-all development effort was primarily a national matter. It was understandable that a developing country in which there were women with the necessary qualifications for holding senior posts in the United Nations Secretariat should prefer them to remain within the country and assume responsibilities at the national level. That should at least partly alleviate the concern of the Deputy Director of the Centre for Social Development and Humanitarian Affairs, in charge of the Promotion of Equality of Men and Women Branch, at the lack of applications from women from under-represented countries for senior posts in the Secretariat. However, that did not by any means signify that her delegation was not in sympathy with Economic and Social Council resolution 1857 (LVI), which was aimed at preventing any discrimination on the grounds of sex in the decisions taken by the Secretary-General regarding recruitment and promotion.

8. While on the subject of resolutions adopted by the Economic and Social Council at its fifty-sixth session, she said that she would like to make a comment on resolution 1861 (LVI), concerning the protection of women and children in emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence even though the corresponding part of the Council's report (A/9603, para. 493) was not on the Committee's agenda. If the Committee considered that journalists, as part of the civilian population, should enjoy special protection in times of armed conflict, there was all the more reason for it to concern itself with the fate of women and children, and also of the elderly, who together constituted the most vulnerable sectors of the civilian population. In the Sixth Committee, in considering the legal aspect of the draft resolution recommended by the Council in that resolution, Madagascar would not lose sight of its humanitarian aspect.

9. Her delegation considered that the participation of the specialized agencies in the Programme for the International Women's Year (Economic and Social Council resolution 1849 (LVI), annex) was encouraging and welcomed the election of a woman as Chairman of the eighteenth session of the General Conference of UNESCO. It had also noted with interest the decision of UNESCO, the ILO and WHO to pay particular attention during the Year to questions which were of particular urgency for countries like her own.

10. So far a number of measures had been taken in Madagascar in preparation for International Women's Year. As her Government had informed the Secretary-General, an inter-ministerial committee was responsible for preparing and implementing the programme of activities planned at the national level. Women's organizations were represented

on the committee and participated in its work. The activities connected with the Year would concentrate on the following: a study of customs and traditions in all parts of Madagascar; the raising of the general cultural level; and increasing awareness among Malagasy women—and even more so among Malagasy men—of the importance of the role played by women in the development of the country. For those purposes the preparatory committee had decided to make a list of the regional women's organizations and to investigate the *de facto* situation of women throughout the island. With reference to publicity, she said that activities such as exhibitions highlighting the cultural and artistic achievements of women and competitions for school children on themes relating to the status of women were planned. There was to be a special programme on radio and television, and posters and brochures about the Year would also be prepared.

11. The Programme adopted by the Economic and Social Council was so broad and varied that each country could find in it something which would suit its purposes and could be adapted to the particular situation of women in its territory. That was the principle which would guide her Government in implementing the provisions of draft resolution A/C.3/L.2113/Rev.1.

12. Her delegation regarded draft resolution A/C.3/L.2117 concerning the International Women's Year conference as a procedural one and would vote for it, particularly as it considered that the main idea reflected in Economic and Social Council resolution 1851 (LVI)—full and equal partnership between men and women—was very important. That spirit should guide all the activities to be undertaken during the Year. Her delegation considered that the major obstacle which hindered the contribution of women and men as full partners in the total development efforts was the aggressive attitude with which women approached the problem. Clearly, if men were treated as colonialists and imperialists their co-operation would not be obtained. If women were to have equality with men, they should adopt an attitude free from either superiority or inferiority complexes.

13. Mr. PIERCE (Jamaica) said that his Government attached great importance to the International Women's Year and the wide range of topics discussed by the Commission on the Status of Women at its twenty-fifth session. Although details of Jamaica's activities for the Year were still in the planning stage, his Government expected to carry out a wide range of activities at the national level such as seminars, exhibitions and publications. His delegation hoped that there would be co-ordination between the Office of Public Information of the Secretariat and the United Nations bodies and agencies which were undertaking special public information measures in connexion with the Year on the one hand and the national organizations on the other, so that not only would full exposure be given to the various programmes produced, but enough thought would be given to them so that they could be utilized by the various sectors of the community, particularly in rural areas. His delegation also hoped that the information contained in the publications and studies to be prepared by UNESCO in connexion with the Year would be made available to those sectors of the community that it was important to reach. It had appreciated the introductory

statements made by the representatives of the ILO (2072nd meeting) and WHO (2074th meeting), and hoped that representatives of other specialized agencies would also provide the Committee with details of their plans for the Year. His delegation understood that the Economic Commission for Africa was the only regional economic commission to have established a long-term programme for the integration of women in development, and wondered whether other Commissions, particularly the Economic Commission for Latin America, had given any thought to the matter, and, if so, whether they could inform the Committee as to their ideas.

14. As part of its long-term plans, his Government had established a post of Director of Women's Affairs, which was to be the nucleus of the Office of Women's Affairs that would be responsible for administering all programmes for the full integration of women into society. That did not imply that there had been a deliberate policy to debar women from playing an active role in Jamaican society, and a number of women had made notable contributions in their chosen fields. However, the Director's efforts would be focused on examining existing legislation to see where legal biases against women existed, so that steps could be taken to have them removed. The Office would be responsible for formulating plans for the training and employment of women in Jamaica. His Government saw a direct link between the establishment of a new international economic order (see General Assembly resolution 3201 (S.VI) and section B of the Programme for the International Women's Year, relating to development. It was one of the imperatives of the time that all countries, and especially developing countries, should develop and make use of all their resources. It had been shown that women's lack of opportunities had a serious effect on population factors and that both had detrimental effects on development. In that connexion his delegation was pleased to note operative paragraph 2 of draft resolution A/C.3/L.2113/Rev.1. His Government had committed itself to make more of its resources available specifically for the training and employment of women.

15. In connexion with Economic and Social Council resolution 1857 (LVI), his delegation considered it imperative that the United Nations should rectify the situation within its own Secretariat where the employment of women was concerned. Unless Governments had already trained and employed women in responsible positions within their own countries they would not be able to recommend qualified and experienced women for employment by international organizations. One way to break that vicious circle was perhaps for Governments to take deliberate steps to create educational, training and employment opportunities for women to enable them to participate fully in national life. The "Percy amendment" relating to United States bilateral foreign aid programmes would seem to be a step in that direction.

16. His delegation wondered whether, in view of the fact that Economic and Social Council resolutions 1857 (LVI) and 1861 (LVI) had been referred to the Fifth and Sixth Committees, and in view of paragraph 33 of the Programme for the International Women's Year, consideration could be given to having matters relating to the integration of women in the total development effort discussed in the Second Committee.

17. Mrs. SIPILÄ (Assistant Secretary-General for Social Development and Humanitarian Affairs) recalled that in paragraph 3 of its resolution 1851 (LVI), the Economic and Social Council had accepted the invitation of the Government of Colombia to act as host to the international conference during the International Women's Year in 1975. On 16 October 1974 the Minister for Foreign Affairs of Mexico had informed the Secretary-General that his Government would be willing to act as host to the conference should there be any change of venue, and that offer had been confirmed by the Permanent Representative of Mexico in a communication to the Secretary-General dated 24 October 1974. On 25 October 1974 the Secretary-General had received a communication from the Permanent Representative of Colombia indicating that his Government was no longer in a position to act as host to the Conference and withdrawing its invitation, having regard in particular to the willingness of another Member State to offer host facilities.

18. Both communications would be annexed to a note to be issued by the Secretary-General,¹ and the Secretary-General would inform the Economic and Social Council of the change of plan at its resumed fifty-seventh session. The matter would also be brought to the attention of the Fifth Committee in connexion with the item entitled "Pattern of conferences".

19. Mrs. BADIO (Liberia) said that her delegation welcomed the proclamation of 1975 as International Women's Year. As a member of the Commission on the Status of Women it had actively participated in the preparations for it. An ILO report of the previous year had stated that at least two persons out of three lived in rural areas and in the developing countries an average of 50 to 60 per cent of the population was engaged in agriculture. The emphasis placed on the development of women in rural areas therefore constituted a powerful stimulus for action, and the celebration of the International Women's Year should provide the opportunity for such specialized agencies as WHO, FAO and the ILO to redouble their efforts to improve the living standard of rural women and integrate them into the life of their communities. Her delegation was therefore happy to note that WHO and FAO had been working in close co-operation on health education for rural women. It was also gratifying that the Economic Commission for Africa (ECA) would be holding a regional meeting before the end of 1974 on the integration of women in development and that ECA and FAO had undertaken an itinerant training programme for home economists and family-oriented workers in rural areas.

20. If the status of women was to be raised in order for them to participate in decision-making, they must be given equal opportunities with men everywhere in the world. Discrimination against women would continue until women attained the highest level of education and the myth that they were fit only to care for their homes and children ceased to prevail. To achieve that end, goodwill, mutual respect, human understanding and realistic international co-operation were indispensable.

21. The President of Liberia was in favour of the participation of women in all aspects of national life and

was promoting such participation in practice, as had been shown by his appointment of a woman judge and a woman ambassador. Liberia was engaged in removing all forms of discrimination. Her Government had begun to implement a number of national plans for the International Women's Year, including the establishment of a special interdepartmental committee to assist with the preparation for the observance of the Year.

22. Mr. LAURENT (Food and Agriculture Organization of the United Nations) said that FAO's preparations for the International Women's Year were proceeding well. For many months it had been evolving programmes through an *ad hoc* interdisciplinary working group organized specifically for the purpose, and the five regional FAO conferences which had recently ended had made substantive recommendations to that body. Similar feed-back was expected soon from a world-wide survey currently in progress which sought to identify criteria for the training of personnel working with rural women. FAO had sponsored a one-week seminar on the role of women in integrated rural development, with emphasis on population problems, which had been held in Cairo in October 1974. The seminar was expected to provide further contributions of a regional character and should be an important asset in introducing the International Women's Year to the Western Asia region.

23. A growing number of requests for assistance were anticipated during the International Women's Year in three areas of interest both to FAO's programme of work and to the Commission on the Status of Women: those were the welfare of female workers involved in agricultural production and in related processing activities, the consolidation of the rural family unit as a functional mold for social and economic advance and the general pursuit of equality of opportunities. In connexion with the first area, the field personnel working at regional and country levels had been briefed to help carry out various schemes seeking greater productivity and higher labour efficiency, encouraging remunerative cottage industries and similar objectives. In promoting them either as individual projects or preferably as components of comprehensive development activities, FAO would closely match the intentions of Governments, aware that the success of those programmes often entailed new factors in institutional systems. As in the past, it would count on effective interagency co-operation. With regard to the consolidation of the rural family unit, there was no doubt that the impact of the World Population Conference, held at Bucharest in August 1974, would facilitate the acceptance of the package programme "Planning for Better Family Living" which FAO intended to expand during the Year. While changes in attitudes concerning responsible parenthood or in legislation on family matters went beyond the scope of short-term projects, experience had shown that much could be done in that respect by Governments in the way of surveys and pilot schemes, which could allow a more accurate identification of problems or bottlenecks. The FAO/ECA project on home economics and rural development was taking a joint approach to the problem, and that project, which was already operational, would continue throughout the International Women's Year. In addition, the relevant technical divisions of FAO planned to intensify their efforts during the Year in training family-oriented staff at various levels. FAO had agreed with the conclusion reached at the World Population Conference

¹ Document E/L.1615, dated 18 November 1974.

that the elevation of the status of women and their full integration into a developing society on an equal basis with men was a value in itself as well as an aid to development. When transplanted to the level of employment procedures, the fulfilment of the objective of equality required breaking down strong customary and legal barriers. However, it was likely to be tackled successfully when, in addition to isolated country programmes, it was supported by the political will of national leaders united in the pursuit of common purposes. That was the basis of the plans under way for an expanded pan-African woman's programme to which FAO was devoting close attention. In the mid-term of the Second Development Decade, FAO was trying to assess how far rural women were being integrated in development.

24. Both FAO and the FAO/UN World Food Programme would join several other United Nations bodies in offering adequate visual aids as well as appropriate articles in their periodic publications during the Year.

25. Mrs. SÄLZLER (German Democratic Republic) said that her delegation was in full agreement with Economic and Social Council resolution 1849 (LVI) on the International Women's Year, and with the proposals contained in draft resolutions A/C.3/L.2113/Rev.1 and A/C.3/L.2117.

26. Since the foundation of the German Democratic Republic, one of its foremost concerns had been the implementation of equal rights for men and women. To attain that objective, it had been necessary to rescind all laws that ran counter to it and to enact new legal norms ensuring equality before the law for men and women. Article 20 of the Constitution of the German Democratic Republic provided for equality and the same legal status for men and women and also declared that the promotion of women, particularly with regard to vocational qualifications, was a task of society and the State. However, equality for men and women was not only enshrined in article 20; it underlay the whole Constitution, which guaranteed women's rights to leisure time and recreation, to the protection of health and working capacity, and to special protection in marriage, in the family and in motherhood, among other things. Those principles were reflected in specific laws and regulations, such as the laws on the protection of mother and child and on the rights of women.

27. However, the enactment of legal measures was not enough to ensure equality for women; obstacles to the achievement of that equality had to be eliminated. Since 1966, in accordance with the decision of the Council of Ministers, specific scientific research work had been carried out in the German Democratic Republic under the guidance of the Academy of Sciences in all the fields and branches where women worked. The Academy of Sciences had to submit to the Council of Ministers annual reports on the results of that work, to make proposals for the practical implementation of the findings, and to obtain the approval of the Council for priority tasks in its future research work. The questions of the education and training of women ranked high in the co-ordinated research programme, for knowledge and skill were the basis for the development of the personality of women, thanks to which they would

finally be able to take their place in society on an equal footing with men.

28. In her country, women from all strata of the population were now taking part in shaping social and political life at all levels. They shared in the decision-making on vital political questions and helped to carry out the tasks set for the benefit of women, their families, and society. In the German Democratic Republic 84 per cent of the women of working age went out to work and held responsible managerial posts in all branches of the national economy. In the trade unions, 45 per cent of all offices were held by women and one third of the members of Parliament were women. The Democratic Women's Organization was also represented in the local parliaments at all levels. The implementation of equal rights for women and the development of their personality had been possible only because of the efforts to create working and living conditions which would enable them to harmonize their duties as wives and mothers with the requirements of their jobs. A great number of establishments had been set up where children were cared for and could receive medical attention while their parents were at work. In addition, a whole programme of social and political measures had been introduced to make life easier for working women with children.

29. In the German Democratic Republic, the implementation of equal rights for women was not a concern of women alone but a task which was systematically promoted by State organs and mass organizations; however, it was still incumbent on women to encourage the process by their own activities. Although a great deal had been done to achieve equal rights for women, much still remained to be done. The Government and the people of her country welcomed the decision of the General Assembly to proclaim 1975 International Women's Year and to place it under the central theme of "Equality, development, peace".

30. The Chairman of the Council of Ministers of the German Democratic Republic had recently addressed a letter to the Secretary-General in which he had stated that the German Democratic Republic would do all it could to make the International Women's Year yet another highlight on the road to the achievement of the goals laid down in the Charter and to lay even greater stress on the Charter's humanitarian postulates. In September 1974 a committee had been set up for the preparation and observance of the Year. It was headed by the First Deputy Chairman of the Council of Ministers and included among its members cabinet ministers, state secretaries and deputies to the People's Chamber, and representatives of central and state organs, the trade unions, women's and youth organizations, the League for the United Nations and other social organizations. It would supervise and co-ordinate the activities to mark the International Women's Year in the Republic and would draw up a programme to be considered by the Council of Ministers towards the end of the present year. In that letter the Chairman of the Council of Ministers also informed the Secretary-General of the activities which the German Democratic Republic planned in preparation for the international women's conference and the thirtieth session of the General Assembly. Those activities included the organization of Government-sponsored and non-governmental conferences and other events dedicated to the

International Women's Year, the adoption of medium- and long-term programmes for the advancement of women, especially in professional life, and the organization of cultural events and art exhibitions on problems of equal rights for men and women.

31. Her country had always attached great importance to the work of mass organizations in the struggle for the rights of women. It had therefore welcomed the holding of the World Congress of Women in Berlin in October 1975, which would give fresh impetus to women's work for peace, development and social progress, thus serving the same aims as the International Women's Year.

32. Mr. BATIBAY (Turkey) said that the question of the equality of women, cutting as it did across all national boundaries and affecting more than half the world's population, was of crucial importance. All human beings, irrespective of sex, suffered prejudice as a result of discrimination against women. Although the initial victims of such discrimination were women, the loss was felt by society as a whole since it lacked the human and prosperous environment in which to function adequately. The elimination of discrimination against women would therefore benefit both sexes. Such benefits were especially important to the developing countries in their struggle for economic and social development.

33. The International Women's Year provided an opportunity to mobilize and combine efforts to end discrimination on grounds of sex. The Year should not be for women alone, but should bring men and women together in a combined effort to solve their common problems. Turkey would contribute to all the international initiatives for co-operation, while taking appropriate action at the national level to reflect the significance of the Year. In that connexion he recalled the Seminar on the Status of Women and Family Planning held at Istanbul from 11 to 24 July 1972,² to which the Turkish Government had been happy to act as host. Turkey would also participate in the conference to be held in Mexico in June 1975. His Government had also appointed a young diplomat as liaison officer for the co-ordination of activities relating to the International Women's Year.

34. At the national level, mass media would be encouraged to give extensive coverage to the Year. Educational establishments would emphasize the existing and potential contribution of women to economic and social development, and world peace. Exhibitions of works of women artists would be organized and special books on the work of women scholars and scientists, both Turkish and non-Turkish, would be published.

35. Although Turkey could be proud of what it had done to eliminate discrimination against women since the establishment of the Turkish Republic under Kemal Atatürk 51 years before, there was still a long way to go before all discrimination against women was eradicated. In that connexion, the distinction between the status of women in urban and in rural areas was of crucial importance in Turkey as in all developing countries. Owing to the economic and social conditions prevailing in rural areas,

women were subject to more profound discrimination in those areas than in towns, a state of affairs largely reflecting the conditions of scarcity that characterized rural areas, particularly in the developing countries.

36. In conclusion, he said that Turkey would like to join the sponsors of draft resolution A/C.3/L.2113/Rev.1.

37. Mr. CHIRILA (Romania) welcomed the intensification of activities on behalf of women to which the proclamation of the International Women's Year had given rise in different United Nations bodies, particularly the Commission on the Status of Women and the Economic and Social Council itself. Romania, which had been one of the sponsors of the original proposal, welcomed the progress being made towards achieving equality between men and women and integrating women in social and economic life and in the development effort; it also welcomed the increasing contribution of women to friendly relations and co-operation between States and to the strengthening of world peace. As a member of the Commission on the Status of Women, Romania had participated actively in drawing up the Programme for the Year, and it fully supported the programme and the goals laid down in Economic and Social Council resolution 1849 (LVI).

38. Romania was actively engaged in applying the programmes and priorities and attaining the goals laid down by the country's leaders. By its very essence, the socialist society of Romania guaranteed equal rights to all its citizens. Romanian women, who accounted for 51 per cent of the country's population, carried on their activities in a wide diversity of fields, demonstrating their capacity for work, their talents and their grasp of administration, and they were playing an increasingly active part in the economic, political, social and cultural life of the country. In June 1973, the Central Committee of the Romanian Communist Party had adopted an important resolution on increasing the role of women in the economic, political and social life of the country. In accordance with the spirit of that resolution, which was based on the idea that the development of democracy led to an increasing participation by women in politics, public affairs and the leadership of the community, an increasing number of women had been elected or appointed to posts in political, administrative and trade union bodies. At the same time, women were benefiting from the improvement in conditions relating to the protection of the family, the lightening of their household work, training, and the education of children. The activities of the Romanian women's organizations both within the country and outside it were actively encouraged. The thirtieth anniversary of the liberation of Romania and the eleventh Congress of the Romanian Communist Party, which fell in November 1974, would provide an opportunity for considering the progress achieved by women in the general context of the country's development.

39. Side by side with the programme at the national level, Romania was promoting activities for the advancement of women at the international level. The measures taken by United Nations bodies in that respect were much appreciated in Romania, where governmental and non-governmental bodies had taken concrete measures to participate in the Programme for the International Women's Year. A

² For the report of the seminar, see ST/TAO/HR/46.

national liaison officer for all questions relating to the status of women, and particularly for the International Women's Year, had been appointed, and Romania would participate in the activities organized by the United Nations or under its auspices in 1975.

40. Mrs. SIVOMEY (Togo) congratulated the Chairman and the Committee's other officers on their election, welcomed the delegations of Bangladesh, Grenada and Guinea-Bissau, the new members of the Committee, and expressed her sympathy to Honduras and Peru for the natural catastrophes with which they had been afflicted.

41. The Economic and Social Council was to be congratulated on having endorsed the work of the Commission on the Status of Women by adopting 14 resolutions on improving the status of women. The members of the Commission on the Status of Women were to be commended for the energy with which they were pursuing the Commission's purposes. She had listened with deep interest to the statement made by the Assistant Secretary-General for Social Development and Humanitarian Affairs (2071st meeting), who was a living proof of the competence of women. In her capacity as Secretary-General of the International Women's Year and of the International Women's Year conference, the Assistant Secretary-General had been able to give a dynamic impetus to the activities connected therewith. She was ably seconded by the Deputy Director-in-Charge of the Promotion of Equality of Men and Women Branch of the Centre for Social Development and Humanitarian Affairs. The Division of Human Rights of the United Nations was also very active in the same field.

42. Togo had greatly benefited from the international activities organized in support of women's rights, and her Government firmly supported all action aimed at the removal of the obstacles which prevented women from participating fully in the political, economic, social and cultural life of their countries. She welcomed the fact that the General Assembly had declared 1975 International Women's Year. She agreed with the Assistant Secretary-General that the Year might act as a catalyst in achieving the minimum objectives of the Programme of concerted international action for the advancement of women adopted by the General Assembly in its resolution 2716 (XXV). Her delegation fully supported the Programme for the International Women's Year and particularly welcomed the central theme of "Equality, development, peace". Those were the objectives of the Togolese government Party, the *Rassemblement du peuple togolais*, and they were incorporated in the national development plan. The entire Togolese people were therefore anxious to participate in the activities for the Year.

43. The Togolese Government was making every effort to ensure that equality between men and women became an actual fact. That principle had been accepted but it was not yet applied everywhere in Togo. However, the National Union of Togolese women had been invited to participate in the drafting of a family code, which was now under consideration. Togolese women enjoyed a privileged position, and they were encouraged by the fact that the current UNDP Resident Representative and the Ambassador of the United States to the Government of Togo were both outstanding women. Several Togolese women had been

given important posts in the party under the present Government, and in the traditional, public, social and economic spheres of national life. The number of women teachers was increasing yearly. Nevertheless, 92 per cent of all illiterates were women, 85 per cent of whom lived in rural areas. Agriculture was the key sector of the Togolese economy. For that reason rural development was the No. 1 priority in the national development plan, which included projects to increase the productivity of women. It was therefore understandable that her delegation strongly supported the objectives of the Programme for the International Women's Year relating to rural women. It also strongly supported Economic and Social Council resolution 1856 (LVI) on the status of rural women, especially agricultural workers.

44. One of the aims of the International Women's Year was to promote détente, international peace and co-operation between States by contributing, among other things, to the struggle against foreign domination. In the view of her delegation, emphasis should be placed on the role that women should play in promoting or consolidating peace in their own country, where women were an instrument for peace and unity. If women were not good citizens at home, they would not be good international citizens, and they could not bring peace to others unless they had peace in their homes and in their hearts. In Togo, the entire nation had reason to be grateful to women, who had done so much to heal the wounds of party strife.

45. The Programme for the International Women's Year was a splendid document. Like the Universal Declaration of Human Rights, it set an ideal to be attained. The essence of its application lay in the word "education", which should be along the lines indicated by UNESCO in one of its publications in response to the question "Education for what?". Education along those lines was the aim of the International Women's Year. Togo was deeply grateful to UNESCO for the substantial assistance it had received. It trusted that UNESCO would be able to increase its contribution to implement the programme for the International Women's Year. A point that would be worth study, with the assistance of UNESCO, was the position of women in ancient African civilizations and the reasons for their loss in modern times of most of the privileges they had then enjoyed, which were now being claimed by women in other continents who had never possessed them in the past.

46. Her delegation endorsed Economic and Social Council resolutions 1859 (LVI) and 1860 (LVI) on the activities of the ILO and UNESCO to promote the advancement of women. It wished to congratulate the ILO, WHO and FAO for the interesting projects relating to African women which they were undertaking under the Programme for the International Women's Year. The Economic Commission for Africa, which had been the first regional economic commission to draw up a programme to enable women to participate in development, was also to be congratulated.

47. Togo's full support for the objectives of the International Women's Year was reflected in its decision to become one of the sponsors of draft resolution A/C.3/L.2113/Rev.1. In that connexion, she wished to thank the Governments of the Philippines and the United States of

America for their generous contributions to the International Women's Year.

48. In conclusion, she drew attention to the question of the methods to be employed to ensure the success of the International Women's Year. The actual situation in each country and continent must be borne in mind. Another thing to which particular attention must be paid was the fact that the special task of women was to contribute to the preservation and further development of cultural values, in the spirit of General Assembly resolution 3148 (XXVIII), which emphasized the need for wide education and information activity with a view to encouraging civic responsibility for the cultural heritage, making the public aware of the social and aesthetic significance of the cultural environment, and enhancing and developing living values through free creative activity. The struggle to achieve equality would be hard, but in Togo at least it would be a peaceful struggle. The aim would be to instill in both men and women the idea of their complementarity and joint responsibility. When they had achieved equality with men, women could help to build a better world, but only if they remained true to themselves as women.

49. Miss LOPEZ (Venezuela) said that the entry of women into fields which had hitherto been reserved exclusively for men was a progressive process and it went hand in hand with education and training. That aim was being achieved at all levels and in all the Latin American countries, but progress had been neither easy nor rapid. Within the United Nations, the role of women was to speed up decision-making and the implementation of the decisions at the national, regional and international levels. For that reason her delegation attached very great importance to the International Women's Year and the programme of activities connected with it.

50. For Latin American women, the International Women's Year only marked the beginning of a whole series of activities to integrate women in the social and economic life of their countries. The Assistant Secretary-General for Social Development and Humanitarian Affairs and the Deputy Director-in-Charge of the Promotion of Equality of Men and Women Branch, who had both spoken at the 2071st meeting, had given useful guidance with regard to the activities which women would undertake for the International Women's Year.

51. Her delegation had carefully studied the resolutions adopted by the Economic and Social Council at its fifty-sixth session and fully supported the provisions with regard to the influence of mass communication media, the role of UNESCO to promote the advancement of women, technical co-operation activities for the advancement of women, the legal capacity of married women and on measures for the implementation of the Declaration on the Elimination of Discrimination Against Women, and of related instruments. Resolution 1855 (LVI), on the implementation of a programme of concerted international action to promote the advancement of women and their integration in development, was of particular interest to her delegation since it placed the question of the equality of women in the general context of development, although it limited itself to requesting reports and appraisals and did not lay down guidelines for the actual integration of

women in the development programmes undertaken by the United Nations.

52. Thanks to the International Women's Year, it would be possible to broaden the directives laid down by the Commission on the Status of Women and the Economic and Social Council and transform them into national plans.

53. As to draft resolution A/C.3/L.2113/Rev.1, of which her delegation was a sponsor, she expressed the hope that it would command unanimous support because it drew the attention of the organizations of the United Nations system to the importance of the International Women's Year and because it assured the continuation of the activities by recommending the inclusion of goals and projects for women in the national development plans and country programmes of Member States, so as to train and equip women to make a greater contribution to and become more fully integrated in the economic and social life of the nation.

54. The Venezuelan Government was anxious to increase women's participation in the national life. In March 1974, a women's advisory committee to the office of the President of the Republic had been set up to appraise the legal, economic and social status of women. The Committee was responsible for preparing pilot programmes and suggestions for promoting a greater participation of women in national life, collecting and analysing studies and inquiries by the public and the private sector, and studying and co-ordinating the restructuring and centralization of the general services and programmes for women. The Committee also participated in drawing up practical norms to govern the planning and execution of the various programmes for women at the national level. The Committee had set up a special committee for the International Women's Year along the lines indicated by the General Assembly, and a long-term programme for 1975 to 1980 had been drawn up. Committees were now being set up at the state level for the same purpose.

55. Her delegation would vote for draft resolution A/C.3/L.2117. It had only just received draft resolution A/C.3/L.2118/Rev.1 and had had no opportunity to study it; Venezuela would support it provided that it did not involve any financial implications for the Organization.

56. Mr. BAROODY (Saudi Arabia), referring to draft resolutions A/C.3/L.2113/Rev.1, A/C.3/L.2117 and A/C.3/L.2118/Rev.1, recalled his statement at the 2073rd meeting that the question of women's rights should be considered qualitatively and not quantitatively because women throughout the world, whatever their culture and background, already enjoyed a great many privileges and rights. Men were not denying them those privileges and rights but were affirming them, and women were now trying to deprive men of their rights. An international conference to be held during the International Women's Year would have a disruptive effect on many time-honoured social institutions in many countries. Some of the sponsors of draft resolution A/C.3/L.2117, which requested the Secretary-General to convene in 1975 an international conference during that Year, were from Western countries, which considered themselves to be wiser than developing countries because they had a higher standard of living, but

others were from developing countries and had obviously been influenced by the high standards of living and luxuries of the Western countries. However, Western society was decadent and in dire economic straits because of the careless way of life of its people and it was unwise for the developing countries to imitate it. Reforms of all kinds should come from within the developing countries' cultures, rather than from the influence of corrupt Western society, where women were in no way inferior to men, although they imagined that men denied them equal rights and opportunities. Thus, he urged representatives of African, Asian and Latin American countries not to tamper with their institutions in exchange for the decadence of Western society. They should study and analyse the meaning of the draft resolutions under consideration and the effect those draft resolutions would have on their countries, where women already had many rights and privileges.

57. With regard to draft resolution A/C.3/L.2117, he said that the second preambular paragraph was extremely long and that the reference to the involvement of women in "eliminating racism and racial discrimination" at the end of the paragraph had nothing to do with the International Women's Year conference. Moreover, that paragraph called for the participation of non-governmental organizations in consultative status with the Economic and Social Council, but many countries did not have non-governmental organizations and in the Conference there would therefore be a balance in favour of countries that did have such organizations.

58. Noting that operative paragraph 4 of draft resolution A/C.3/L.2118/Rev.1 requested the Secretary-General to convene a consultative committee to advise him on the preparation of an international plan of action to be completed by the international conference, he said his delegation was of the opinion that the convening of such a consultative committee, which would have to be financed before the Conference itself could be financed, would be ruinous for the United Nations. His delegation would therefore abstain in the vote on draft resolutions A/C.3/L.2113/Rev.1, A/C.3/L.2117 and A/C.3/L.2118/Rev.1.

59. Mr. HUSSAMY (Syrian Arab Republic), speaking in explanation of his delegation's vote on draft resolution A/C.3/L.2111/Rev.1, which had been adopted at the 2074th meeting, said that, in view of the contradictory explanations of vote on that draft resolution and, in particular, on the first preambular paragraph, his delegation wished to explain that it understood the first preambular paragraph to mean that the alternative approaches referred to did not include the creation of a post of United Nations High Commissioner for Human Rights. His delegation considered that the idea of the creation of such a post had been abandoned as a result of the adoption of General Assembly resolution 3136 (XXVIII).

60. Miss CAO-PINNA (Italy) said it was certain that all women, regardless of their status and their level of success, had been or were subject to discrimination in one way or another. The few women who had reached the highest levels of success might believe that there had been no discrimination against them, but their success was in fact the result of greater efforts than those made by men in

similar situations. Moreover, the success of such women was welcomed with surprise and they were considered as exceptions to the rule. Obviously, such surprise was an expression of a negative attitude with regard to the potential of women.

61. At the other extreme, there were large numbers of women who had very limited opportunities for advancement. In some situations, they might not even realize that their status should be different from what it was and that in itself was a confirmation of the fact that there had been and was discrimination against them. That discrimination could be eliminated only through a process of change in general attitudes towards women. As with any change in attitudes, that process would develop slowly and would need to be encouraged at every level. Her delegation was of the opinion that the International Women's Year should be seen not as a miraculous solution to the problem, but as an intensive concentration of efforts to speed up the process of change to which she had just referred. Efforts had to be made not only by women, but by all responsible sectors of society,

62. With regard to Italy's preparations for the Programme for the International Women's Year and for participation in the international conference to be held in June 1975, she said that her country had already informed the Secretary-General about the action it had taken so far. Two positive results had already been achieved. First, systematic relations of a permanent nature or for the Year itself had been established between the public and private sectors. Second, all women's organizations, which, because of the variety of their institutional aims and ideological positions, had been operating in isolation, had been brought together to plan for the International Women's Year. Those two results encouraged the hope that, after the International Women's Year, relations between public administrations and women's organizations and relations among those organizations themselves would develop on a regular basis and ensure the necessary continuity of democratic action on behalf of the advancement of women.

63. In July 1974, a national committee for the Year presided over by a woman member of the Government had been established by the office of the Prime Minister. Its composition was similar to that of the committee established in Norway, described by that country's representative at the 2072nd meeting. Thus, it included representatives of all interested ministries, women's associations, political parties and trade unions. The task of the committee was to promote and co-ordinate Italian activities for the International Women's Year. Another relevant feature of Italian preparations for the Year was the establishment by the Ministry of Labour of a permanent national committee for the problems of women workers. That body also included representatives of women's associations and trade unions. Similar initiatives were being taken or considered by the Ministries of Justice and Health. Their functions were of a consultative nature and they would carry out studies on the status of women in all fields. Moreover, in all sectors where preparations for the Year were being made, arrangements were also being made for linking their work with the mass media, particularly radio and television.

64. It had already been decided that a special stamp would be issued for the International Women's Year and it was almost certain that the main activities suggested in the international Programme would be included in Italy's national programme. Among those activities, particular importance was being attached to the proclamation of the Year at the highest level and to the convening of a national conference.

65. Her delegation welcomed the appointment of the Assistant Secretary-General for Social Development and Humanitarian Affairs as Secretary-General of the Conference to be held during the International Women's Year. Her country was waiting to be informed about the agenda of the Conference and the organization of its work. It therefore expressed the hope that detailed information would be communicated to Governments as soon as possible.

66. Her delegation was a sponsor of draft resolution A/C.3/L.2113/Rev.1 and was considering draft resolutions A/C.3/L.2117 and A/C.3/L.2118/Rev.1 with particular attention, but had not yet decided on a final position on them.

67. Miss CABALLERO (Mexico) said that her delegation wished to congratulate the Assistant Secretary-General for Social Development and Humanitarian Affairs on her appointment as Secretary-General in charge of the activities to be carried out during the International Women's Year, including the international conference.

68. Mexico had welcomed with enthusiasm the decision of the General Assembly to make intensive efforts, at both the national and international levels, to improve the status of women by proclaiming 1975 as International Women's Year. In December 1970, the President of Mexico had stated that women had already demonstrated their ability to enrich the cultural, economic and political life of Mexico and that, consequently, he intended to promote the full exercise of the creative abilities of women so that all Mexicans, men and women alike, would have equal rights, duties and opportunities. In accordance with that promise, the President of Mexico had stated in September 1974 in the Congress that it was necessary to eliminate the barriers which prevented women from taking an active part in political, economic and social life and which therefore hampered Mexico's over-all development. A full review of Mexico's federal laws was being carried out with a view to putting before the Congress bills providing for the elimination of all vestiges of discrimination against women, but the system of dependence and domination which still characterized relations between men and women could not be eliminated simply by the adoption of legal instruments. It was also necessary for men and women to rid themselves of all mental attitudes which made that unjustified situation possible. The achievement of the full integration of women into Mexican life also required a collective effort to change the old traditions which reduced the scope of women's activities. Women must also use their will, intelligence and enthusiasm to overcome obstacles at the professional level since it was not enough for them to have equal rights if their creative abilities remained untapped. In other words, *de jure* equality served no purpose unless it was accompanied by *de facto* equality. In accordance with that policy, the President of Mexico had proposed that the international

community should consider the possibility of a code, namely, a Charter of Economic Rights and Duties of States (see General Assembly resolution 3082 (XXVIII)), which would serve as a basis for the establishment of a more equitable economic order and for the achievement of equality among States.

69. She was of the opinion that women must assume the responsibility and duty of co-operating with men in the creation of a better and more equitable world in which peace would prevail. In order to play such an important role, women must be increasingly better prepared and it was therefore important that the same attention should be given to their education as to that of men. It was for that reason that her delegation had welcomed the amendment which had been submitted to that effect by the representative of Sierra Leone in document A/C.3/L.2115 and accepted by the sponsors of draft resolution A/C.3/L.2113.

70. If women were to engage in activities outside the home, they would have to strive to acquire the necessary training for employment and for the fulfilment of their responsibilities, but they must not forget that nature had given them the gift of maternity and they must therefore also be prepared for their role as wives and mothers. Thus, one of the constitutional amendments proposed by the executive branch of her Government to the legislative branch provided that men and women were equal before the law and that women were to protect the organization and development of the family. All persons had the right to decide freely and responsibly on the number and spacing of their children. That amendment to the Constitution had been proposed so that parents might plan their families. Family planning was essential to the improvement of the status of women and would enable them to carry out their responsibilities in society and at home.

71. The importance her country attached to the International Women's Year was demonstrated by the fact that a high Government official had been appointed as the general co-ordinator of the Mexican programme for the International Women's Year. Preparations for that programme would be completed at the end of October 1974 and included the participation of federal, state and municipal authorities and, in particular, groups and associations of men and women whose activities would be related to the theme of equality, development and peace. The programme would be political, economic, social and educational in nature and would include a review of the results thus far achieved and the formulation of short-, medium- and long-term plans designed to integrate women into the active life of the country.

72. As a woman who had had the opportunity to attend university and exercise a profession, she whole-heartedly welcomed the efforts being made at the national and international levels so that an increasingly larger number of women in all countries might take part in the creative work of achieving peace and prosperity for the benefit of all human beings. She hoped, however, that the new woman taking part in those efforts would never forget that she was a woman, or give up the privileges and duties of her sex. Her Government understood the importance of women in the life of a country, but considered that their integration into social, cultural, economic and political life would not

be achieved only through the adoption of international decisions. Such decisions had, however, been fully supported by Mexico in various international organizations because it was aware that its development effort would not be possible without the contribution of women.

73. Referring to the programme of family guidance recently established in Mexico to bring about the integration of the family and, in particular, the rural family through the implementation of health, education and training measures, she said that the purpose of that

programme was to promote the social and economic development of rural areas. The objectives of the programme would be announced to the Secretary-General in accordance with General Assembly resolution 3010 (XXVII) relating to the International Women's Year.

74. Her country was deeply honoured by the acceptance of its offer to act as host to the international conference to be held during the International Women's Year.

The meeting rose at 6.15 p.m.

2076th meeting

Wednesday, 30 October 1974, at 3.40 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2076

In the absence of the Chairman, Miss Dubra (Uruguay), Vice-Chairman, took the chair.

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2113/Rev.1, 2117, 2118/Rev.1)

1. The CHAIRMAN announced that Trinidad and Tobago and the United Republic of Tanzania had joined the sponsors of draft resolution A/C.3/L.2113/Rev.1 and that France and Norway had become sponsors of draft resolution A/C.3/L.2118/Rev.1, both of which concerned the International Women's Year.

2. Mr. DASHKEVIC (Ukrainian Soviet Socialist Republic) commended the work of the Commission on the Status of Women aimed at eliminating the discrimination against women which still existed in many countries in various forms and at ensuring genuine equal rights between men and women in all areas of public life. The Commission's resolution 1 (XXV)¹ on the preparation of a comprehensive convention to eliminate discrimination against women deserved particular attention. The adoption of that important document would undoubtedly be a very effective step towards the final elimination of that outworn vestige of the past, discrimination against women.

3. His delegation was very much in favour of the adoption of a declaration on the protection of women and children in emergency and armed conflict, as called for in Economic and Social Council resolution 1861 (LVI), and felt that although that question had been referred to the Sixth Committee, the Third Committee should also consider it. The adoption of such a declaration by the General

Assembly would be in conformity with the spirit and letter of the Charter and the aims of the United Nations.

4. His delegation supported and approved the basic measures in the Programme for the International Women's Year (Economic and Social Council resolution 1849 (LVI), annex). The theme of the Year—equality, development and peace—would have great significance in increasing the participation of the women of the world in the social and economic life of their countries and in involving them more widely in the struggle for peace and détente, for the elimination of the vestiges of colonialism and racism, and for freedom, national independence and the social progress of peoples. The International Women's Year would undoubtedly give new impetus to the adoption of measures aimed at the elimination of all types of discrimination against women, which unfortunately still existed in various countries of the world.

5. The shameful phenomenon of discrimination against women had long ago been fully eliminated in the Ukrainian SSR. The Great October Socialist Revolution had completely emancipated women and granted them equal rights with men in all spheres of activity. The rights of women were guaranteed in the Constitution and also in the legislation deriving from it. Soviet women participated widely in the life of the nation and had taken their place in socialist society on a footing of equality with men. Participation in social labour was a very important factor in the personal development of all women. In 1973, 57.8 per cent of the specialists in the Ukrainian SSR had been women. Women were working in areas which had been traditionally reserved for men, particularly in occupations with attractive conditions of work and also in new and developing areas such as radio electronics, electric power and precision instrument design. The mastery of complex contemporary technology by women so that they could participate in engineering and technical activities alongside men constituted one of the great triumphs of socialism. Women were also participating increasingly in the development of science, culture and art. Every year increasing numbers of women were attracted to active participation in

¹ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 4, chap. XII.*

the political life of the country, and the number of women members of the Soviets was constantly increasing. Currently, more than a third of the members of the Supreme Soviet of the Ukrainian SSR and over 45 per cent of the members of the local Soviets were women.

6. The Ukrainian SSR attached great importance to the International Women's Year; the Year would be devoted to enhancing the role of Soviet women in all spheres of public, social, cultural, economic and political life, to improving the situation of mothers and working women, and to increasing the role of women in educating the younger generation in the principles of internationalism, humanism, peace and friendship between peoples.

7. Mr. FAKTOR (Czechoslovakia) said that his delegation welcomed General Assembly resolution 3010 (XXVII), which proclaimed the International Women's Year, and Economic and Social Council resolution 1849 (LVI), and viewed the Programme for the International Women's Year (annex of the latter resolution) not as a formal text which would have effect only during 1975 but as a significant international document which expressed the political and social aims of equality, development and peace. Czechoslovakia not only supported those aims but would also strive for their full and speedy realization throughout the world. The Union of Czechoslovak Women was preparing a number of political and cultural events in 1975 in support of the struggle of women throughout the world who as a result of imperialist wars or criminal colonialist or fascist policies could not live freely, bring up their children in conditions of peace, obtain education, and participate freely and on an equal footing with men in public life and in work. Czechoslovak women had on many occasions expressed their solidarity with the heroic struggle of women in various parts of the world and in 1975 they would demonstrate their support for the struggle of oppressed women in South Africa and Southern Rhodesia for political and social liberation. They would express full support for the Arab women of Palestine who as a result of the aggressive wars of Israel could not bring up their children in their own homes, and also for the heroic women of Viet-Nam and Chile who were struggling against the common enemies—imperialism and fascism.

8. His delegation also fully supported Economic and Social Council resolution 1852 (LVI) concerning implementation of the Declaration on the Elimination of Discrimination against Women, and of related instruments. Czechoslovakia viewed the Declaration as an extremely important document which was in harmony with the Czechoslovak Constitution. Czechoslovak women had equal civil rights with men. They were able to obtain education, including higher education, and they participated in all aspects of political, cultural and economic life. The General Secretary of the Central Committee of the Czechoslovak Communist Party had spoken about the role and status of women in Czechoslovakia and their role in international life in an address to the conference of the Union of Czechoslovak Women held in April 1974.

9. His delegation supported the United Nations programme to resolve the political, legal and social questions connected with the protection of the rights of women throughout the world.

10. Mr. ARMAN (Democratic Yemen) expressed appreciation to the Assistant Secretary-General for Social Development and Humanitarian Affairs and to the Deputy Director-in-Charge of the Promotion of Equality of Men and Women Branch of the Centre for Social Development and Humanitarian Affairs for their brilliant introduction of the topic on the status of women at the 2071st meeting.

11. Discrimination against women had existed for many centuries. In ancient societies women had been regarded as objects of pleasure, and until fairly recent times a woman's place had been in the home, as a mother and unpaid servant. That had been a great wrong, because it had prevented one half of society from contributing to the building of a better life for mankind. Women had now proven that, given the opportunity, they could perform on an equal footing with men as leaders and educators and in other fields.

12. The United Nations had taken many important initiatives in enhancing the status of women and finding means to ensure them enjoyment of their rights and equality with men, even though the desired goals had not yet been fully achieved. General Assembly resolution 3010 (XXVII), establishing 1975 as International Women's Year, had been supported by his delegation and reaffirmed the importance of the role of women in all fields, at the local and the international levels.

13. Democratic Yemen would support the international conference to be held in Mexico in 1975, and a woman had been appointed liaison officer in the Ministry of Foreign Affairs to deal with the preliminary documentation relating to the conference. Democratic Yemen would observe the International Women's Year by appropriate activities under the supervision of the General Federation of Yemeni Women. His Government had participated in the International Forum on the Role of Women in Population and Development held in February and March 1974 and had been represented by a woman official of the Ministry of Planning.

14. Women's role in the history and civilization of Yemen dated back to the days of the Queen of Sheba, who had reigned over a far-famed kingdom, vestiges of which still remained to be seen in the Marib Dam, which had been one of the most magnificent monuments of human architectural achievement.

15. Urwa Bint Ahmad, of the Sulaihid dynasty, had ruled over Yemen for 55 years in the twelfth century, and during her reign the country had achieved great economic and commercial progress. In modern times the whole nation had suffered under the imperialist rule of the Sultanates, and the plight of women had been particularly hard; they had been discriminated against and regarded as mere objects of pleasure, with no say in affairs generally or even in affairs directly relating to them.

16. Women had fought side by side with men in the struggle for independence and freedom from exploitation, and this was, naturally, reflected in the practice and decisions of the revolutionary Government, which recognized the rights of all to freedom and human dignity. In his country, women were now employed in Government ministries and public agencies and in such activities as

industry, agriculture and education. There were three women members in the National Assembly, and women were represented in other major organs of the State. The concept of the working woman as merely a secretary or typist had been superseded, and all citizens were accorded treatment commensurate with their efforts, capabilities and experience.

17. Article 36 of the Constitution stipulated that women had equal rights with men in all areas of life, whether political, economic or social, and made provisions of a progressive nature to ensure that such equality was achieved in practice. The Constitution further provided for special vocational training for working women. The State provided special care for working women and children, and paid maternity leave was provided for by law. The State was establishing nurseries and kindergartens to the same end. The State accorded special attention to ensuring proper care for the families of the martyrs of the revolution. Article 58 of the Constitution provided for the establishment of the Women's Organization for females of all ages for the purpose of raising women's political consciousness so as to enable them to play a productive role in society as educators and to avail themselves fully of the rights accorded them in the Constitution.

18. The revolutionary Government, under the leadership of the National Front, was continuing its efforts to transform society for the benefit of the masses, including workers, farmers, the military and intellectuals. In his statement to the General Assembly at the 2251st plenary meeting, the Minister for Foreign Affairs had said that the people of Democratic Yemen had made *tabula rasa* of many outmoded concepts and he had referred to many laws which had been enacted for the reorganization of social relationships. Foremost among such laws was Act No. 1 of 1974, concerning the family. That Act enshrined all the principles of the revolution and demonstrated the authorities' appreciation of the role of the family in the construction of society. It regulated family relationships, which had formerly been subject only to a feudal code that had reduced the noblest of human relationships to an object of bargaining and made the fate of Yemeni women dependent on the highest bidder. Under the new Family Act, marriage was regarded as a contract between two equal parties—a contract based on mutual understanding and respect and designed to promote the solidarity of the family as the foundation-stone of society. The Family Act prohibited the giving of girls in marriage without their consent and stipulated that a marriage could be contracted only with the consent of both parties. Those provisions ended the total and arbitrary domination of women by men. The Act set the minimum age for marriage at 18 years for men and 16 for women and forbade marriage where there was a disparity in age exceeding 20 years, except where the woman was over 35 years of age. Two of the most important provisions of the Family Act were articles 11 and 25. Article 11 forbade a man to contract a second marriage except by written permission from the competent court, such permission not to be given except in the event of the infertility or chronic illness of the first wife. Article 25 prohibited unilateral divorce. The Family Act had restored to Yemeni women their dignity as citizens having rights and obligations and had put an end to the old relationship which had governed family relations in Yemen and had

prevented women from playing a positive part in the construction of society.

19. The first Conference of Yemeni Women had been held at Saiun on 15 and 16 July 1974 and had been attended by women's delegations from all six provinces of the Republic and from fraternal and friendly States. In its resolutions and recommendations, the Conference had stressed the need to develop further the General Federation of Yemeni Women, with a view to uniting women to play a fuller role in the country's development at the current stage and the need for the Federation to assist in resolving the day-to-day social problems encountered by women and in improving the situation of poor families. The Conference had further recommended extending the Federation's relations with women's federations and associations in the socialist countries and with national liberation movements and progressive associations in the capitalist countries, *inter alia*, through exchanges of experience and expertise and by acquainting women in other countries with the struggle of Yemeni women and the Yemeni revolutionary experience. In his address at the opening meeting of the Conference, the Chairman of the Presidential Council had said that the freedom of women could not be achieved merely by removing the veil; it could only be achieved fully through science and knowledge; women must learn to think in a new way and to value productive work as a sacred and respected goal; only thus could women advance towards true freedom.

20. His delegation would support draft resolution A/C.3/L.2113/Rev.1.

21. Mr. HOVEYDA (Iran) said that his delegation attached great importance to the International Women's Year and fully subscribed to its basic principle, namely, the necessity for co-operation between men and women to achieve its objectives. It was clear from the statements already made that many Governments were at last aware of the need to promote the advancement of women and their integration in the total development effort. In that connexion he drew attention to the fact that the President of the United States had signed a measure barring denial of credit on the basis of sex, in connexion with which he had said women were still too often treated as second-class citizens, according to *The New York Times* of 30 October 1974. It was obvious that when women, who accounted for half of the world's population, were treated as second-class citizens, mankind as a whole must be the loser.

22. Much was to be expected of the International Women's Year; every effort must be made to achieve its objectives. That was a matter for Governments, but the conference to be held in June 1975 would be of the greatest importance. It would be the first world conference on the promotion of equality between men and women, and the success of the Year would depend in great measure on that of the conference. It must therefore be prepared with the greatest possible care and the papers for it should be given serious study by highly qualified people with special competence in the field of women's problems. That was why his own delegation and those of Mali, the Philippines and Uruguay, which had now been joined by France and Norway, had submitted draft resolution A/C.3/L.2118/Rev.1. The revised text was clearer and fuller than

the original. In connexion with the preamble, he said that the consultations for the preparation of the conference must be at the highest level if it was to achieve the best results. Operative paragraph 1, which expressed the hope that the preparation of the conference would be given full attention, had been dictated by the fact that the conference did not seem to have attracted as much attention as could have been wished, although a growing awareness of it had been clear from the debate in the Committee. Operative paragraph 2 provided for the creation of a consultative committee with a membership of 18; it would be wise for the committee to be small if it was to do good work. His delegation attached great importance to operative paragraph 3, which provided that the consultative committee should be composed of highly qualified representatives; it hoped that the Member States would designate persons of the highest competence and authority as their representatives. The consultative committee's main task, the preparation of an international plan of action, was laid down in operative paragraph 4. It was to produce a draft plan which the conference could use as a base for launching the programme for the Year laid down in Economic and Social Council resolution 1849 (LVI). The consultative committee should meet as soon as possible and in any event not later than March 1975 if the documents it would produce were to be transmitted to Governments in time for their consideration before the conference met in June. The financial implications referred to in operative paragraph 5 should not be heavy; Member States would therefore be asked for only small voluntary contributions. In conclusion, he expressed the hope that the draft resolution would be adopted unanimously, thus demonstrating the international community's determination to ensure the success of the International Women's Year.

23. Mr. BYKOV (Union of Soviet Socialist Republics) said that his delegation attached great importance to the efforts of United Nations bodies, in particular the commission on the Status of Women, to put an end to the long-established pattern of discrimination against women. In his country, the Revolution had brought about equal status for women. The celebration of the International Women's Year was intended to promote equality for, and eliminate discrimination against, women and involve women in the development process, in the struggle for peace and international security and in the elimination of colonialism, racism and racial discrimination and the achievement of freedom, national independence and social progress. It was highly significant that the central theme of the Year was Equality, Development and Peace, stressing the indissoluble link between them, for social progress, including the realization of the full equality of women, could be achieved only in conditions of peace and international security. The current process of détente was opening up favourable prospects for the achievement of the purposes of the International Women's Year. The programme of peace and international co-operation adopted by the Twenty-Fourth Congress of the Communist Party of the Soviet Union had contributed substantially to improving the world situation and developing international co-operation in conditions of equality.

24. His Government attached great importance to measures aimed at achieving full equality for women in educational, political and cultural life. The Programme for the International Women's Year called for wide-ranging

measures at the national, regional and international levels. The success of that Programme would depend largely on how consistently and effectively those measures were implemented at the national level. The International Women's Year was taking place during the Decade for Action to Combat Racism and Racial Discrimination which was inaugurated on 10 December 1973 in accordance with General Assembly resolution 3057 (XXVII) and could make an important contribution to the achievement of the aims of that Decade. The ultimate success of the efforts of the United Nations and other bodies in combating racial discrimination would depend, *inter alia*, on the full utilization of the desire and readiness of men and women to devote their energies, talents and abilities to the benefit of society and to combat racism and racial discrimination, as was stated in paragraph 6 (c) of the Programme, for the Decade, annexed to resolution 3057 (XXVIII).

25. As it had stated at the twenty-fifth session of the Commission on the Status of Women, his delegation attached great importance to the formulation of the draft convention on the elimination of all forms of discrimination against women. The United Nations and the specialized agencies, especially the ILO and UNESCO, had adopted a number of conventions and other instruments with a view to eliminating discrimination against women in the fields of political activity, labour, education and so forth. His delegation considered that an increase in the number of States parties to those instruments would be an important contribution to the achievement of the aims of the International Women's Year. The USSR delegation to the fifty-sixth session of the Economic and Social Council had also supported the draft declaration on the protection of women and children in emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence (see Economic and Social Council resolution 1861 (LVI)). Adoption of that instrument by the General Assembly would significantly affect the fate of millions of women and children who were among the victims of imperialist wars of aggression, colonial oppression, racism and *apartheid* and constituted the most vulnerable sectors of the population. It would also be a warning to those who sought to hamper the struggle for peace, self-determination, national liberation and independence. In that connexion, he expressed the view that the draft resolution contained in that resolution should have been allocated to the Third rather than the Sixth Committee for consideration.

26. His delegation considered that a question entitled "Status and role of women in society, with special reference to the need to achieve equal rights for women and to women's contribution to the attainment of the goals of the Second United Nations Development Decade, to the struggle against colonialism, racism and racial discrimination and to the strengthening of international peace and co-operation between States" should be included in the agenda of the General Assembly at its thirtieth session as a separate item, as it had suggested in the Social Committee of the Economic and Social Council at the latter's fifty-sixth session (see A/9603, para. 439). It also considered that during the International Women's Year, the General Assembly should devote a plenary meeting to recognition of the constantly growing role of women in all areas of development, in the struggle against colonialism,

racism, *apartheid* and racial discrimination and in the strengthening of international peace and friendly relations among peoples. His delegation welcomed the resolutions of the fifty-sixth session of the Council aimed at the integration of women in development, the elimination of discrimination against women and the attainment by women of full equality with men. That enumeration included the Council's resolution 1857 (LVI) concerning the employment of women by the secretariats of organizations within the United Nations system. However, he emphasized in that connexion that the Secretary-General should act in accordance with the Charter and the principle of equitable geographical distribution in order to avoid aggravating the present anomalous situation in which some countries were clearly under-represented and certain Western countries greatly over-represented in those secretariats.

27. Ever since the establishment of the Soviet State, the Communist Party of the Soviet Union had, in accordance with the programme drawn up by Lenin at the beginning of the century, consistently stressed the attainment of equality for women. Women were guaranteed equal rights in all aspects of the life of the country, not only in the Constitution and other legislative acts but in practice, by the provision of equality of opportunity. Discrimination on grounds of race, sex or national origin was a form of economic exploitation and had been eliminated in the Soviet Union. Women represented 59 per cent of the total of persons in the USSR with higher and specialized secondary education. International Women's Day was widely observed. In commemorating that occasion in 1974 the Central Committee of the Communist Party had stated that socialism radically altered the situation of women in society. It guaranteed their equality and provided them with a wide range of educational opportunities to develop their talents. It sought to improve their conditions of work and provide them with greater opportunities for social activity and happy motherhood.

28. Any kind of discrimination against women was intolerable and must be eliminated as soon as possible. He noted with satisfaction that the movement for the achievement of genuine equality between men and women was becoming world-wide. The proclamation of the International Women's Year had attested to that fact.

29. His delegation had no observations to make concerning draft resolution A/C.3/L.2113/Rev.1. It was considering draft resolutions A/C.3/L.2117 and A/C.3/L.2118/Rev.1 and would comment on them at a later stage.

30. Miss ILIĆ (Yugoslavia) said that her delegation welcomed the introductory statements made by the Assistant Secretary-General for Social Development and Humanitarian Affairs and the Deputy Director-in-Charge of the Promotion of Equality of Men and Women Branch (2071st meeting) on an item to which her delegation attached great importance. The principle of equality between men and women, a fundamental principle of the Charter of the United Nations, had been elaborated in many other of its documents. The Commission on the Status of Women had played a most important role in the activities aimed at the elimination of discrimination against women. The implementation of a programme of concerted international action to promote the advancement of women and their

integration in development (see Economic and Social Council resolution 1855 (LVI)) and of the Programme for the International Women's Year (Council resolution 1849 (LVI) annex) represented further efforts for the advancement of women and their fuller integration in development.

31. It might be said that the era of efforts to achieve equality through the adoption of legal instruments abolishing discrimination on the grounds of sex was nearly at an end. The majority of countries had abolished laws that discriminated against women. However, the very essence of equal status between men and women was the position which women occupied in education, work and society. Although they had been declared equals of men, women were still falling behind in various fields of economic, social and political life. The question was what were the obstacles to the more complete integration of women in all spheres and how they could be removed. Experience showed that social change could not occur without accelerated development, economic growth and the political will to bring such change about. On the other hand, accelerated development depended on many factors, including an improved international situation, abolition of all forms of foreign domination, and the achievement of more equitable international economic relations, as envisaged in the International Development Strategy for the Second United Nations Development Decade (General Assembly resolution 2626 (XXV)) and in the Declaration on the Establishment of a New International Economic Order and the programme of action adopted by the General Assembly at its sixth special session in its resolutions 3201 (S-VI) and 3202 (S-VI).

32. The essential condition for improvement in the status of women was ensuring their participation in all spheres of the social, economic and political life of their countries at all levels. It should not be forgotten that women had been producers since the beginning of time. Development plans should therefore treat women as producers, appraising only the work and not the sex of the producer. If that was to be so, women required, *inter alia*, equal education and vocational training opportunities, equal opportunities for work, equal pay for equal work, and equal rights in other spheres of life with other workers and citizens of their country. Women could hardly fulfil their role as producers and participants in the work of their country unless services and institutions for child-care were organized by their society. Maternity was essentially a question for society, and all citizens, whether men or women, should play a decisive role in the determination of the social and economic policies and actions in that field. Equality at work and in political life must be accompanied by specific measures enabling women to decide freely and responsibly on child bearing and by socialization of the care of children. Social trends in that direction were already obvious, supported by social forces struggling to achieve a democratic position for every man and woman. Such developments could be helped on by legislators, but full implementation depended to a great extent on economic development. That was illustrated by the example of Yugoslavia, where progressive legislation and efforts for the rapid abolition of the last vestiges of discrimination were limited by the level of material development in different regions. There was evidently a strong correlation between regional *per capita* income, on the one hand, and such

factors as levels of employment of women, literacy, fertility and infant mortality, on the other.

33. Women in Yugoslavia enjoyed equal rights with men. They had won those rights by fighting side by side with men for the liberation of their country during the Second World War, for the reconstruction of the country after the war and then for Yugoslavia's progress and the development of its social, economic and political institutions. They were now taking an active part in all spheres of social life and sharing the benefits with the other strata of society.

34. Yugoslavia would participate fully in the observance of the International Women's Year. Measures had already been taken to establish a National Commission for the International Women's Year so that it might be implemented with the best possible results.

35. Mrs. YOTOPOULOS-MARANGOPOULOS (Greece) said that, as she had stated on previous occasions in the Committee, discrimination against women was the most widely practised form of discrimination in the world. It was applied in different forms and degrees depending on the social and economic structure prevailing in different countries at different periods in their histories. Traditional preconceptions were a major negative factor in the evolutionary process. Psychological, political and religious beliefs, when they no longer corresponded to the new social and economic conditions, became prejudices which affected the speed and extent of social and economic change. For instance, there was a preconception that women were not capable of being surgeons. However, in the Soviet Union, 75 per cent of the surgeons were women. In countries with a long tradition of independence, there was an established pattern of men occupying the most important political offices, but among recently independent countries where the precedent did not exist there were three women prime ministers. According to modern psychology, unquestioning acceptance of traditional beliefs was an obstacle to progress. Conversely, reasoned convictions helped to overcome preconceptions. A society disposed to accept new ideas was the best foundation for achieving effective integration of women in changing world conditions. In such circumstances, specialized education to enable women to engage in a certain kind of work, trade or profession would be accepted as a natural and essential part of the general over-all educational system which would prepare the attitude of society to enable women to participate in the development process. Education and the raising of cultural levels were therefore very important factors in changing the mentality of society.

36. In Greece, young women sought to acquire the best possible education and professional qualifications, often through considerable sacrifice. In that connexion, she outlined statistics showing the development of women's education in her country. It was now common for girls to enter university, whereas in the previous generation over 30 per cent of women had been almost illiterate. Greek women were active in all the professions. Nevertheless, certain established forms of discrimination still existed, particularly with regard to promotion, and fresh discrimination had arisen in the course of the economic development of the country. In the private sector, the highest paid positions were usually held by men. Because of the predominance of

women in competitions for posts in the public sector, the Government had introduced separate examinations for men and women, which was a new form of discrimination. Ninety per cent of the successful candidates for posts in banks were women, but the banks employed women only as typists. Greek women's organizations had protested at that situation but had not achieved satisfactory results. They would increase their efforts during the International Women's Year and would also concentrate on securing equal pay for equal work. In co-operation with mixed professional associations, the organizations planned to hold a seminar on the role of women in modern, democratic society, as a contribution to the process of the integration of women, particularly in public life, and to the strengthening of democracy, since women's rights should be seen in the context of human rights in general. For that reason, the vast majority of Greek women had refused to accept office during the dictatorship because they considered that collaboration with people who had abolished human rights would not advance the cause of women and would be a set-back for society as a whole. Women's organizations had refused to collaborate with the junta. The Women's Rights League had had no contact with the illegal régime concerning the preparations for the International Women's Year. Throughout the long years of the dictatorship, it had confined its activities in support of women's rights to articles in the press and lectures. Following the return of democracy to her country, women's organizations were glad to co-operate with the new democratic Government in the preparation of a new programme to mark the International Women's Year, while continuing with their own original initiatives. The events to mark the International Women's Year were being prepared in co-operation with the major mixed organizations in the country because co-operation between the sexes was essential at the present stage in the struggle for equality.

37. Mr. RAZA (Pakistan) said that although his delegation fully supported the objectives of draft resolution A/C.3/L.2113/Rev.1, it felt that subparagraph (a) of the first paragraph of the preamble should be reworded. The idea of equality, which according to the dictionary meant sameness, needed spelling out. Men and women were not the same, and there were differences even between members of the same sex. What the sponsors had in mind was equality of opportunity between men and women. He would therefore suggest that the words "of opportunities" should be inserted after the word "equality" in subparagraph (a).

38. His delegation had been impressed by the quality of the statements made by previous speakers. The representatives of Egypt and Saudi Arabia had explained the status of Moslem women throughout Moslem history, which had been very high indeed. The Prophet Mohammed, who had had great respect for women had impressed upon his followers the need to bring about parity in education between men and women.

39. In Pakistan, there had been a wind of change since its achievement of independence in August 1947. Women were no longer veiled and were making strides in all walks of life. Some 80 per cent of the population of Pakistan was still engaged in agriculture and allied activities; village women had always fully participated in agricultural operations and had helped their fathers, husbands and sons to obtain better

yields from their fields. In urban areas, however, women had tended to confine their activities to the home. They had lagged behind in education and consequently in the professions. Mohammed Ali Jinnah, the founder of the State of Pakistan, had laid great stress upon the full participation of women in all spheres of public activity. Under his encouragement, the All Pakistan Women's Association had emerged and it had become very active in the educational and social fields throughout the country. Girls were doing better than boys in Pakistan's educational institutions. Although girls were outnumbered by boys, they outdid the boys in the quality of their work. They topped the list in university examinations and a woman had been first on the list of successful candidates in the competitive examination for the top public service positions of Pakistan. The Vice-Chancellor of Islamabad University was a woman, and more and more women students were enrolling in engineering and medical schools every year. There were many women doctors in Pakistan, but not enough nurses. There were women professors, journalists, lawyers, engineers and architects. Women occupied executive, judicial and secretariat posts, where they were acquitting themselves well, and they had jobs in banking and insurance and took part in trade union activities.

40. A conservative sector of the population of Pakistan wished to confine women's activities to the home but they were unable to stem the rising tide, and women were participating in all spheres of social and national activities. Of the four governors of provinces in Pakistan, one was a woman. Women were eligible for election to the National Assembly of Pakistan, and all men and women who had attained the age of 18 years were entitled to vote in those elections. Ten seats had been reserved for women for a period of 10 years. The Deputy Speaker of the National Assembly was a woman, and also a doctor. Women could stand for election to the provincial assemblies; 5 per cent of the seats in each of those assemblies had been reserved for women for a period of 10 years.

41. In conclusion, he wished to thank the Government of Mexico for offering itself as host to the forthcoming international conference for the International Women's Year, to which he wished every success.

42. Mr. FALL (Senegal) said that, in proclaiming 1975 the International Women's year, the United Nations had sought to promote an awareness among Governments and world public opinion of the relatively marginal situation of women, who made up over half of humanity. The main goals of the Year, which were reflected in the preamble of draft resolution A/C.3/L.2113/Rev.1, coincided with those of the United Nations, namely, the promotion of equality, development and peace.

43. The international conference which was to take place in Mexico in 1975 would represent one of the culminating events of the Year, and he wished to thank the Mexican Government for having offered to act as host to it. The conference would focus attention on an evaluation of the roles of men and women in society and an examination of the main obstacles which prevented men and women from contributing to the total development effort as full partners; in addition, it was to launch an international action programme, including both long- and short-term measures

designed to improve the status of women, including those who were victims of colonialism and foreign domination. In that connexion, his delegation, as one of the sponsors of draft resolution A/C.3/L.2117 entitled "International Women's Year Conference", would support any moves to invite the national liberation movements recognized by regional bodies to participate as observers in the conference. Moreover, it would appreciate receiving the preliminary programme of the conference from the Secretariat as soon as possible.

44. His Government would give favourable consideration to the appeal by Mrs. Sipilä, the Secretary-General of the International Women's Year, for voluntary contributions to the international fund for the Year, and welcomed the fact that other Member States, such as the Philippines and the United States of America, intended to make a positive response to that appeal. His delegation considered that intergovernmental and non-governmental organizations, private foundations and individuals should also be invited to contribute to the fund. In that connexion, he noted with satisfaction that some specialized agencies and other organizations had already expressed their intention of doing so.

45. Various studies had shown that a very close relationship existed between the level of development of a country and the status of women. He therefore wished to summarize briefly the action taken in Senegal to promote equality of rights between men and women and to improve the status of women. The basic legal instruments were the Constitution and Code on the Family. The preamble of the Constitution proclaimed the fundamental rights embodied in the Declaration of the Rights of Man and of the Citizen of 1789 and in the Universal Declaration of Human Rights. Senegal was a secular, democratic and social State, which ensured equality before the law for all its citizens, without distinction as to origin, race, sex or religion. The Constitution guaranteed to all adult Senegalese citizens of both sexes equal rights with regard to the franchise, election to public office, employment and the ownership of property.

46. The Code on the Family was based on two main ideas: devotion to indigenous cultural values and an open approach to seminal influences from abroad. The Code guaranteed to Senegalese women full freedom of choice in marriage, established a minimum age for marriage and stipulated that at the time of the celebration or registration of a marriage, the husband must choose between the monogamous or polygamous form of marriage. Although the husband was head of the family, unless otherwise decided by the courts, both spouses had equal status and mutual obligations. Women enjoyed full legal capacity and the rights of the spouses were determined by the marriage settlement adopted. With reference to the dissolution of marriage, unilateral repudiation was abolished, although the marriage could be dissolved by divorce at the request of one of the spouses or by mutual consent; moreover, the Code guaranteed the right of women to alimony and ensured that the interests of the children were protected. Finally, questions of succession were settled by reference to the rules of Moslem law or the principles inherited from the French civil code.

47. With respect to the *de facto* situation of women in Senegal, he noted that since independence a number of

measures had been taken and a programme of action adopted, within the framework of the various development plans, with a view to promoting the emancipation and advancement of women. Those measures included educational programmes directed towards women in rural and semi-urban areas, as well as information campaigns, exhibitions and conferences in rural areas in the various national languages, as part of the campaign against illiteracy.

48. At the political level, the National Council for Women, on which all the women's associations throughout the country were represented, participated in various activities and co-operated with women's organizations in other countries. Working groups of the Council were being set up to study the progress achieved by women and to prepare for the International Women's Year.

49. The access of women to high posts and their participation in the decision-making process were strongly encouraged at all levels, in the Government, in Parliament, in the judiciary and in the business world.

50. Despite all the efforts that had been made, however, much still remained to be done, since women continued to be handicapped by the survival of certain traditional roles assigned to each sex. The level of education of women still fell short of the proclaimed goals, and it should be noted that, in certain cases, the attitude of women themselves sometimes hindered efforts to improve their status. Nevertheless, the growing awareness among women of their rightful role in society, the substantial progress achieved towards the improvement of the status of women, the determination shown by Governments and international organizations and the impact which the International Women's Year would have were all factors which strengthened his delegation's conviction that women would make a vital contribution to the promotion of justice, fellowship, understanding and solidarity among all peoples.

51. Mrs. MTENGA (United Republic of Tanzania) welcomed the initiatives taken by the Secretary-General and the Commission on the Status of Women with a view to the promotion of equality between women and men and said that her Government would give its full support and co-operation to ensure the success of the International Women's Year. Various measures had already been taken in her country to achieve the objectives of the Year, namely, to promote equality of rights, opportunity and responsibility between men and women to ensure the integration of women and youth in the international development effort and to enhance the political role of women and their participation in policy-making at the national level.

52. In her country, equality between men and women before the law had always been recognized as was reflected in the Constitution and in other laws. Recognition of equality between men and women was not simply a matter of political prudence, but a question of principle. No nation which truly believed in the equality of human beings could divide its citizens, giving privileges to some while denying them to others; in an egalitarian society, all citizens should share equal rights and equal duties. Tanzanian women had the right to vote and to be elected to any position of leadership in politics and in the Government, at both the village and the national levels.

53. The National Union of Tanzanian Women, which had been established following independence to promote the participation and advancement of women in society and to facilitate their total emancipation, was an affiliate of the Party and had its own development programmes within the framework of the national programme. It mobilized women throughout the country for the purpose of implementing various Government decisions and advised the Party and the Government on the shaping of policies which affected the status of women. Its recurrent expenditure was met by the Government from a special fund.

54. On the subject of equal access to education, she noted that under the colonial system education had had three main shortcomings: it had been irrelevant to the needs of African society, it had granted a few people higher status in the community, and it had made its recipients desirous of only white-collar jobs in the administration. The decolonization of education meant making education useful to society. That involved ensuring equal access to education and placing greater emphasis on technical education to meet the needs of industrial and agricultural production. With its limited resources, the United Republic of Tanzania was able to give primary education to 52 per cent of the boys and girls of primary-school age, of whom 13 per cent subsequently obtained a secondary education. Girls now had equal access to education at all levels.

55. At the time of independence, a large percentage of the Tanzanian population had been illiterate. It was the goal of the Government to eliminate illiteracy throughout the country by 1976, and Tanzanian women were playing a very important part in the achievement of that goal.

56. With regard to employment, her Government considered that work was a right and obligation of every citizen, regardless of sex, and equal pay was given for equal work and qualifications. While there were women doctors, teachers, lawyers, administrators and so on in the United Republic of Tanzania, far fewer women were employed in the various public institutions and establishments than men, although there had been a substantial improvement in the situation since independence.

57. Women were involved in all sectors of the national economy. Ninety-five per cent of the population still lived in rural areas and the Government was carrying out a development plan designed to reduce the differences between urban and rural living conditions. To that end, more rural health centres, baby and ante-natal clinics and nutrition centres were being built in rural areas, and there were plans to provide them with clean drinking water, electricity and an improved infrastructure. It was hoped that that programme would result not only in equal living conditions in urban and rural areas, but also in a reduction in the influx of young men and women into towns and cities, where there was no employment for them.

58. Furthermore, since the defence and security of the nation was considered to be the duty of all Tanzanians, there were women in the defence and police forces and in the militia.

59. The proclamation of 1975 as International Women's Year was very significant in the history of the United

Nations. The fact that it was considered necessary to hold the Year was a clear indication that women had not had a fair deal in society. Her delegation hoped that the Year would create great awareness in the world community of the disparities between the conditions of men and women, and that all countries, at both the national and international levels, would do their utmost to remedy the situation.

60. In conclusion, she announced that her delegation had become a sponsor of draft resolution A/C.3/L.2113/Rev.1 and associated itself with the views expressed in draft resolutions A/C.3/L.2117 and A/C.3/L.2118. She expressed the hope that they would all be adopted unanimously.

61. Mrs. BALDE (Guinea) noted that the question of the status of women had a considerable impact on the quality of social relationships and on life itself. Accordingly, her delegation welcomed the proclamation of 1975 as International Women's Year, and expressed the view that it would provide an ideal framework for an assessment of the progress made in the struggle to achieve the emancipation of women. In that connexion, her delegation hoped that the efforts made would focus on the objectives of the programme, namely, the promotion of equality between men and women, the integration of the latter in the development process and the recognition of the importance of the contribution of women to the strengthening of peace.

62. Human society was one and indivisible, and whatever affected women was also of concern to men. That truth had a special importance for the independent African States, which were pleased to note the growing international contacts between women. Women made up over 50 per cent of the world population and must reaffirm their

determination to make their presence felt as worthy fighters for freedom, equality and peace, enjoying the same rights as men.

63. In Guinea, there was no discrimination on grounds of sex. The rights of all were recognized and respected in all fields. Guinean women participated actively in political, economic and cultural life and enjoyed equal access to education. The percentage of illiteracy was lower among women than among men, and women held posts of high responsibility including those of general manager of a firm and a Minister in the Government. Women were members of Parliament and were employed in all sectors of the economy, receiving equal pay for equal work.

64. The liberation of Africa could not be complete without the liberation of African women. Society must be transformed in order to eliminate every form of exploitation and discrimination. Every effort must be made to remove the underlying causes of inequality between men and women; the role of the latter should no longer be limited to the family, but should extend to the political, economic and cultural fields. Her country, which was striving to overcome the burdens of its colonial past, would support all efforts to improve the status of women, who had an essential role to play in the general development effort and in the establishment of peace and on whom the future of human society largely depended.

65. In conclusion, she suggested that, in view of the importance of the subject, the Secretary-General should be requested to prepare a basic report on each of the matters to be dealt with during the International Women's Year.

The meeting rose at 6 p.m.

2077th meeting

Thursday, 31 October 1974, at 3.15 p.m.

Chairman: Mrs. Aminata MARICO (Mali)

A/C.3/SR.2077

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2113/Rev.1, 2117, 2118/Rev.1, 2121-2133)

1. The CHAIRMAN announced that Japan, Peru and Tunisia had become sponsors of draft resolution A/C.3/L.2113/Rev.1, that Belgium and Gabon had become sponsors of draft resolution A/C.3/L.2118/Rev.1 and that Iran had become a sponsor of draft resolution A/C.3/L.2117, all of which dealt with the International Women's Year.

2. Mrs. MEMET TANUMIDJAJA (United Nations Childrens Fund) said that at the annual session of the Executive Board of UNICEF, held in May 1974, there had been general agreement that a number of the objectives of the International Women's Year, which would be celebrated in 1975 in accordance with General Assembly resolution 3010 (XXVII), were very much in line with the concerns of UNICEF, and that the latter could therefore participate significantly in the Year.

3. For many years, UNICEF had been assisting in programmes designed to reach children through their mothers and to provide education and training for better child rearing, home improvement, nutrition and health. Such programmes were carried out through women's clubs, community centres and church groups among others, with

Government and voluntary assistance. However, UNICEF had broadened its view of late, and there was currently a concern to increase the capacity of women and girls to participate in the life and development of their community and to raise their earning power through better skills, improved food production and marketing, home industries, co-operatives and so on, with the advice of the United Nations agencies concerned.

4. Programmes for women were regarded as closely related to, or as an integrated part of, larger programmes designed to raise the levels of living of the family and the community, and were placed in the context of national development plans. The aim was to help women both to become useful citizens and to understand the changing contemporary world, and also to strengthen peace, democracy, independence and human rights, the indispensable conditions for progress in the developing countries.

5. The effort to promote the status of women in the developing countries was pursued through various programmes: formal education designed to meet the special needs of women and girls; non-formal education, with greater emphasis on literacy, taking into account the close link which should exist between the type of training received and the needs of everyday life; easing the burdens placed on women through the provision of village water supplies and the use of simple technology for village and home use; day-care centres; and the extension of health services, including family planning, to much greater numbers of mothers and children.

6. Through such programmes, UNICEF felt that it could make a substantial contribution to International Women's Year, the influence of which had already led UNICEF to give greater attention to those aspects of its programmes which were designed to improve the status of women. Its action was also a response to the World Population Plan of Action¹ adopted by the World Population Conference in Bucharest in August 1974, which attached great importance to the improvement of the status of women. To that end, a number of country programmes, and possibly some regional projects specifically designed to achieve the above-mentioned goals, were expected to be submitted to the next session of the Executive Board for approval. In addition, UNICEF would make a special effort in the field of public information, in order to emphasize the situation of women in developing countries and the benefits to them of the type of programmes supported by UNICEF.

7. She expressed the hope that any national machinery set up in the industrialized countries to promote the Year, and any efforts undertaken by non-governmental organizations, would give due attention to educational measures to improve the status of women in developing countries and to the contribution which could be made to the achievement of that goal through various forms of outside aid. In that connexion, she said that UNICEF National Committees, which existed in some 30 industrialized countries, would be willing to provide assistance in the form of printed materials, films, displays, technical know-how and other information.

¹ E/5585 and Corr.1, chap. I.

8. Mrs. NTIRO (Uganda) noted that the Minister for Foreign Affairs of her country, Miss Elizabeth Bagaaya, had stated at the 2245th plenary meeting of the General Assembly that there was no discrimination based on sex in Uganda and that women in her country were fully emancipated and shared the same responsibilities as men in all fields of activity. She had added that Ugandan women were currently preparing for the celebration of the International Women's Year.

9. The fact that a woman held the post of Minister for Foreign Affairs in Uganda was not an isolated case, since women participated in most sectors of Uganda's national life. Her country had just gone through what it called the "economic war", which had accelerated the emancipation of women in Uganda, just as the two World Wars had produced the same results in the western countries. Before the declaration of the economic war, the bulk of Ugandan women had played only those roles assigned to them by society. As a result of that war, large numbers of women were currently participating in activities previously reserved for men and foreigners, especially in industry and commerce, and they needed moral and material encouragement in their endeavours.

10. Her delegation welcomed the fact that a world plan of action to promote the status of women was to be adopted during the International Women's Year. It hoped that such a plan would be followed by concrete action, and that 1975 would mark the beginning of a concerted and sustained effort to enable women to realize their potential and become effective participants in every sphere of human activity. With reference to the voluntary fund for financing the Year, she observed that the economically disadvantaged countries, although they had only limited resources, would give generously. However, their support should be measured in terms not of their contributions to the voluntary fund but of their enthusiasm and participation in implementing the Programme for the Year (Economic and Social Council resolution 1849 (LVI), annex).

11. Her delegation hoped that ordinary and underprivileged women in both urban and rural areas would participate in the activities of the Year, since it was more difficult to improve their status than that of educated and sophisticated women. In carrying out the programme for the Year, the advice and the wealth of information and experience acquired by intergovernmental and non-governmental organizations in dealing with underprivileged women should be drawn upon. Although such organizations had no power and their resources were limited, they had contacts with the women who needed to be reached and they should be encouraged in their efforts to help women become part of the international community.

12. With reference to the employment of women, she noted with satisfaction that the United Nations was considering the problem and was actively planning to remedy the existing situation in the secretariats of bodies within the United Nations system. Such an example should be followed by all employers of goodwill, thus contributing to improving employment opportunities for women all over the world.

13. In conclusion, she said that her delegation would support the three draft resolutions currently before the Committee concerning the celebration of the International Women's Year.

14. Mr. JANKOWITSCH (Austria) noted that on the eve of the International Women's Year there still remained stubborn resistance to the many efforts made to secure respect for the principle of equality between the sexes. The Secretary-General had rightly observed in one of his most recent statements that despite the number of resolutions adopted since 1945, the status of women in society was still characterized by serious injustices, most of which were implicit rather than explicit. Discrimination took subtle forms in education, professional life and social attitudes towards the equality of the sexes.

15. The time had come to desist from futile accusations and feminist bickering and to take a more constructive approach to the problem. The Commission on the Status of Women had made an important contribution to an understanding of the complexities of the situation of modern women and had initiated a change in attitudes which had led to tangible results in the field of women's rights. From that point of view, the Year marked the beginning of a new era in relations between the sexes.

16. In Austria there was a firmly established tradition of equality of the sexes before the law. The fundamental role played by women in the political, economic, social and cultural life of the country had brought about a basic transformation of the social structure, and legislative measures had been taken to improve the legal status of women. A nationality law had been enacted 10 years earlier providing that Austrian women who married foreign nationals would not automatically acquire the nationality of the husband. The legal status of children born out of wedlock had been reformed by a law enacted in 1971 which strengthened the position of the mother, giving her primary responsibility for the child and its education, and guaranteed the latter equal legal status with legitimate children. The law further stipulated that a child born out of wedlock would acquire the name of its father only with the express consent of the mother. Moreover, a reform of the body of civil law relating to the family, involving an adaptation of private law on the basis of the principle of equality of the sexes, was under consideration by the Ministry of Justice. Upon adoption of the various reform bills by the Austrian National Assembly, a new legal order would govern relations between the sexes.

17. Referring to the activities contemplated by Austria in connexion with the Year, he noted that the measures outlined in the Programme for the International Women's Year to be taken at the national level had met with a very favourable response in his country, and that an inter-ministerial committee had been set up a month earlier to co-ordinate all measures taken by various official and private institutions relating to the Year. A number of activities had already been organized. At the beginning of 1975 a ceremony would take place under the auspices of the Federal Government which would include a statement by the Minister of Science and Research, who was a woman and who played a major role in the promotion of women's rights in Austria, as well as statements by the President of

the Republic and the Federal Chancellor. Moreover, the Ministry of Social Welfare would launch a large-scale campaign to ensure the widest possible dissemination of information concerning the goals of the Year. To that end, articles concerning the ideals and goals of the Year would be published in the daily press and in various periodicals. Long- and short-term programmes initiated by the Austrian Government relating to the promotion of the status of women would be given wide publicity. The Declaration on the Elimination of Discrimination against Women (General Assembly resolution 2263 (XXII)) would be disseminated by the federal authorities, and the Austrian radio and television network would broadcast special programmes prepared by experts on the problems of women. There were plans to televise three films on the themes of women as partners, discrimination against women and portraits of successful women. Audio-visual material would also be placed at the disposal of vocational training institutions, and the Austrian Government would produce a film entitled "A New Departure", specifically for women who wished to return to professional life. A commemorative stamp would be issued bearing a text and an illustration relating to the Year. In addition, an exhibition on the theme of "Women in the Arts" would probably begin in March 1975, and similar exhibitions were contemplated for educational institutions. The main objective of all those activities was the more active participation of women in all sectors of economic and public life.

18. "Women as Partners" had been chosen as the motto of the Year in Austria, thus placing the accent on participation. In that connexion, he observed that equality of the sexes did not end in professional life, but involved also the sharing of tasks and responsibilities within the family, an aspect which would be emphasized during the Year.

19. There would be public discussions on the subject of the education and vocational training of women, and the participation of women in decision-making processes at both the national and the international levels. The Ministry of Education and the Arts would promote programmes designed to demonstrate the role of women in the past and in modern times and to provide better training for women. Moreover, the various institutions representing the interests of employees and employers would obtain the necessary material to enable them to contribute to the efforts to improve the status of women in professional life. In that connexion, the important role played by consultative committees in Austria should be emphasized. A special committee on the problems of women set up in 1969 had undertaken a series of studies on the improvement of the status of women. Various political parties also intended to establish consultative committees in order to increase the participation of women in the process of political decision-making. Other special activities were contemplated in the fields of political science, journalism, the reform of family laws and the elimination of discrimination against women in the industrial and commercial sectors, family planning, public health and maternal and child welfare.

20. His delegation had become a sponsor of draft resolution A/C.3/L.2113/Rev.1 because of its conviction that measures taken at the national level must be accompanied by international co-operation. In conclusion, he noted with satisfaction the efforts made to increase the number of

women employed by the United Nations Secretariat and said that Austria would support any initiatives in the form of draft resolutions submitted for that purpose in the Fifth Committee.

21. The CHAIRMAN said that although the list of participants in the debate on chapter V, section D, of the report of the Economic and Social Council (A/9603) had been closed at 6 p.m. on Friday, 25 October, seven more delegations had requested to speak, namely, Afghanistan, Grenada, Kenya, China, Rwanda, Cuba and Ethiopia. If she heard no objections, she would include those delegations on the list of speakers for that item.

22. Lady GAITSKELL (United Kingdom) said that her delegation had no objection to the addition of the seven more speakers, but hoped that their statements would be short enough so that the number of days devoted to the item would not have to be increased.

23. The CHAIRMAN agreed with the representative of the United Kingdom that the statements should be kept as brief as possible, since the Committee was already behind in its schedule.

24. Mr. VERRET (Haiti) said that his delegation fully supported the principles and goals of the International Women's Year as proclaimed in General Assembly resolution 3010 (XXVII). The celebration of the Year was a recognition of the growing contribution of women to the development of friendly relations among States and the strengthening of peace as well as of their right to equality of treatment in all fields. Women in Haiti enjoyed full civil and political rights under the Constitution, which proclaimed the equality of all citizens, regardless of race, sex, belief or religion. They had equal access to education and were subjected to no discrimination in professional life and the civil service. They played a central role in, and made substantial contributions to, the economic and social development and the political life of the country, within the framework of the policy of social justice of the President of the Republic.

25. His delegation would therefore support draft resolution A/C.3/L.2113/Rev.1 and any other draft resolutions designed to promote the status of women.

26. Miss BIHI (Somalia) commended the Assistant Secretary-General for Social Development and Humanitarian Affairs and the Deputy Director-in-Charge of the Promotion of Equality of Men and Women Branch on their valuable statements introducing the report of the twenty-fifth session of the Commission on the Status of Women² at the 2071st meeting. Those statements had clearly shown the deep concern of the United Nations for the destiny and status of more than half the human race and its efforts to enable women to develop and utilize their potential for the betterment of their societies and peoples. She endorsed the statement at the 2072nd meeting by the representative of Egypt that the role of women in society had, from time immemorial, directly reflected society's moral, intellectual and cultural strength. The advancement of women could

not be divorced from the general development of the society in which they lived. In that connexion, her delegation welcomed the report of the Commission on the Status of Women and the report of the Working Group to the Commission and supported the conclusions and recommendations therein concerning the draft programme for the International Women's Year, subsequently adopted by the Economic and Social Council in its resolution 1849 (LVI). That programme would be an important contribution to the attainment of economic development, peace and equality in the world. It was aimed at providing women with equal rights, responsibilities and opportunities, integrating them in the total development effort, ensuring their direct participation in the process of decision-making at all levels and increasing their political responsibilities. Implementation of those commendable objectives would necessitate a change of attitude among women. They must become active, full participants in the economic, political and social mainstream of their societies. The misconception that the full integration of women in society would diminish the privileges and rights enjoyed by men must be overcome. Women, youth and children in territories under colonial domination, foreign occupation and *apartheid*, had been deprived of their basic human rights and fundamental freedom. The international community would be failing in its duty if it did not give due consideration to their plight.

27. Referring to the position of women in Somali society, she pointed out that among the objectives of the Government of the Somali Democratic Republic was the creation of a society founded on the principles of popular sovereignty, equality and justice and the right of all Somali citizens, without distinction, to a better social life. It was recognized that women would play a vital role in the building of that society. Important measures and laws aimed at eliminating discrimination against women in areas such as marriage, divorce, heredity, employment and education were being put into effect; the Supreme Revolutionary Council of the Somali Democratic Republic had established a Department for Women's Affairs, headed and run by women. The revolutionary policies of her country were aimed at eliminating the exploitation of man by man and correcting the imbalances and injustices inherited from the colonial period. Her country had embarked on a course of radical revitalization and rational utilization of all its resources in order to achieve rapid economic development. Women had been the main beneficiaries of that change and had been given an opportunity to play an important role. In urban areas, women who through cultural traditions and limited access to education had previously lagged behind men were now actively involved in the nation-building process at all levels. In that connexion, she expressed her country's appreciation of the important assistance provided to developing countries by the United Nations specialized agencies, and, in particular by organizations such as UNESCO, WHO, FAO and UNICEF to the women, youth and children of her country.

28. The institution of a "self-help" approach to development had achieved interesting results in Somalia. It had inculcated an attitude of self-reliance in the minds of the people and had gone a long way towards eliminating prejudice and discrimination between the sexes and establishing mutual co-operation and respect. Women now worked side by side with men in all sectors of the

² Official Records of the Economic and Social Council, Fifth-sixth Session, Supplement No. 4.

economy—and their contribution to the economy and general well-being was far greater than had been envisaged.

29. Implementation of the Programme for the International Women's Year would focus world attention on the aspirations and needs of women as human beings and would lay the basis for the creation of healthier and more just societies. The United Nations must play a catalytic role and set an example. She noted with regret that the percentage of women employed within the United Nations system showed little increase. That situation must be corrected taking into consideration women's absence from the highest echelons of the Secretariat and the principle of equitable geographical distribution. She expressed appreciation for the contribution made by the Government of the Philippines to the fund for voluntary contributions for the International Women's Year and to the Government of Mexico for its offer to host the Conference in June 1975. Her country would participate in the Programme for the International Women's Year and would spare no effort to contribute to its success.

30. Miss VEGA (Peru) commended the Assistant Secretary-General for Social and Humanitarian Affairs and the Deputy Director-in-Charge of promotion of Equality of Men and Women Branch on their statements at the 2071st meeting, illustrating United Nations activities with regard to the status of women. The Programme for the International Women's Year was aimed at promoting equality between men and women and achieving full integration of women in the struggle for development. It emphasized the importance of women in the achievement of economic, social and cultural development at the national, regional and international levels, particularly during the Second United Nations Development Decade. The establishment of a new and more just world order called for fundamental changes in the social structure of countries, particularly developing countries. Her country was engaged in a process of transforming the social and economic structures of its society with a view to creating a fully representative social democracy. The people were participating in the process of structural change which was being effected through agrarian and educational reform and the creation of social property, as the Foreign Minister of her country had stated in his address to the General Assembly at its 2238th plenary meeting.

31. In Peru, as in other countries with archaic social structures, women had not been able to exercise their rights effectively; they had only limited access to important political and administrative posts and had been the victims of economic and social discrimination. In the context of its Development Plan, the revolutionary Government had adopted various measures aimed at eliminating discrimination against women in the field of employment, education and property, and women were now being recruited for compulsory military service in the health, communications and public administration services. Such actions demonstrated an awareness that social change could not be effected without the active participation of women.

32. Her country had participated in national and international symposiums on the status of women and was participating in the Third Congress of Latin American Women, the theme of which was the elimination of

discrimination against women in education, technical and professional training and access to different professions and occupations, then being held in Lima.

33. Although the position of women had improved, there were still many countries in which women were discriminated against and where legislation aimed at ensuring equal treatment for women was not being effectively implemented.

34. She expressed the hope that Governments would undertake effective action at all levels in order to achieve the aims set forth in the Programme for the International Women's Year. She announced that her delegation wished to be included in the list of sponsors of draft resolution A/C.3/L.2113/Rev.1.

35. Mr. KAAK (Tunisia) gave an account of the political measures which his Government had adopted to improve the status of women in his country. It was the view of his Government that a society could not be progressive and modern unless women played an important role. It had made great efforts in the judicial, cultural and social fields to overcome the effects of centuries of humiliation of women, with a view to enabling them to exercise their basic rights and lead an honourable and decent life. Women had been given the right to vote, polygamy had been abolished, divorce procedure had been regulated and the practice of repudiation of a woman by her husband had been banned. Women enjoyed equal educational rights, mixed schools and institutions for training women and improving their cultural level were being established, and women were active in all the professions.

36. In its efforts to establish a more just and balanced society, his Government had met with opposition not only from men but from women who regarded servility, decadence and bondage as their destiny. A long and arduous struggle would be required to eliminate traditional preconceptions and change the mentality of society.

37. His delegation supported draft resolution A/C.3/L.2113/Rev.1 and wished to be included in the list of sponsors.

38. Mrs. BROWN (Dominican Republic) reiterated her Government's support for the resolutions adopted by the Commission on the Status of Women at its twenty-fifth session.

39. Discrimination against women was an insult to human dignity and endangered the welfare of the family and society. The integration of women was an indispensable factor in the economic, social and cultural development of countries. She expressed the hope that the International Women's Year would be an important contribution to the improvement of the status of women. Her Government actively encouraged the integration of women in all areas of public administration and would intensify its efforts to promote equality of women in the political, economic, social and cultural life of the country during the International Women's Year. To that end, it had adopted a programme aimed at improving health facilities for women and children and providing instruction on personal hygiene, health and family planning matters. The struggle against

illiteracy would also be intensified; adult education classes would be provided for women, particularly in the agricultural sector, and the social services would be improved.

40. Her country was engaged in an intensive campaign to assist the under-privileged sectors of its society. The health, social and educational condition of women must be improved in the interests of family welfare.

41. She expressed the hope that during the International Women's Year States Members of the United Nations would adopt measures to improve the status of women with a view to achieving the objectives of equality, development and peace set forth in the programme for that Year. Her delegation expressed its support in principle for draft resolutions A/C.3/L.2113/Rev.1, A/C.3/L.2117 and A/C.3/L.2118/Rev.1.

42. Mr. KÉITA (Mali) expressed his condolences to the delegation of Iraq on the death of the Iraqi Foreign Minister.

43. The International Women's Year was an important landmark in the efforts of the United Nations to achieve the objectives set forth in the preamble and first Article of the Charter. The report of the Commission on the Status of Women was an important contribution to that process. The International Women's Year provided an opportunity to integrate women in the struggle for development through national, regional and international programmes. Achievement of the objectives of the Year, namely, equality, development and peace, would be an important contribution to the progress of the international community towards the establishment of a more balanced and peaceful international society, in which men and women would be able to exercise their full potential in a climate of peace and international security. The developed countries and the specialized agencies should make material contributions to ensure the success of the International Women's Year.

44. While developing countries such as Mali were anxious to involve women in the struggle for national development, it should be recognized that they did not have the means to implement the programmes proposed in the report of the Commission on the Status of Women for the celebration of the International Women's Year.

45. Since independence, his country had endeavoured to promote the rights of women and the family. It had instituted a marriage code and a family code. The discriminatory labour code of the colonial period had been abrogated and replaced by a code recognizing identical rights and obligations for men and women. In view of the medieval structure, with all its taboos and preconceptions, which his country and other developing countries inherited from the colonial period, their achievements were truly revolutionary. In less than a decade they had reached a social and economic level which older societies had taken centuries to achieve.

46. At the present time, women enjoyed extensive freedom in his country. They had equal access to all public offices and professions. Discrimination was decreasing in all sectors of national life. Women played as equally active a role as men in professional organizations and were repre-

sented in the different decision-making processes of the State. Women's organizations existed to protect their interests and to promote the role of women and youth in the social, economic and cultural development of the country, and extensive maternity and child care facilities were provided.

47. While everything was not perfect in developing countries, their Governments recognized the need to liberate women and integrate them in the active life of the country. The International Women's Year provided the United Nations with an opportunity to consolidate its achievements and assist developing countries in their advance towards the full emancipation of women, since the protection of women and children was part of the process of economic development. In the context of the Second United Nations Development Decade, the Disarmament Decade, the Decade for the Struggle against Racism and Racial Discrimination (General Assembly resolutions 2626 (XXV), 2602 E (XXIV) and 3057 (XXVIII)) the International Women's Year would be an important contribution to the efforts of the international community, through the United Nations, to promote basic human rights with a view to building a new international society based on justice, peace, well-being and progress for all mankind.

48. Understanding and co-operation between States was dependent on co-operation between citizens and the State in a harmonious society. The liberation of women and their integration in the development process would prove beneficial in the economic, social and political fields, by releasing creative energy and providing a competent productive labour force, thereby opening up new perspectives for the progress of mankind and the safeguarding and strengthening of peace.

49. There must be sustained action to improve the status of women and young people in order to overcome discrimination and establish a more just, balanced and harmonious society. The International Women's Year provided a fresh opportunity for further success in the struggle against hunger, poverty, disease and violence.

50. His delegation believed that the deliberations of the Committee would produce constructive and objective recommendations which would ensure the success of the International Women's Year in individual countries and an historic contribution to the realization of the basic aims of the Charter of the United Nations.

51. Mr. AL-QAYSI (Iraq) thanked the representative of Mali for the sympathy he had expressed for Mali on the death of the Foreign Minister of Iraq. His condolences would be conveyed to the Government of Iraq and the family of the deceased.

52. Mrs. HOUNNOU (Gabon) commended the report of the Economic and Social Council (A/9603) and emphasized the importance of the question under consideration. One of the main objectives of the policy of her Government was to achieve equal rights and responsibilities for women, a difficult task, in view of the traditional and wide-ranging discrimination against women throughout history. Preconceptions about women had often become institutionalized and had been incorporated into law. The treatment of

adultery in the Napoleonic Code was an example. Even the United Nations was open to criticism as demonstrated by the lack of women in important posts.

53. A change was taking place in the mentality of society and should be reflected in the establishment of institutions. Otherwise, a revolutionary situation would result because women were conscious of their strength and importance in modern society. The United Nations had shown its awareness of that phenomenon by declaring 1975 to be International Women's Year and convening an international conference on the status of women. That conference would have a positive effect on the evolution of attitude. However, efforts to improve the status of women should not be confined to the United Nations. Greater efforts were required at the national level in order to ensure success of the conference. Her Government had introduced various measures aimed at establishing harmonious relations between men and women and ensuring equal rights and responsibilities to both sexes. Polygamy had been abolished, the dowry system had been banned by Presidential decree and any infringement of that decree was punishable by law. Her Government had also made intensive efforts to improve women's education and had launched extensive illiteracy campaigns. Its efforts had been successful and current school attendance was obligatory for children of both sexes between the ages of 5 and 16 years, while school attendance stood at almost 100 per cent. The Government had adopted concrete measures to deal with the problem of early marriage among young women and had forbidden the expulsion of pregnant mothers from schools. Elementary education was free except for children of high-income parents; scholarships were made available to all students for higher education without distinction of sex and statistics showed a more rapid increase in the number of female students.

54. The education and professional training of both men and women should be related to local and national development requirements. Her Government had made great efforts in that respect and as a result women occupied posts in all sectors of public life, which was a great step forward towards equality.

55. Women were active at all levels of the national Democratic Party. The party had established a Women's Union with a view to increasing women's awareness of the importance of their role in the cultural, social and economic development of the country. All those efforts demonstrated her Government's intention to integrate women into society and make them more qualified to assume their responsibilities. Efforts to achieve equality for women should not produce incompatibility between the roles of working woman and mother and should not be an incentive to family planning. Her delegation strongly condemned such an interpretation not only on moral and religious grounds but also because population problems varied according to region. It was a national problem subject to the sovereignty of the State and inseparable from development. The world spent almost Sw F 625,000 million each year on armaments. If that amount was devoted to assistance to developing countries, the problems of over-population and hunger would be overcome. There were some over-populated areas in the world but that was not the case in Africa in general or in Gabon in particular.

Recent studies had shown that the economic potential of her country could support many million inhabitants.

56. The problem of population was closely linked to the establishment of a new international economic order. It would be solved not through contraception but through development, utilization of natural resources and international co-operation. It was not a separate phenomenon as some countries believed. Geo-political voids encouraged foreign interest. For that reason, her Government had adopted a policy of providing incentives to increase the population.

57. She commended the United Nations initiative in convening an international conference on the status of women which would promote the integration of women in the socio-economic development and decision-making processes. It would provide a suitable forum for States to exchange experiences in collaboration with UNITAD, UNESCO and other organizations experienced in dealing with the problems which would be considered.

58. Her Government welcomed the appeal for international solidarity in operative paragraph 4 of draft resolution A/C.3/L.2113/Rev.1.

59. Mrs. SEKELA KANINDA (Zaire) said that Zaire had been a member of the Commission on the Status of Women since 1972 and had participated in all the debates on the different aspects of the status of women. Her delegation viewed the question of the status of women mainly from the standpoint of women's participation in or contribution to the social and economic development of the country. The words "participation" or "contribution" were preferable to the word "integration", for the women of Zaire had always been integrated in the development process, although the level of their participation had not kept pace with the technical progress of modern society. Zaire was a traditional African society, characterized by a subsistence economy with employment mainly in agriculture. The women of Zaire had always played an important role in rural areas, where they constituted a large proportion of the agricultural labour force.

60. From the point of view of the exercise and enjoyment of social and political rights, women had traditionally been associated with leadership in community activities; but since the new régime under Mobutu Sese Seko had come to power, women had participated more in the affairs of the State. Since 1966 there had always been at least one woman in the Government, and women now occupied important posts in all State bodies, such as the Political Bureau of the Party, the Courts and the National Legislative Council, and under the programme of "Zairization" many women had acquired businesses.

61. If the participation of women in economic and social life was to be increased, the obstacles preventing full participation should be defined. They were two in number: education and the African mentality. The Regional Seminar on the Integration of Women in Development, with special reference to population factors, held at Addis Ababa from 3 to 7 June 1974, had reached the same conclusion. Action in favour of the women of Zaire should be considered against that background. To narrow the gap between what

women were doing and what they should be doing as participants in development, the Government of Zaire was paying particular attention to the eradication of illiteracy. Women in Zaire had equal access with men to education and technical and vocational training. The National Executive Council granted fellowships without distinction of sex. It had not drawn up any special programme for women but had decided on an over-all programme for all citizens, and the State encouraged women by preparing them to fulfil their responsibilities. The Constitution and the laws of Zaire and "Mobutism", the revolutionary doctrine of the Government, recognized women's place in modern society and went hand in hand with a change in attitude, for legislation was of no avail against deep-rooted attitudes.

62. She welcomed the proclamation of 1975 as International Women's Year, which would be of assistance to Zaire in eradicating prejudice. The women of Zaire welcomed the idea of an international women's conference, which would enable them to enrich their experience by contact with women from other countries. They were glad that the Assistant Secretary-General for Social Development and Humanitarian Affairs had been appointed Secretary-General of that conference.

63. Mrs. TRAPOTE (Cuba) said her delegation attached very great importance to General Assembly resolution 3010 (XXVII) proclaiming 1975 International Women's Year, for it implied increasing recognition of the role of women in the economic, political and social development of their countries. The aims of the present decade were the elimination of unemployment and underemployment, universal education for all children, the reduction of illiteracy, the formulation of a health programme, raising the levels of nutrition, more housing and improved housing conditions, better child welfare, full participation of youth in development, and the full integration of women in the total development effort. The guidelines laid down in resolution 3010 (XXVII) would be of great assistance in promoting the advancement of women and increasing their participation in the life of their countries.

64. Since the triumph of the revolution in Cuba in 1959, women had achieved full equality with men and secured the effective application of the laws on women's rights, which had been a dead letter up to then. In the current year, a family code had been discussed which recognized equal responsibility for men and women in the family and society. For that reason, her delegation attached great importance to the study of the laws protecting women and the family, of the actual implementation of those laws and of the effects of new legislation. Such work should be given wide publicity so as to draw attention to the problems of women and of the obstacles to the recognition of their equality with men in economic, social, cultural and political life. Her delegation attached great importance to the final adoption of the draft convention on the elimination of all forms of discrimination against women,³ as that would be a great step forward towards equal rights for women.

65. In preparation for the International Women's Year, Cuba had set up a national preparatory committee to deal with the activities for the Year. The Chairman of the

National Committee was the Deputy Prime Minister for Education and Culture, and the membership consisted of representatives from the different ministries, from international organizations connected with the status of women, and from trade union, youth and women's organizations. The Committee would give wide publicity to the status of women in Cuba and would organize women's days aimed at achieving a better understanding of women's role in society. All the organizations represented on the Committee would submit programmes of activities. The Federation of Cuban Women would hold a national congress in November 1974 at which the role of women at work, in rural areas and in the home would be discussed. The Federation was also organizing a seminar on the access of women to training and education and the development of women's organizations in the Caribbean countries in co-operation with another women's organization and UNESCO. In view of the importance of the conference to be held during the International Women's Year, one of the main objectives of which was to increase the contribution of women to the development of friendly relations and co-operation among States, special importance should be given to the strengthening and development of international humanitarian law, particularly measures to protect women and children in emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence (see Economic and Social Council resolution 1861 (LVI)). In view of the fact that women and children suffered most in such conflicts, the conference should strive to agree upon special protective measures for them.

66. Mrs. GRINEVICH (Byelorussian Soviet Socialist Republic) said that the work of the Third Committee and the Commission on the Status of Women showed that there had been progress towards the attainment of equal rights for men and women in recent years, but discrimination against women still existed, and there were still many laws restricting women's rights in the political, economic and social fields and in relation to the family. Article 10 of the Declaration on the Elimination of Discrimination against Women (General Assembly resolution 2263 (XXII)) called for measures to ensure to women equal remuneration with men but even in some developed countries, women often received less pay than men for the same work, were discriminated against where access to education and training were concerned and occupied less interesting and less well-paid jobs than men. The celebration of the International Women's Year should draw the attention of the public and of Governments to the position of women in society and to the need to adopt measures to eliminate existing obstacles to the attainment of full rights for women. With regard to the theme of the International Women's Year, she observed that it should be possible to achieve the aims of equality, development and peace thanks to the present atmosphere of détente.

67. The Constitution of the Byelorussian SSR went further than the Declaration on the Elimination of Discrimination against Women and the provisions of various conventions relating to the rights of women, for it not only proclaimed equal rights for men and women but provided machinery for implementation. In the Byelorussian SSR, women had unlimited opportunities to participate in all spheres of national life, and the number of women participating in political, social and economic

³ *Ibid.*, para. 91; see also para. 3.

activities was increasing every year. Women were even in the majority in some areas, such as public health, social welfare, trade, culture and education, where 80 per cent of the jobs were held by women. They were also active as factory managers and directors of agricultural establishments and in research. In State affairs, 157 out of 420 deputies to the Supreme Soviet were women. Thirty per cent of all judges were women also, and there were many women on the Council of Ministers and in the various ministries. Women not only had equal access to work with men, they had equal opportunities to improve their qualifications; women accounted for about 60 per cent of the total number of persons employed in the national economy having higher and specialized secondary education, 51 per cent of the current enrolment in higher educational establishments and 60 per cent of the enrolment in specialized secondary schools.

68. The Government of the Byelorussian SSR was concerned to ensure the constant improvement of conditions for the exercise of men's and women's rights. Living standards were rising every year and measures were being taken to free women from the burden of domestic toil. In production and other employment, mechanization was making women's work easier. They were entitled to paid maternity leave and could return to their jobs within a year after the birth of their children. *Crèches* and kindergartens were provided, with trained staff and medical attention, for the children of working mothers.

69. The activities to be undertaken at the international, regional and national levels under the Programme for the International Women's Year would certainly help to bring about an improvement in the status of women and the fuller integration of women in society. The activities at the international level should be focused on bringing about the adoption of the draft convention on the elimination of all forms of discrimination against women and on giving effect to the declaration on the protection of women and children in emergency and armed conflict contained in Economic and Social Council resolution 1861 (LVI). The convention would contain provisions for the advancement of women that were not to be found in the existing instruments, and its adoption would show that the United Nations was determined to protect women's rights, a worthy contribution to the Year. There was a crying need for the implementation of the declaration on the protection of women and children in emergency and armed conflict in view of the numbers of women and children that were the defenceless victims of violence and lawlessness.

70. The experience of the socialist countries showed that the problems of the status of women could be solved only at the Government level. No civic or private organizations could hope to succeed in such a task. It was for the State to take the necessary legislative and executive action.

71. She trusted that the greater involvement of women in the life of society to be brought about during the International Women's Year would not end with the Year itself. Progress must continue until all the problems had been solved.

72. Mr. ÓLAFSSON (Iceland) said that the favourable response of the international community to the call for an

International Women's Year arose from the need to redefine and readjust the traditional roles of men and women in a world undergoing rapid social change. Those traditional roles affected the very essence of human society and the concept of individual identity and involved some of the most complex and sensitive questions of human existence.

73. The ultimate solution of the problem would have to be found at the level of the family, where personality took form and basic sex roles were defined by precept and unconscious adaptation. In that connexion, the trend was clearly away from the patriarchal family towards a family based on equality between the sexes.

74. International arrangements must now be made to facilitate the achievement of the goals of the Year. His delegation considered that draft resolutions A/C.3/L.2113/Rev.1, A/C.3/L.2117 and A/C.3/L.2118/Rev.1 represented an important step in that direction and would therefore support them.

75. With reference to efforts to ensure equality of treatment and opportunity for both sexes in Iceland, he said that the principle of equal pay for equal work had been introduced a decade earlier and that an Equal Pay Council had been established to ensure its application. Legislation had been enacted to eliminate all vestiges of discrimination in education and the appointment of teaching staff. Moreover, the Ministry of Education had instructed all schools to devote a certain amount of time during the Year to the teaching of appropriate subjects emphasizing the principle of equal rights for both sexes and the contribution of women, both historically and currently, to the culture and economy of Iceland. In conclusion, he said that a commission composed of representatives of women's organizations and official bodies would initiate and co-ordinate activities undertaken in Iceland in connexion with the Year.

76. Mrs. DUBOIS (France) emphasized the importance which her Government attached to the International Women's Year, for which preparations were being made. An organizing committee for the Year, composed of eminent persons and representatives of ministries and women's organizations, had been established to draw up a programme of events. An information campaign to arouse public awareness was being undertaken through the mass communications media, with the assistance of the French Association for the United Nations. Lastly, the Ministry of National Education and la Documentation française was taking steps to involve young people in the activities for the Year by organizing seminars, lectures and special courses and issuing publications.

77. Turning to the international level, she wished the international Conference every success, and supported draft resolution A/C.3/L.2117, of which France would like to become a sponsor. It supported the draft on the understanding that the activities of the Year would be directed entirely towards the integration of women in the economic, social and cultural development of their countries. It also wished to join in sponsoring draft resolution A/C.3/L.2118/Rev.1.

78. The preparation of a draft convention on the elimination of discrimination against women recommended by the

Commission on the Status of Women would be a difficult task. In view of the great diversity of situations in the different countries, it might be desirable to leave Governments to decide what measures would be suitable in their own particular cases. In the meantime, efforts should be made to secure stricter implementation of the existing instruments. In France, for instance, complete equality between men and women as regards legal capacity had recently been recognized by law.

79. The Commission on the Status of Women had drawn attention to family planning as a means of improving the status of women. Her delegation would be the last to underestimate the importance of the problem or to question the soundness of the aim, but as the situation varied from case to case, it was impossible to apply any general rule that would fit all situations. A pragmatic approach which would reflect both the wishes of Governments in accordance with their population policies and the freedom of choice of individuals seemed to be indicated.

80. However, women's role was not confined to the home. The advancement of women could not be divorced from their integration in development in the modern world, where the quality of life was a major consideration. Particular attention was paid to the position of women in employment by the French labour laws. Women were assured of the same pay as men for jobs which could be done by either men or women, and one of the aims of French planning was to increase the number of such jobs. However, the greatest hope of women becoming a new source of balance and dynamism in society lay in the expansion of a teaching profession in which there was no division of labour by sex.

81. Two principles underlay the French Government's action to improve the status of women. First, the law prohibited discrimination on the grounds of sex and provided for the strict application of that principle. Secondly, the feminine personality and its originality must be respected.

82. Since no general rule could apply to all countries, the pragmatic approach had great advantages. By adopting that approach, which would respect the individuality of each State, the United Nations would be able to exchange and compare experience and co-ordinate research on the status of women, which was probably the best way for it to promote the advancement of women.

83. Mrs. MASSON (Canada) said that the Commission on the Status of Women had worked hard and covered many subjects despite the shortness of its biennial meeting. Canada, which was a member of the Commission, attached great importance to its international activities for the promotion of equality between men and women. Her country had also served on the working group of the Commission on the Status of Women that had been asked to draft an international instrument or instruments on the elimination of discrimination against women. At its fifty-sixth session, the Economic and Social Council had adopted several very important resolutions on the status of women, such as resolution 1849 (LVI) on International Women's Year, 1854 (LVI) on the interrelationship of the status of women and family planning, 1853 (LVI) on the legal

capacity of married women, 1862 (LVI) on the influence of mass communication media on the formation of new attitudes towards women, and 1855 (LVI) on the advancement of women and their integration in development.

84. Canada was making every effort to combat discrimination against women and to integrate women in all sectors of activity. In 1967, her Government had established a royal inquiry commission to consider all aspects of the status of women in Canada. That commission, which was better known under the name of the Bird Commission, had to its credit an impressive amount of research at all levels. One of its major recommendations had been carried out in June 1973, when the Canadian Government had announced the creation of an advisory council on the status of women. That council, with a membership of 28, received and studied complaints and problems submitted by Canadian women of all kinds. It advised the Government and submitted recommendations to it. It could also take action to ensure the prompt liquidation of cases involving discrimination.

85. Women were occupying more and more important posts in Canada. A woman had recently been appointed Lieutenant-Governor of the province of Ontario, the first time that a woman had occupied such a post in Canadian history. The Canadian representative at the twenty-fifth, twenty-sixth and twenty-seventh sessions of the General Assembly had become a senator in 1973 and was now President of the Senate. There were women members of parliament, ministers and judges, which seemed to indicate that efforts for the advancement of women were beginning to bear fruit, but they were still only few in number. There was still a great deal to be done.

86. Canada would participate in the celebration of the International Women's Year. The Year should provide an opportunity for all nations to promote equality between men and women and their integration in society and development. The Canadian Government had established an interministerial committee for the planning and organization of activities at the governmental level for the International Women's Year. It had also provided the committee with a secretariat to plan and apply the programmes and co-ordinate the activities of the different ministries emphasizing the Year. In September 1974, the Canadian Government had been host to a United Nations seminar at Ottawa on national machinery to accelerate the integration of women in development and to eliminate discrimination on grounds of sex.

87. There were several facets to the Canadian programme for the International Women's Year. A national education and information campaign would be undertaken, using all media to influence attitudes, and regional conferences and a national conference would be held to make the Canadian public aware of the new roles which women could and were eager to assume. The ministries and other governmental bodies would carry out programmes to promote equality of opportunities for women.

88. In conclusion, she wished to underline one important point. Women must feel free and that they were full citizens; and they must feel that they were respected in all

spheres, whether they chose the home, the factory or the university, or wider forms in which to exercise their talents.

89. The Canadian delegation would vote for the draft resolutions on International Women's Year now before the Committee.

90. Miss OSUNA (Argentina) said that her delegation had played an active part in the work of the Commission on the Status of Women and the Economic and Social Council. It had always worked for the improvement of the status of women. That was not a new departure. Argentina had granted all its inhabitants civil rights many years before, even before the United Nations had made any recommendations on that point. All Argentine nationals were entitled to exercise political rights without distinction of sex. The Constitution of Argentina, which proclaimed many rights, provided that the right to work would be protected by laws which ensured decent and equitable conditions of work, a specific number of hours for the working day, rest and paid vacations and equal pay for equal work without discrimination.

91. For the first time in the history of Latin America, a woman was now Head of State in Argentina, and many women occupied responsible posts in the executive and in the judicial branches, many others were members of Parliament and there were many women in the Argentine foreign services.

92. Argentina's present policy was based on the principle that the integration of women in the life of the country was a priority consideration. Efforts were now being made to eliminate the last social obstacles to the full participation of women in all aspects of development. That was being done not for paternalistic reasons but for the future good of the country, and care was being taken to co-ordinate all the measures to improve the status of women in the different spheres of society so that the improvement did not benefit only the privileged classes.

93. Because of its interest in improving the status of women, the Argentine Government has proposed Buenos Aires as the site for a regional seminar, to be held in October 1975, on the subject of the participation of women in economic and social development and the obstacles to their integration. She was sure that, with the collaboration of the other countries of Latin America, the results of that seminar would make a forward-looking contribution towards the full development of men and women, with equal rights and equal responsibilities, and towards regional development. For the same reason, Argentina had strongly supported the proposal to hold an

international conference during the International Women's Year. She wished to thank the Government of Mexico for offering to be host to the conference.

94. Although Argentina was committed to international efforts to improve the status of women, it felt some disquiet about linking the status of women with family planning. The somewhat vague idea of family planning seemed to have become a universal panacea. Whatever family planning might involve, it could never be a substitute for specific measures to improve the status of women. Argentina respected the right of parents to decide freely and responsibly on the number and spacing of their children. The exercise of that right might benefit women in some cases but only in its proper context. The Argentine delegation to the World Population Conference had supported many measures to improve the status of women for inclusion in the World Population Plan of Action, but she regretted the wording of paragraph 43 of the Plan, which read as follows: "Improvement of the status of women in the family and in society can contribute, where desired, to smaller family size, and the opportunity to plan births also improves their individual status." Although her delegation had supported the article, in a spirit of conciliation, it was not satisfied with the drafting, which suggested that an improvement in the status of women might contribute to family planning, whereas the reverse should be the case. A supposed improvement in the status of women should not be used as an argument in favour of specific population policies. For her delegation, the improvement in the status of women should be viewed from a constructive point of view and the action of the United Nations and international co-operation should increase women's opportunities to participate in the development of society, particularly through access to all levels of education and the promulgation of laws recognizing the value of women and prohibiting all forms of discrimination, with special emphasis on equitable treatment at work and in the family.

95. Her delegation had some doubts about draft resolution A/C.3/L.2118/Rev.1. She would like to know what was meant by the words "an international plan of action" in operative paragraph 4. She would also like to know whether the members of the proposed consultative committee would serve as experts in their personal capacity or as representatives of their Governments. Lastly, it was important to know what the financial implications of the draft resolution would be, and in particular what would happen if the voluntary contributions did not cover the costs. Her delegation would like to have the answers to those queries before seeking instructions from its Government.

The meeting rose at 6.10 p.m.

2078th meeting

Friday, 1 November 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2078

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2113/Rev.1, 2117, 2118/Rev.1, 2121-2125)

1. Mr. GHAUSSY (Afghanistan) emphasized the importance of the International Women's Year to all who were striving to achieve the full integration of women in the development of their countries. In its resolution 3010 (XXVII), the General Assembly had established as the themes of International Women's Year equality, development and peace. Each country should interpret those themes in the light of its particular cultural context and its level of development. The developing countries, for their part, were confronted with special problems in that area and required international co-operation in order to overcome them.
2. There could be no doubt that all national or international action in the human rights field could only be successful with the full participation of women since women constituted half the world's population. It was almost impossible to reform human institutions without the participation of women and for that purpose, women had to enjoy equal rights with men. Moreover, equality of rights, opportunities and responsibilities could not be achieved without freedom, that is, without women being equal to men.
3. In Afghanistan, women had achieved equal status in 1958. In 1975, the authorities and organizations concerned, in co-operation with the various competent ministries and agencies, would adopt a series of initiatives such as the publication of summaries of women's activities and the organization of seminars in various cities. In Afghanistan, women enjoyed the same political, social, economic and cultural rights as men. They had held and continued to hold government office in the executive, legislative and judicial branches. The goal of the present Government was to eliminate discrimination against women and there were also a number of voluntary organizations working to achieve that end.
4. Finally, the Afghanistan delegation had sponsored draft resolution A/C.3/L.2113/Rev.1 and hoped that it would be adopted unanimously. With regard to draft resolution A/C.3/L.2118/Rev.1, it felt that there would have to be further consultation in order to achieve more efficient co-ordination for the international conference during the International Women's Year but it also supported that text, as well as the amendments in document A/C.3/L.2125 to draft resolution A/C.3/L.2117.
5. Mr. BASCIO (Grenada) said that when God created man and woman, he made them incomplete, but not in the same way. He left man insatiable, tormented, striving to build and improve things. Woman, on the other hand, lacked the ability to awaken herself and needed the touch of a man. The completion of men and women required nothing more and nothing less than their mutual love. Any discussion of the unquestionable need to assure women the same social and legal rights as men enjoyed should not lose sight of the important fact that there could be no home, family or love without women.
6. In recent years, women had clearly proved that they were equal to men. The heroic struggle of the people of Guinea-Bissau against colonialism and racism could not have borne fruit without the participation of women in the armed combat. It was impossible to read reports about the People's Republic of China without becoming convinced that the liberation of women in China had reached an advanced stage. Furthermore, in the Soviet Union, 59 per cent of the doctors were women. A special tribute was also due to the women of the United Republic of Tanzania, a country where he had spent the first years of his priesthood: in 1967, President Nyerere had said that in the days to come, the Tanzanian people would be able to assist other peoples in their national development; Tanzanian women were now doing just that.
7. His delegation was especially pleased to make reference to Mrs. McIntyre, Permanent Representative of Grenada to the United Nations, whose maiden speech in the General Assembly at the 2251st plenary meeting had been warmly received. Moreover, as the Prime Minister of Grenada had told the General Assembly at its 2233rd plenary meeting, Grenada was the first and only country in the British Commonwealth in which a woman had been appointed Governor on the recommendation of the Head of Government, and the first to provide in its Constitution that women should have the same rights as men, particularly in relation to citizenship.
8. Mrs. BERTRAND DE BROMLEY (Honduras) stressed the importance which her country attached to abolishing discrimination against women, which was more deeply rooted, more subtle and more difficult to identify than racial or religious discrimination. She was therefore highly gratified to see that international efforts to promote full rights for women were being intensified with the proclamation of the year 1975 as International Women's Year and the convening of an international conference. Honduras planned to introduce the theme of the International Year in its teaching curricula and to give it prominence in press, radio and television.
9. There had been vast changes in the status of women in the twentieth century. The two world wars had highlighted

the potential of women and women like Indira Gandhi, Golda Meir and María Estela de Perón had risen to leadership and were guiding the destinies of their peoples. But much remained to be done before women were fully integrated at all levels. That goal could be prompted, particularly in the developing countries, by disseminating knowledge on family planning and information on the rights which women already had under law, of which many people were unaware.

10. Discrimination was always difficult to eradicate, as was clearly seen within the Committee itself, where statements were still being made which referred to the traditional privileges of the female sex, biological differences and indirect power. It should be clear by now that women were seeking not indirect privileges but the rights to which they were entitled as human beings. To speak of indirect power in the context of the relations between men and women was somewhat unethical, since it was suggested that it was sufficient for the woman to exert indirect and artificial influence; there could be no honest relationship as long as it was necessary to use artifices, not only in relations between men and women but in any human relationship. Discrimination would not disappear, nor would there be well-being in the world so long as there was no genuine co-operation among all human beings on a basis of equality.

11. The CHAIRMAN announced that the delegations of Guinea and the United Republic of Cameroon had become sponsors of draft resolution A/C.3/L.2118/Rev.1.

12. Mrs. HØRUP KNUDSEN (Denmark) expressed support for the efforts aimed at recruiting and promoting women to high-level posts within the secretariats of the United Nations system, in accordance with General Assembly resolution 3009 (XXVII) and Economic and Social Council resolution 1857 (LVI). Her delegation also welcomed draft resolution A/C.3/L.2113/Rev.1, which it considered important for the purpose of accelerating the full integration of women into the over-all development effort.

13. In Denmark any discrimination on grounds of sex had been formally eliminated, but the situation was different in respect of *de facto* equality of men and women. A committee set up by the Prime Minister in 1965 to study the question of the status of women in society had come to the conclusion that there was still a considerable *de facto* difference in the status of men and women. Women were less well educated, few women held managerial posts and numerically the representation of women in Government was on a modest scale. A large proportion of married women in active employment had to perform the majority of household duties. The existence of adequate child-care facilities was a prerequisite for enabling women to play a full role in economic and public life.

14. In order to attain the goal of a society of individuals rather than a man's society with occasional participation by women on terms set by men, women had to make themselves better qualified and to assume responsibility on an equal footing with men. If *de facto* equality was to be attained, society must regard women and men as equals and abandon stereotypes, and men must learn to participate

on an equal footing in the care of the family. All the factors which in everyday life tended to confine women to a subordinate role should be eliminated. The Danish women's organizations were making intensive efforts to make women conscious of their responsibilities and rights and to achieve the *de facto* integration of women in society as full and equal partners of men.

15. Denmark would observe the International Women's Year at the national level as well as by participation in regional and international events. Negotiations were under way between the Government of Denmark and the National Council of Women concerning a programme of action which envisaged, *inter alia*, the establishment of a council of equality, the adoption of various concrete measures and the organization of seminars and conferences at the regional level. Arrangements had been made with the Danish International Development Agency for the holding of an information course for members of the executive committees of Danish associations on the status of women in developing countries, a seminar would be held in Denmark for women from a number of West African countries and the broadcasting of radio and television programmes on the status of women in Denmark and other countries was under consideration, as was the presentation of works by women artists. In the international sphere, Denmark intended to participate in the Conference to be held in June 1975 and would endeavour to send a delegation representative of the population.

16. With regard to the draft Convention on the Elimination of All Forms of Discrimination against Women,¹ which had been considered by the Commission on the Status of Women at its twenty-fifth session, her delegation had read with interest the report of the Working Group presented to the Commission and approved of the decision that a comprehensive draft convention should be prepared without prejudice to the preparation of any future instrument or instruments dealing with discrimination in specific fields.²

17. Miss VAKALALA (Fiji) said that, as was the case with any other programme, the effectiveness of the Programme for the International Women's Year (Economic and Social Council resolution 1849 (LVI), annex), which the women's organizations in Fiji were currently discussing, could only be assessed at the time of its application. Fiji had provided for equality between the sexes in its Constitution, which recognized the equality of all persons and prohibited discrimination. Thus women in Fiji enjoyed the right to vote and to be elected at all levels. With regard to employment, the Fiji Government, which was the largest single employer in the country, had recently proclaimed all its married women officers permanent as opposed to the previous law which had required all women officers in the Fiji public service to resign upon marriage and to be transferred to the temporary establishment. Also, women received equal pay with men in the Fiji civil services. In the private sector there were five wage councils in operation covering employment in five industries. None of the Wages Regulations Orders provided for different rates of wages or

¹ *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 4, para. 91.*

² *Ibid.*, para. 3.

conditions of employment for men or women. Apart from the Wages Regulations Orders, wages in the private sector were determined by collective bargaining arrangements, the terms of which, being extremely varied, could not be specified. However, there was reason to believe that the principle of equal wages was achieving general acceptance. Furthermore, Fiji legislation prohibited the employment of women at night, except in certain circumstances, in any industrial undertaking. Women were also entitled to an allowance during confinement, provided they met certain requirements.

18. In Fiji an increasing number of women were entering decision-making jobs, but there were still too few of them and most women were still assigned to jobs customarily regarded as women's work. In that connexion, it must be borne in mind that a person's future was conditioned by education. Also, older men and women were less inclined to accept women leaders. Nevertheless, conditions were improving, and it was to be hoped that, with the change in education, the younger generation could also change that situation.

19. Rural women supplemented the family income as they engaged in small-scale industries, such as handicrafts, and fishing. The Co-operatives Department had been helping to find markets for their products. Moreover, the Government was providing health, educational and other facilities in the rural areas, in order to promote the development of women and prevent an exodus to the cities.

20. Her Government placed considerable emphasis on the importance of family planning, not only from the standpoint of economic and social development, but also from that of its bearing on the status of women. A family planning association had been established in Fiji in 1963 and was now rendering maternal and child welfare services and informing the general public regarding the family planning programme. The programme had proved very effective in practice. It was to be hoped, as more and more women became educated and economically independent and were able to decide their family size, they would find time to enter a profession and become actively involved in social and economic development.

21. Mrs. MOHAPELOA (Lesotho) stressed the importance of the International Women's Year for the small countries that had recently been freed from the yoke of colonialism. The emancipation and development of peoples would not be attained if women did not play their part in the process. It was for that reason that her delegation had sponsored draft resolution A/C.3/L.2113/Rev.1.

22. In Lesotho, as a result of historical circumstances, women enjoyed the same rights as men and at the present time there were many women holding political positions. She acknowledged, however, that women still had disadvantages in certain spheres and her Government was enacting appropriate legislation to do away with some of them. Lesotho was mainly an agricultural country, but most of the men worked in the mines, leaving to women the responsibility for farming and generally managing family affairs. Lesotho had a high literacy rate because of the large female enrolment in schools at all levels and more and more women were taking up professions which had traditionally

been reserved for men. That was not surprising, considering that the ratio of women to men was four to one.

23. Women in Lesotho received equal pay for equal work. For the past years, women had actively contributed, with voluntary work, to self-help projects set up by the Government. Women had organized themselves into clubs, societies and associations, where they shared experiences and helped each other. Those clubs dealt with business matters, health, agriculture and education, and it had been her Government's policy to assist them materially, technically and financially where possible.

24. In connexion with the promotion of the rights and interests of women in 1975, the Lesotho Government was in the process of formulating a project for the welfare of women which was aimed at promoting the fuller participation of women in national development. To that end, it hoped to receive the assistance of the United Nations Office of Technical Co-operation.

25. The CHAIRMAN announced that Togo and the Libyan Arab Republic had joined the sponsors of the amendments published in A/C.3/L.2125 and that Bangladesh and Gabon wished to join in sponsoring draft resolution A/C.3/L.2113/Rev.1.

26. Mrs. KINYANJUI (Kenya) said that the influence of modern technology had changed the position of women in the third world, where they had traditionally played a major role in the society both in the home and in agricultural labour. Such activities had customarily been left to women, as a result of which they had occupied an honoured position and exerted power and influence. The status of women should be adapted to change without sacrificing traditional moral and cultural values for the sake of so-called western civilization.

27. During the colonial administration, the few facilities for education and employment which were available in Kenya had been accessible mainly to men. During the struggle for independence, the women of Kenya had taken an active part in the liberation of their country and had shared with men the punishment inflicted by the colonial Government. It was only fair, therefore, that women should now enjoy the fruits of independence for which they had fought so hard. On achieving independence the men, having more education, had assumed the important roles in the country. Nevertheless, since then women had increasingly advanced in education and politics, exercising their right of freedom of choice in marriage and taking advantage of employment opportunities. Far from being limited to jobs traditionally held by women, Kenyan women had entered the liberal professions and were even serving in the army.

28. The International Women's Year was expected to mark the launching of a new era in the development and integration of women in all spheres of economic, social and cultural development. Kenya, as an agricultural society, would place special emphasis on rural areas, where the majority of farm workers were women. Urban and rural co-operatives would be organized to help integrate women into the marketing and trade of the country as a whole. The International Year would be celebrated in all the provinces and all women's organizations were expected to make

reports on their contributions to self-help projects and charitable organizations. Rural women's self-help projects would be reviewed. Churches would observe the Year with prayers, and a booklet highlighting some of the achievements of women since independence would be issued. A women's advisory committee was expected to be established in 1975 which would help to evaluate the contribution made by women thus far to the various sectors of development. It would also study specific areas in which women's participation should be initiated or strengthened. It was evident that the contribution of women to development was great, although there were some traditional restrictions and attitudes which had to be overcome. Her delegation was confident that the objectives and goals of the International Women's Year would be successfully achieved.

29. Mr. DURAN (Chile) said that his country, as a member of the Commission on the Status of Women, had actively contributed to all the activities sponsored by the United Nations for the advancement of women. It also fully supported the Programme for the International Women's Year and endorsed the goals of that noble undertaking. Chile was proud of the intellectual development of its women; over the years the universities had accepted an increasing number of women students who took courses in practically every branch of learning. Chilean women had distinguished themselves in many professions, including university teaching, and had held many posts in public life. Moreover, Chilean women had advanced not only because of their education and professional competence, but also because of the quality of their efforts to secure recognition of their rights and to be accepted in all sectors of society, not because of sentimental consideration but as a matter of reason and logic, in acknowledgement of their important contribution to the development of the country.

30. A tribute should also be paid to women for their role as housewives. They should be honoured not only because of their professional successes, but also by virtue of their role as pillars of the family who held the home together and developed civic maturity in their children.

31. The role of women as mothers and wives was a most important one. Likewise, their position in the front lines should not be overlooked, for it brought them into direct contact with reality and enabled them to understand what the concept of one's country meant and how they should contribute to it. From that position they had awakened the men to an awareness of the danger that had threatened the spiritual life of Chile and, arousing the people with the noise of pots and pans, had led them along the way to freedom. He was confident that the human race was on the threshold of a new era in which the fundamental value of the gentleness of women would be recognized.

32. Mrs. WU Yi-yu (China) said that the emancipation of women, who accounted for half of the world's population and therefore represented a great force that was not to be neglected, was a common cause of all mankind. After referring to the suffering, misery and social inferiority of women in old China, she noted that their plight, like that of the people as a whole, had been caused first of all by the aggression, exploitation and oppression of imperialism and colonialism and their agents in China. In addition, women

had been bound by the deep-rooted traditional concept of male superiority. Chinese women had formed the lowest stratum of society under the wretched conditions prevailing in the country before the socialist revolution. But women had made a decisive contribution to national liberation and had actively participated in the democratic and socialist revolution in all its historical periods.

33. With the founding of the People's Republic of China in 1949, the working people had become the masters of the country, and women, enjoying equal rights in political, economic, cultural and social life, had given invaluable assistance to the development process. A Marriage Law promulgated in 1950 had abolished the system of arranged and forced marriages. The Labour Insurance Regulations issued in 1951 provided that working women should be protected, that equal pay for equal work should be the rule for both men and women, and that in the assignment of work to women physiological considerations should be duly taken into account. The Electoral Law promulgated in the same year stipulated in particular that women should have the right to elect and to be elected on equal terms with men.

34. The rapid development of the social economy and cultural progress offered ever-increasing opportunities to women, who were playing an important role in socialist construction. Women had changed their subordinate status and the mental outlook which had previously relegated them to the margins of society. Many women were occupying key posts in the Chinese Communist Party and important central government organs, and in local government departments, factories, communes and schools. They participated fully in the task of socialist construction in China, the only exception being those jobs which were physically unsuitable for women. No discrimination of any kind was allowed. The Party and the Government paid great attention to the protection of women, and in order to facilitate their work and protect the health of women and children an increasing number of day-care centres and kindergartens had been set up. Family planning was being promoted, and in the family the sharing of housework by men and women was encouraged. However, the legacy of the past could not be totally eliminated within a short period, and continued education and struggle were necessary. At present, the entire Chinese people were taking part in a campaign to eradicate every vestige of the old feudal society based on slavery and exploitation, and the change in outlook would have a far-reaching influence on the complete emancipation of women.

35. While engaged in the socialist construction of their motherland, Chinese women were closely following the efforts of women in other countries and were pleased to note that an increasing number of women in developed countries had plunged themselves into the struggle against colonialism and hegemonism and for women's rights. In the third world countries, women had won new victories in their struggle to attain national independence, defend State sovereignty and develop the national economy and culture. The existence of imperialism and colonialism continued to weigh heavily on the peoples of some countries, and women were the principal victims. The International Women's Year should represent the united struggle of the women of all countries against imperialism, colonialism and hegemonism,

in order to win and safeguard national independence and sovereignty, economic rights and interests, democracy and women's liberation. However, the representatives of a super-Power were advertising everywhere that only what they called "lasting peace and security" and "détente" could open up prospects for the attainment of women's basic rights, ignoring the obvious fact that in the present world situation no liberation movement, including that of women, could succeed without a determined struggle against imperialism, colonialism and hegemonism.

36. However, some third world countries had recognized the important role played by women in the struggle against colonialism and for national independence. Some representatives had proposed that women from the national liberation movements should be invited to participate in the international conference to be held during the International Women's Year. Many representatives had called for the promotion of social progress, equality between men and women and the enhancement of the status of women. Those appeals reflected the legitimate demands and aspirations of the women of various countries, and they had the firm and whole-hearted support of the Chinese delegation.

37. Mr. NTEZILIZAZA (Rwanda) expressed whole-hearted support for General Assembly resolution 3010 (XXVII), proclaiming 1975 International Women's Year with the theme of equality, development and peace. In a constantly changing world, no pride could be taken in development if human values were forgotten and discrimination and the oppression of peoples were allowed to continue. The Government of Rwanda had already made plans for the adoption of the provisions necessary for achieving the goals set forth in the Programme for the International Women's Year, and all countries should take advantage of the opportunity to promote equality between the sexes, ensure the effective participation of women in development efforts and show recognition of their role in relations among peoples for the cause of world peace.

38. The Constitution of Rwanda established the equality of all citizens before the law, without distinction as to race, clan, colour, sex or religion. Women enjoyed the same rights as men and had the same duties to the nation. With reference to education, the old mentality of encouraging education for boys rather than girls had been overcome. Primary education was free and compulsory for girls and boys. In 12 years, the percentage of girls attending secondary school had increased from less than 10 per cent in 1962, the year of Rwanda's independence, to over 40 per cent. In rural communities there were social centres under the supervision of women who sought to promote the status of women through courses in home economics, sewing, environmental hygiene and literacy. Radio Rwanda allotted broadcasting time for documentaries on the role of women, especially those engaged in agricultural work in rural areas, where a large part of the female population lived. Taking into account the contribution of rural women to the national income, the President of Rwanda had proclaimed 1974 Agriculture Year for all the people of Rwanda. With reference to employment, women occupied important posts in the public and private sectors. The Rwandese Civil Service Regulations provided for three months' maternity leave.

39. The problem of the emancipation of women clearly assumed different forms in different continents, regions and countries, and in developed and developing countries. There could be no universal formula, and all action programmes must take into account economic, social and cultural conditions and the administrative and legislative structures of each country. Nor would good programmes alone be sufficient to raise the level of living of the people; the necessary resources must also be found. For that reason, his delegation felt that the International Women's Year could represent an opportunity for the wealthy countries to help the less wealthy to combat ignorance, disease and hunger, bearing in mind that women and children were the first victims of those evils.

40. His delegation would vote for draft resolution A/C.3/L.2113/Rev.1 and A/C.3/L.2117. The amendments contained in document A/C.3/L.2125 also had the support of his delegation, as did draft resolution A/C.3/L.2118/Rev.1.

41. Mr. SOLOMON (Ethiopia) said that in his country women had occupied important positions in social, cultural, economic and political life. They had exercised their right to form mutual aid associations, and there were a variety of women's groups throughout the country. Historically, mention should be made of Queen Helena, Empress Taihitu and Empress Zewditu. In more recent times, women of a different standing had endured the hardship and deprivations of enemy occupation and many had gained fame and admiration for their active participation in the struggle against fascism. Economically, Ethiopian women played an important role in both traditional and modern sectors. Agriculture was the main activity in rural areas, where the majority of the people lived, and women helped with agricultural work and animal husbandry and had, therefore, quasi-equal status with men. In modern sectors, women were engaged in all types of occupations.

42. The first Constitution of Ethiopia had assured equal rights for all under the law, and the revised Constitution of 1955 had guaranteed equal rights, including the right of women to elect and be elected to the Parliament. However, the weight of traditions, customs and religion sometimes produced situations which rendered civil laws ineffective. For instance, the Moslem woman was compelled to forfeit her civil liberties as a result of disparities that existed between the judiciary on the one hand and the traditional court, known as *Kafir*, on the other.

43. Nevertheless, the tremendous impact of Ethiopian women in the areas of education, welfare, business and agriculture was beyond dispute.

44. Ethiopian law did not discriminate between men and women with regard to the holding of public office, and there were women occupying posts as ministers, vice-ministers and directors and other high positions. Although at present there were no women judges or lawyers, those women who had studied law were actively working in their profession in Government and in private sectors. In the field of health much remained to be done, there being only seven women doctors and five women health officers in the country.

45. The law guaranteed boys and girls equal rights to education, but unfortunately the schools could accommodate only a small proportion of the population, and the number of girl students was still far below that of boys. There was hope that the proportion would increase as the educational system expanded. The obstacles encountered were due not to the law but to social attitudes, cultural factors and, above all, economic reasons. In rural areas, girls were expected to help their mothers in household and agricultural tasks and were often removed from school for early marriage. In recent years, however, parents had begun to realize the importance of education for girls, and the social attitude was gradually changing.

46. The Declaration on the Elimination of Discrimination against Women (General Assembly resolution 2263 (XXII)) certainly represented one of the most significant advances made by the United Nations. Yet much still remained to be done. The emancipation of women was directly linked with the socio-economic and political advancement of each country. The situation in the poor countries was still pathetic, and there were nearly 200 million people who lived in—and often died of—hunger. His delegation was not trying to undermine the noble cause of the women's movement, but rather to direct the attention of the Committee towards the realities of life in most of the developing countries.

47. In 1975, International Women's Year, Ethiopia intended to give the widest publicity to the Declaration on the Elimination of Discrimination against Women and to carry out a large number of the recommended activities at the national level. One of the major activities would be the translation of the Declaration into Ethiopia's national language so that it could be fully understood by all rural and urban sectors of the population.

48. Mrs. SIPILÄ (Assistant Secretary-General for Social Development and Humanitarian Affairs), referring to the preparation of the international conference to be held during the International Women's Year, said that, at its fifty-seventh session, the Economic and Social Council had approved the holding of the Conference from 23 June to 4 July 1975 (see A/9603, annex III). The question of the change of venue of the Conference from Bogotá to Mexico had been brought to the attention of the Council during its resumed fifty-seventh session and to the attention of the Fifth Committee in the course of its consideration of agenda item 77, relating to the pattern of conferences, during the current session. It was not anticipated that the change of venue would mean any change in the dates of the Conference but it would inevitably involve certain delays in the preparation of the Conference.

49. Nevertheless, the Secretariat had been going ahead with the substantive preparations for the Conference in accordance with the directives laid down in Council resolution 1851 (LVI). A draft provisional agenda had already been prepared in consultation with the specialized agencies, and the annotations were now being finalized. The three main substantive items on the agenda of the Conference were based on paragraphs 1 and 2 of the Council resolution. They would deal with: current trends and changes in the status and roles of women and men and major obstacles to be overcome in the achievement of equal

rights, opportunities and responsibilities; the integration of women in the development process as equal partners with men; and a world plan of action.

50. Basic documents on each of those three items were being prepared by the Secretariat, and the specialized agencies had agreed to contribute to the documentation. An *ad hoc* interagency meeting of the Administrative Committee on Co-ordination had been held in July 1974 to discuss the Conference, and a further meeting would take place from 3 to 5 February 1975. It was planned to complete the basic documents, the invitations and the provisional agenda and to circulate them to Governments before the end of 1974 or early in 1975. It was proposed to suggest that Governments should designate four delegates to the Conference, together with alternates and advisers. The draft rules of procedure were currently being reviewed by the Secretariat services concerned.

51. Regional consultations had taken place in preparation for the Conference which had focused especially on the integration of women in development, with special reference to population factors; a further regional consultation was planned and its recommendations would be available for the Conference. In addition, the Interregional Seminar on National Machinery to Accelerate the Integration of Women in Development and to Eliminate Discrimination on Grounds of Sex had been held in Ottawa in September 1974.

52. The public information activities for the Conference were closely linked with those for the Year. In addition to the publicity measures, a journalists' encounter and a non-governmental meeting at the site of the Conference had been planned, but those plans were in an initial stage at the present time.

53. Mr. BADAWI (Egypt) introduced the amendments contained in document A/C.3/L.2125 and said that they were aimed at completing and strengthening the draft resolution contained in document A/C.3/L.2117. The International Women's Year Conference was intended to launch an international action programme. The evaluation and drafting of that programme could not be successfully undertaken in the absence of huge segments of the international community, indeed, in the absence of some of those who were most affected by the situation existing in the contemporary world. That was why the sponsors of the amendments proposed that every State and all the national liberation movements should participate in the Conference. That participation would not only ensure the success of the Conference but would correspond to the practice of the United Nations and of conferences held under its auspices. The latest action in that regard had been taken by the Sixth Committee at the current session of the General Assembly. At its 1481st meeting on 21 October 1974, during its consideration of agenda item 88, the Sixth Committee had approved by an overwhelming majority a draft resolution³ inviting the national liberation movements recognized by the Organization of African Unity and/or the League of Arab States to participate in the United Nations Conference on the Representation of States in their Relations with

³ Subsequently adopted by the General Assembly as resolution 3247 (XXIX).

International Organizations to be held in Vienna in 1975. That action was nothing but a continuation and reflection of the principle adopted by the General Assembly in resolution 3102 (XXVIII), by the Economic and Social Council in resolutions 1835 (LVI) and 1840 (LVI), and by the Third United Nations Conference on the Law of the Sea in rule 63 of its rules or procedure.⁴

54. In view of that background and the importance of the International Women's Year Conference, the sponsors of the amendments proposed the addition of a new third preambular paragraph referring to Economic and Social Council resolution 1849 (LVI), the present third preambular paragraph becoming the fourth. In the operative part, they proposed the addition of two new paragraphs taken from the Sixth Committee resolution he had mentioned.

55. To facilitate the proceedings, he proposed that the Third Committee should draw on the procedure of the Sixth Committee in adopting those two operative paragraphs, a procedure set out in summary record of the 1481st meeting of the Sixth Committee. As to the national liberation movements, the Secretary of that Committee had read out for the information of its members the list of the national liberation movements which had been accorded observer status at the Third United Nations Conference on the Law of the Sea. In conclusion, he expressed the hope that the Third Committee would support the amendments he had introduced.

56. Mrs. IDER (Mongolia), speaking on behalf of her own delegation and that of the USSR, introduced document A/C.3/L.2124, containing an amendment to draft resolution A/C.3/L.2117. The aim of that amendment was to bring draft resolution A/C.3/L.2117 more into line with the directives of the Economic and Social Council. Paragraph 32 of the annex to Council resolution 1849 (LVI), which contained the Programme for the International Women's Year, included a question entitled "Status and role of women in society, with special reference to the need to achieve equal rights for women and to women's contribution to the attainment of the goals of the Second United Nations Development Decade, to the struggle against colonialism, racism and racial discrimination and to the strengthening of international peace and of co-operation between States" which should be included in the agenda of the General Assembly at its thirtieth session. It was therefore proposed to replace operative paragraph 2 of draft resolution A/C.3/L.2117 by the wording contained in document A/C.3/L.2124.

⁴ See United Nations publication, Sales No. E.74.1.18.

57. Mrs. SHAHANI (Philippines) said that her delegation supported all the amendments in document A/C.3/L.2125. Speaking on behalf of the sponsors of draft resolution A/C.3/L.2117 and with reference to the amendment to that text submitted by Mongolia and the USSR in document A/C.3/L.2124, she proposed a subamendment to the wording of paragraph 2 proposed by the USSR and Mongolia, which would consist of adding the words "including the proposals and recommendations of the International Conference" after the words "International Women's Year". A reference to the proposals and recommendations of the International Conference was necessary in order to provide the General Assembly with a firm basis for its consideration of the item. It would be unfortunate if all the efforts made by the Conference were to be fruitless merely because the General Assembly did not give its recommendations and proposals sufficient attention.

58. Some doubts had been expressed about the advisability of operative paragraph 1 of draft resolution A/C.3/L.2117, which requested the international conference to submit, if possible, such proposals and recommendations as it deemed appropriate to the General Assembly at its seventh special session. As delegations would recall, the theme of the special session as called for in General Assembly resolution 3172 (XXVIII) was development, and one of the major objectives of the Programme for the International Women's Year was social, human and economic development and women's contribution to it. At its nineteenth session in January 1975, the Governing Council of UNDP would also be considering a preliminary report on the integration of women in development. The sponsors therefore believed that operative paragraph 1 of the draft resolution was relevant and should be retained.

59. The Philippine delegation was happy to note the broad support that had been given to draft resolution A/C.3/L.2113/Rev.1. As half the members of the Committee were sponsors of that draft resolution, she hoped that it would be adopted by acclamation.

60. Mr. SOLOMON (Ethiopia), referring to the amendments in document A/C.3/L.2125, introduced by Egypt, asked what national liberation movements had been recognized by the Organization of African Unity or the League of Arab States, as mentioned in that document, and whether the Djibouti Liberation Movement was among them.

61. Mrs. WARZAZI (Morocco) suggested that the Secretariat of the Committee should consult the competent authorities and announce the list of the liberation movements at the afternoon meeting.

The meeting rose at 1.15 p.m.

2079th meeting

Friday, 1 November 1974, at 3.10 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2079

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2113/Rev.1, 2117, 2118/Rev.1, 2121, 2123-2125)

1. The CHAIRMAN announced that Japan had become a sponsor of draft resolution A/C.3/L.2121; that draft resolution A/C.3/L.2122 had been withdrawn; that Iran, Sweden, Uganda and Yugoslavia had become sponsors of draft resolution A/C.3/L.2123; that the United Arab Emirates had become a sponsor of the amendments contained in document A/C.3/L.2125 to draft resolution A/C.3/L.2117; and that Sierra Leone was no longer a sponsor of those amendments.

2. Mr. LÜTEM (Secretary of the Committee) said that at the Third United Nations Conference on the Law of the Sea held in Caracas from 20 June to 29 August 1974, the representative of Senegal had proposed, at the fortieth meeting, on behalf of the Organization of African Unity and the League of Arab States, that the national liberation movements recognized by either of those organizations should be represented at that Conference as observers. The General Committee of the Conference had recommended that rule 62—later rule 63—of the rules of procedure¹ should be amended to read:

“National liberation movements in their respective regions recognized by the Organization of African Unity or by the League of Arab States may designate representatives to participate as observers, without the right to vote, in the deliberations of the Conference, the Main Committees and, as appropriate, the subsidiary organs”.

The Conference had decided by consensus to invite the following national liberation movements as observers: for Angola, Movimento Popular de Libertação de Angola (MPLA) and Frente Nacional para a Libertação de Angola (FNLA); for Mozambique, Frente de Libertação de Moçambique (FRELIMO); for Namibia, the South West Africa People's Organization (SWAPO); for Rhodesia-Zimbabwe, the Zimbabwe African National Union (ZANU) and the Zimbabwe African People's Union (ZAPU); for South Africa, the African National Congress (ANC); for the Comoro Islands, le Mouvement de libération nationales des Comores (MOLINACO); for the Seychelles Islands, the Seychelles People's United Party (SPUP); for the Somali Coast, le Front de libération de la Côte des Somalis (FLCS); for Palestine, the Palestine Liberation Organization (PLO).

3. Subsequently, the representative of Senegal had requested that the Seychelles Democratic Party, which had been inadvertently omitted from the list previously submitted to the Conference, be added to the list of national liberation movements.

4. The representative of Ethiopia had requested that le Mouvement de libération de Djibouti (MLD) should be added to the list.

5. Mrs. BAILOR (Sierra Leone) explained that her delegation had withdrawn from sponsorship of the amendments contained in document A/C.3/L.2125 because of a point of procedure; although it fully supported that draft resolution, it was already a sponsor of draft resolution A/C.3/L.2117 to which the amendments referred.

6. Her delegation had noted with satisfaction that most of the statements made about the draft resolutions concerned with International Women's Year had been of a positive nature and it therefore felt that the sponsors of those draft resolutions were preaching to the converted. The issues of women's integration, full participation and even legal status had been discussed for over 10 years, and although the international community had made considerable advances during that time it still had a long way to go. Almost every Government had passed laws providing for the equality of men and women and many Governments had set up machinery to enable women to participate fully in development. However, the *de facto* situation left much to be desired and there was a clear and urgent need for the implementation of the legal provisions ensuring the equality of men and women. No country was so advanced that it did not need to develop further and to utilize to the full the potential of women. In order to achieve that purpose, women must take their place alongside men and not behind them, and should be given equal opportunities. Her delegation had therefore sponsored draft resolutions A/C.3/L.2113/Rev.1 and A/C.3/L.2117. It hoped that operative paragraph 1 of draft resolution A/C.3/L.2117 could be put into effect in the short time between the international conference to be held during the International Women's Year, in June and July 1975, and the seventh special session of the General Assembly, which was to take place before the thirtieth ordinary session of the Assembly (see resolution 3172 (XXVIII)). Too often the question of the role of women in economic development was underplayed and it was to be hoped, therefore, that proposals and recommendations of the international conference would be examined at the General Assembly's seventh special session. With regard to operative paragraph 2 of that resolution, her delegation felt strongly that the proposals and recommendations of the international conference, as well as other aspects of International Women's Year, should be discussed at the thirtieth session of the General Assembly as otherwise the importance of those proposals

¹ See United Nations publication, Sales No. E.74.I.18.

and recommendations would be minimized; her delegation therefore fully supported the oral subamendments proposed by the Philippines delegation (see 2078th meeting, para. 57) to the amendment in document A/C.3/L.2124.

7. Her Government fully supported International Women's Year and the international conference to be held during the Year and it would make a voluntary contribution as called for in Economic and Social Council resolution 1850 (LVI).

8. Miss HARELI (Israel) said that although her delegation had already expressed support for draft resolution A/C.3/L.2117, the new operative paragraph 2 proposed in the third amendment contained in A/C.3/L.2125 threatened to politicize the subject and would run counter to the objectives of the conference to be held during International Women's Year. The amendment contained an invitation to national liberation movements, and the Committee Secretary had specifically mentioned the so-called Palestine Liberation Organization (PLO), an umbrella organization which included some of the most murderous terrorist groups of recent times. The proclaimed objective of that organization was the destruction of a State which was a Member of the United Nations—Israel—and its methods were well known and included the hijacking of civilian aircraft, the shooting of pilgrims, the murder of diplomats, the massacre of school children and the callous and premeditated killing of women and children in their homes. The head of her delegation had described the atrocities in his statement at the 2267th plenary meeting of the General Assembly. They had also been described in a letter dated 4 October 1974 addressed to the Secretary-General from the representative of Israel.² It categorically stated that it would be incongruous to admit as an observer at the conference to be held during the International Women's Year an organization which had made the murder of women and children one of its standard methods of attracting attention. Her delegation therefore firmly opposed the third amendment in document A/C.3/L.2125, which sought to add a new operative paragraph 2.

9. Mrs. IDER (Mongolia) said that the sponsors of the amendment in document A/C.3/L.2124 had taken note of the oral subamendment of the Philippine delegation. The amendment would therefore read:

“Decides to consider at its thirtieth session the item ‘International Women's Year, including the proposals and recommendations of the Conference of the International Women's Year’ and an item entitled ‘Status and role of women in society, with special reference to the need to achieve equal rights for women and to women's contribution to the attainment of the goals of the Second United Nations Development Decade, to the struggle against colonialism, racism and racial discrimination and to the strengthening of international peace and of co-operation between States’ ”.

The sponsors of draft resolution A/C.3/L.2117 had agreed to the revised amendment after private consultations.

² A/9688-S/11530. See *Official Records of the Security Council, Twenty-ninth Year, Supplement for October, November and December 1974*.

10. Mr. NOTHOMB (Belgium) informed the Committee that the Belgian Government had decided to make a voluntary contribution to International Women's Year in accordance with operative paragraph 4 of draft resolution A/C.3/L.2113/Rev.1. When the amount had been fixed it would be announced directly to the Chairman of the Committee and to the Assistant Secretary-General in charge of Social Development and Humanitarian Affairs.

11. Mr. BADAWI (Egypt), referring to the statement made by the representative of Israel, drew attention to paragraph (8) (r) of the Programme for the International Women's Year annexed to Economic and Social Council resolution 1849 (LVI) and noted that if the goals set forth in that text were to be attained, the participation of liberation movements was needed, as they were the best qualified to speak on the problems in question. One of the aims of the conference, as stated in operative paragraph 2 (b) of the Council resolution 1851 (LVI), was to examine the major obstacles which hindered the contribution of women, and one of the main obstacles in various parts of the world was subjugation to colonial and foreign domination. Therefore, the invitation to liberation movements to participate in the conference, far from politicizing it, would contribute to the realization of its goals.

12. The Israeli representative had referred to PLO as a terrorist organization, but the records of the international community showed clearly that Israel was a State organized on the basis of terror and that it was terrorizing the southern part of Lebanon day and night. An account of the Israeli atrocities could be found in a letter dated 11 October 1974, addressed to the Secretary-General from the representative of the Libyan Arab Republic,³ which the General Assembly had considered under agenda item 108.

13. Mr. WIGGINS (United States of America) said that it was unclear to which conference the subamended version of the amendment in document A/C.3/L.2124 referred.

14. Mrs. IDER (Mongolia) said that she had followed the wording in operative paragraph 2 of draft resolution A/C.3/L.2117, which did not refer to the conference by name.

15. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation supported draft resolution A/C.3/L.2113/Rev.1.

16. With regard to draft resolution A/C.3/L.2117, his delegation expressed satisfaction that agreement had been reached between its sponsors and those of the amendment in document A/C.3/L.2124. He felt that the text of the second preambular paragraph made it clear which international conference was referred to in operative paragraph 2. His delegation fully supported the amendments contained in document A/C.3/L.2125 and it hoped that the conference would pay particular attention to the goals of equality, development and peace which constituted the central theme of the Year. The goals set forth in paragraph 8 (r) of the Programme for the Year were not merely slogans but were practical objectives which the Soviet Union for one was trying to realize. It was clear that the

³ A/9801.

goals of peace and détente had been adopted by the entire international community and were being pursued not only in words but also in deeds. His delegation believed that the contribution of women to the achievement of those aims would be invaluable. The statement made by the representative of Israel had therefore struck a dissonant note in the general debate.

17. Mrs. BAILOR (Sierra Leone) explained that her delegation wished to withdraw the amendments in A/C.3/L.2115 as they had been incorporated into draft resolution A/C.3/L.2113/Rev.1.

18. Mr. WIGGINS (United States of America), speaking on a point of order, requested a separate vote on the second and third amendments contained in document A/C.3/L.2125. His delegation also requested the Chairman to give an interpretation of the “all-States formula”.

19. Mr. AL-QAYSI (Iraq), speaking on a point of order, said that it would be absurd to take a separate vote on the two paragraphs in question. His delegation also felt that the Chairman should not be burdened with the task of providing an interpretation of the “all-States formula”, as that might lead to political, legal and technical complications with regard to the status of her interpretation.

20. The CHAIRMAN said that if she heard no objection, she would take it that the Committee wished to adopt draft resolution A/C.3/L.2113/Rev.1.

Draft resolution A/C.3/L.2113/Rev.1 was adopted without objection.

21. Miss HARELI (Israel) said that her delegation was still in favour of the principle of holding a conference during International Women’s Year, but it would vote against the third amendment in document A/C.3/L.2125 and if that amendment was adopted her delegation would also vote against draft resolution A/C.3/L.2117, because it objected to the politicization of the subject and considered that the so-called PLO could not be regarded as a *bona fide* liberation movement.

22. Mrs. WU Yi-yu (China) said that her delegation would not have participated in the vote on draft resolution A/C.3/L.2113/Rev.1 had there been a vote, for the reasons already given in her earlier statement on the theme of International Women’s Year.

23. Mr. MACRAE (United Kingdom) said that he too hoped that the Chairman would make a statement on the interpretation of the “all-States formula”. A precedent for her doing so could be found in the record of the 1481st meeting of the Sixth Committee.

24. The CHAIRMAN invited members to vote on the amendments to draft resolution A/C.3/L.2117 in document A/C.3/L.2125.

The first amendment was adopted by 105 votes to 1, with 2 abstentions.

The second amendment was adopted by 108 votes to none, with 3 abstentions.

At the request of the representative of the United Arab Emirates, the vote on the third amendment in document A/C.3/L.2125 was taken by roll call.

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

In favour: German Democratic Republic, Greece, Grenada, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Bhutan, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Egypt, Ethiopia, Fiji, Finland, Gabon.

Against: Guatemala, Israel, Nicaragua.

Abstaining: Germany (Federal Republic of), Laos, Luxembourg, Nepal, Spain, Swaziland, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Belgium, Bolivia, Burma, Costa Rica, Denmark, France.

The amendment was adopted by 98 votes to 3, with 15 abstentions.

25. Mr. SMIRNOV (Union of Soviet Socialist Republics), speaking on a point of order, recalled in connexion with the request for an interpretation of the “all-States formula” that when the Egyptian representative had introduced the third amendment contained in document A/C.3/L.2125 at the previous meeting he had referred to the understanding which had been agreed upon in the Sixth Committee but had emphasized that it was not necessary to restate that understanding in the Third Committee.

26. Mr. AL-QAYSI (Iraq) said that he too saw no reason to restate the understanding in the Third Committee. In any case, if it were necessary to restate it there would have to be consultations between members of the Committee first.

27. Mr. ALFONSO (Cuba) said that he too endorsed the view that there was no need to restate the understanding. As a sponsor of the amendments in document A/C.3/L.2125, he wished to place on record that the third amendment was very precise and clear and should be interpreted literally. There was no need for any action other than that requested of the Secretary-General in the text.

28. Mr. TRAVERT (France) said his delegation's position on the document under consideration was based on the understanding that a statement would be made in the Committee before the vote. He requested the Chairman to make such a statement.

29. Mr. MACRAE (United Kingdom) endorsed the French representative's request.

30. Mr. BAL (Mauritania) expressed the view that the Chair was subject to the authority of the Committee. If the Committee decided that there should not be an interpretation of the text in question, the Chairman should abide by that decision. His delegation considered that an interpretation was not necessary.

31. Mrs. WARZAZI (Morocco) said that in her view the voting process should not be interrupted.

32. Mr. MADAWI (Egypt) endorsed that view. The statement which had been read out in the Sixth Committee could be discussed after the vote and included in the record.

33. The CHAIRMAN said that it was her intention to follow the procedure which had been adopted in the Sixth Committee where a statement had been made before the vote. She therefore wished to make the following statement:

“The Third Committee understands that the Secretary-General, in carrying out the functions assigned to him under the draft resolution on which the Committee is about to vote, will follow the practice of the General Assembly in the application of the all-States clause and that, when necessary, he will seek the opinion of the General Assembly before taking the relevant decisions.”

34. Mr. ALFONSO (Cuba) requested clarification of the possible effects of the statement which the Chairman had just made. The Committee should decide whether it should discuss that statement or whether the draft resolution under consideration should be adopted on the basis of the Chairman's interpretation.

35. The CHAIRMAN said that the text of her statement would be included in the Committee's report to the General Assembly and delegations would have an opportunity to discuss the matter in plenary meeting. She then invited the Committee to vote on the draft resolution in document A/C.3/L.2117, as amended by its sponsors and in the amended form.

Draft resolution A/C.3/L.2117, as amended and in its amended form, was adopted by 111 votes to 2, with 1 abstention.

36. Mr. ALFONSO (Cuba) requested that the discussion on the document which had just been adopted should be given the fullest possible coverage in the summary record and in the report of the Rapporteur in order to reflect the views which had been expressed in the Committee.

37. Mrs. SÄLZLER (German Democratic Republic) said that her delegation regarded the statement which had just

been read out as the Chairman's understanding and not that of the Committee.

38. Mr. SMIRNOV (Union of Soviet Socialist Republics) endorsed that view. The “all-States formula”, which was consistent with the sovereignty of States and non-discrimination among countries, should be adopted in the interests of international co-operation and the principle of universality and should be applied in all United Nations conferences. He expressed satisfaction that the Committee had decided to invite all States to participate in the conference to be held during the International Women's Year and regretted that, without discussing the matter in the Committee, the Chairman had decided to make a statement giving an understanding concerning the document which the Committee had just adopted.

39. Mr. WIGGINS (United States of America) said that his delegation had abstained during the vote on draft resolution A/C.3/L.2117 because it had reservations concerning the advisability of inviting national liberation movements to participate in international conferences. However, that abstention did not signify any change in his country's policy with regard to such groups and movements.

40. The CHAIRMAN requested delegations to postpone explanations of vote until the next meeting as the Committee was behind schedule in its programme of work.

41. Mr. SPEEKENBRINK (Netherlands) said that his delegation considered that explanations of vote were an integral part of the voting process and that delegations should be allowed an opportunity for explaining their position immediately before or after the vote, in accordance with rule 128 of the rules of procedure of the General Assembly.

42. Mr. EVANS (Australia) said that his delegation's position on the draft resolution which had just been adopted had been based on the understanding that the procedure adopted in the Sixth Committee would be followed in the Third Committee. He therefore welcomed the Chairman's statement and its inclusion in the Committee's report to the General Assembly.

43. The CHAIRMAN invited the Committee to consider chapter V, section B of the report of the Economic and Social Council (A/9603), concerning narcotic drugs. She announced that Japan had joined the sponsors of draft resolution A/C.3/L.2121 concerning the United Nations Fund for Drug Abuse Control.

44. Mr. MESSING-MIERZEJEWSKI (Office for Inter-Agency Affairs and Co-ordination), speaking on behalf of the Director of the Division of Narcotic Drugs and Acting Executive Director of the United Nations Fund for Drug Abuse Control, gave an account of the progress which had been achieved since the previous session of the General Assembly.

45. Referring to the question of accession to drug control treaties, he said that, as indicated in the report of the Secretary-General (A/9707), which was before the Committee, 98 States were now parties to the Single Convention

on Narcotic Drugs, 1961,⁴ and 32 States had acceded to or ratified the 1972 Protocol Amending the Single Convention on Narcotic Drugs.⁵ The situation with regard to the 1971 Convention on Psychotropic Substances⁶ was less encouraging since only 19 States, which did not include the most important producers of such substances, had acceded to or ratified it. That Convention, like the 1972 Protocol, would come into force only after 40 States had taken the necessary steps. There were a number of factors which made it difficult for many Governments to adhere to that Convention. Nevertheless, it was the opinion of the Secretary-General that international efforts should be concentrated on that Convention in order to ensure its earliest possible entry into force and, if not its universal acceptance, at least achievement of equal status with the Single Convention. He therefore noted with satisfaction that a number of Governments, without having ratified or acceded to that Convention, were applying the measures of control it contained and were sending relevant data and information on psychotropic substances to the Secretary-General and to the International Narcotics Control Board. The "watchdog" functions of the International Narcotics Control Board would be further enhanced by the entry into force of the 1972 Protocol. It was stressed that responsibility for implementation of treaties rested with national Governments.

46. With regard to illicit traffic in narcotic substances, he stated that the views expressed at the third special session of the Commission on Narcotic Drugs, held between 18 February and 1 March 1974, as recorded in its report to the Economic and Social Council,⁷ had shown that due to large seizures in Iran, the Republic of Viet-Nam, Thailand, Turkey and elsewhere the quantity of opium seized had doubled. There were periodic shortages of morphine base and heroin as a result of the suppression of opium poppy cultivation in Turkey and the energetic enforcement measures of several Governments, such as France and the United States. However, increasing quantities of heroin originating in the Far East had begun to appear in Western Europe, and Latin America had become a route for the entry of that drug to the American continent. The amount of cocaine seized in North America and Western Europe had increased, and there had been many instances of seizures of liquid cannabis emanating mostly from North Africa, the Middle East and Asia. Cannabis was still the most widely trafficked substance practically everywhere. Multiple drug abuse appeared to be on the increase in the western hemisphere. A number of combined operations were directed at counteracting that trend. A Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East had been established and a similar *Ad Hoc* Committee on Illicit Traffic in the Far East Region (see Economic and Social Council resolutions 1776 (LIV) and 1780 (LIV)) had been established. Member countries of the European Economic Community maintained a continuous joint study of all aspects of the drug problem within their combined jurisdiction, and South American countries were undertaking regional efforts. The International Criminal Police Organi-

zation (INTERPOL) continued its activities in drug abuse suppression. The Customs Co-operation Council had agreed to devote particular attention to illicit traffic in narcotic drugs. The United Nations had established a central training unit for enforcement officers, financed through the United Nations Fund for Drug Abuse Control. Training courses were held in Geneva and at INTERPOL headquarters in Paris, and, increasingly, on a regional basis in countries affected.

47. The Government of Turkey had recently informed the United Nations that it had decided, in principle, to authorize resumption of poppy cultivation on condition that poppies were not lanced, which ensured effective control of opium poppy cultivation. Codeine could still be extracted through the so-called "poppy-straw process". The United Nations welcomed the decision by the Government of Turkey, which was fully in accord with the policies advocated by experts and competent organs of the United Nations. That decision might pave the way towards the elimination of illegal traffic based on illicit poppy cultivation. It would also safeguard the livelihood of Turkish farmers and would ensure adequate world supplies of codeine for pharmaceutical purposes.

48. The Turkish Government had requested United Nations assistance in carrying out a feasibility study of the establishment of a factory (or factories) in Turkey to process poppy straw and manufacture opium alkaloids and to evaluate possible compensation to peasants who had previously produced opium and who would now deliver unlanced poppy instead.

49. The United Nations Fund for Drug Abuse Control had replied positively to that request. It would provide high-level experts and would explore how to secure funds for compensation where necessary. The Turkish Government would store poppy straw or permit its export until a factory was built.

50. The organs dealing with narcotics had given considerable attention to the question of co-ordinating their activities. The position of the Fund within the United Nations system had been more clearly defined; co-operation by the United Nations with various specialized agencies, organizations, such as INTERPOL, and institutes, such as the United Nations Social Defence Research Institute, had developed into a concerted programme of action. The Commission on Narcotic Drugs was the primary source of policy guidance, and the United Nations Fund for Drug Abuse Control was the operational arm. The Fund supported 79 projects which were multisectoral in scope and represented the wishes of Governments within the financial resources available. Of those projects, 51 were administered by the Division of Narcotic Drugs, the remainder by the specialized agencies and other bodies. Half-yearly reports were submitted to the Fund to enable it to review achievements, assess requirements and maintain momentum. The United Nations Laboratory was increasingly committed to research into new varieties of *papaver* (the poppy) for the production of thebaine and the utilization of poppy straw. It was continuing to study the characteristics of cannabis and *khat*, in addition to carrying on its full training programme. Collaborative research, particularly in the chemical field, had begun to promise answers to

⁴ United Nations, *Treaty Series*, vol. 520, No. 7515, p. 151.

⁵ E/CONF.63/8.

⁶ E/CONF.58/6 and Corr.1 and 2.

⁷ *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 6* and correction.

important questions concerning cannabis and alternative sources of codeine. A standard method by which law enforcement officers in the field could chemically recognize narcotic and psychotropic drugs had been agreed upon.

51. Country programmes operations were progressing, in some cases in co-operation with the specialized agencies. In that connexion, he provided details of programmes which had been undertaken in Afghanistan, Burma, Lebanon, Nepal and Pakistan, and, in particular, a crop replacement project in Thailand which had made good progress over the previous two years. There was a regional drug control advisory service in the Middle East, in addition to the country adviser in Iran. United Nations representation in that field might be developed in the near future in the Far East region and later in Central and South America and Africa. Negotiations were in hand, following official requests, to provide assistance to the Governments of Antigua, Argentina, Bolivia, Laos, Nepal, Pakistan and Peru. The Office of Public Information had completed three films in the Narcotic File Series and was preparing another to illustrate the progress of the joint Thai-United Nations programme since its inception two years previously.

52. The resources of the Fund had been doubled in the past year and currently amounted to about \$13,500,000. Of that amount, only slightly more than \$1 million was uncommitted. The initial ambitious programmes of the Fund had been greatly scaled down and were no longer used as a plan of action but rather as an inventory of projects which might be included in the programme as appropriate. Funds were desperately needed to keep the present country programmes going. Current and anticipated future resources would not allow the Fund to launch the programmes requested by Governments unless the rate of contributions increased dramatically. The cost of one country programme was conservatively estimated at \$3 million to \$5 million over a medium-term period. A major decision was inevitable as to whether to orient the Fund programme in the direction desired by several developing countries, i.e. to emphasize the country programmes, or to allocate more resources to sociological research, prevention, treatment and rehabilitation and other less costly enterprises, which also benefited the developed countries. A third possibility would be to attempt to do both in order to achieve the proper balance. Without substantially increased regular contributions, the Fund would have to de-emphasize the promising country programme in favour of less ambitious projects. Financial restrictions would influence policy decisions and make the Fund less effective.

53. The treaty system, though imperfect, was the only norm of international morality with regard to narcotics. The operations of the Fund should be judged in the same light. The Fund was now a going concern and its success depended on the whole-hearted commitment of Governments receiving assistance and the constant moral, administrative and financial support of all Governments concerned.

54. Mr. SÖYLEMEZ (Turkey) welcomed the excellent introductory statement by the representative of the Office for Inter-Agency Affairs and Co-ordination and thanked him for the kind words he had said about Turkey.

55. In the year which had elapsed since the twenty-eighth session of the General Assembly, Turkey had decided to lift the two-year-old ban on opium poppy cultivation. Cultivation had just started on a limited scale in seven provinces where the livelihood of the people had been directly affected by the previous decision. While taking that step for the welfare of the rural population concerned, Turkey was aware of its international responsibilities and was making every effort to ensure fool-proof control so as to preclude the possibility of illicit traffic.

56. The Turkish Prime Minister had said in the Turkish Parliament that Turkey would be ready for and open to all kinds of co-operation for that purpose and would welcome offers of technical assistance by international organizations such as the United Nations, or bilaterally by interested parties, to consolidate the control measures proposed by the Turkish Government. Turkey was approaching the question of control with caution and care; its efforts were directed at reconciling the local and the international interests in the best possible manner. It believed that the international illicit drug traffic must be fought on all fronts and by all the countries directly or indirectly concerned. Experience had shown that banning cultivation in one country did not solve the problem but tended to create other problems and led to the shifting of the illicit traffic to other countries or to the peddling of substitute drugs. It was therefore necessary to focus attention on the root of the problem, namely, the social factors underlying drug abuse and drug addiction. Turkey believed that positive efforts could be made within the framework of the United Nations.

57. On 12 September 1974 the Government of Turkey had announced that in principle poppy cultivation in Turkey was authorized on condition that the poppies should not be lanced. The application of that principle would depend upon the taking of economic measures relating to opium production by that method and for the protection of the Turkish economy. The United Nations had warmly welcomed that decision, which meant that the opium would not be abstracted from the poppy capsules before harvesting and there was hope that it would not become available to illicit traffickers. A United Nations press release stated that the Turkish Government's decision would pave the way towards the attainment of a major international objective, namely, that of eliminating all possibility of irregular diversion from licit poppy cultivation. At the end of the same press release, it was stated that the decision would also safeguard the livelihood of the Turkish farmers in certain provinces and help to ensure adequate supplies of codeine for pharmaceutical purposes in the world. Following that announcement, the United States Department of State had welcomed the fact that Turkey was in principle adopting the poppy straw process for harvesting, which involved the collection by the Turkish Government of the whole pod rather than the opium gum. The traditional practice was for the farmers to collect the opium gum by lancing the pods in the field, and it was that portion of the gum which might be illegally diverted to the world illicit market.

58. The importance of that decision and the wide range of its consequences needed little emphasis. The opium poppy had been cultivated in Turkey since Greek and Roman

times, that was to say, for at least 3,500 years. In the same part of Anatolia where the ancient Greeks and Romans, and perhaps other civilizations, had cultivated the opium poppy, some 90,000 families, or about 600,000 people, now depended on opium cultivation for two thirds of their income. Counting the persons occupied in ancillary occupations, the number of people engaged in the opium industry would be about 1.5 million.

59. The uses of opium in the daily life of the local farmer were legion. They included opium-seeded local bread, low-cholesterol cooking oil, pastries, biscuits and a unique cream, ready-made sedatives for stomach ailments and toothaches and cures for dysentery and pulmonary diseases. The waste was used for animal feed and the stalks or straw for heating process. It was a multipurpose plant and a way of life in Turkey, and when the ban had been imposed, 1,200 oil crushers had been left idle and their owners without any alternative source of income and no eligibility for compensation.

60. Turkey had produced 119 tons of opium in 1965, 125 tons in 1968, 128 tons in 1969, 63 tons in 1970, and 149 tons in 1971, when Turkey had reaped its last opium crop before the ban had been imposed. The opium had been sold by individual cultivators to the State-owned Soil Products Office, a public corporation which had had the monopoly of opium for half a century. Turkey's average annual exportable production of opium had therefore been about 125 tons in recent years. A far more flourishing trade had existed at the time of the Ottoman Empire but Kemal Atatürk had put an end to that and made it compulsory for cultivators to sell their opium to the Soil Products Office.

61. The number of opium-producing provinces had been systematically reduced since 1961. The opium poppy had been cultivated in 35 provinces in 1961, 25 in 1962, 16 in 1964, 11 in 1968, nine in 1969, seven in 1970 and only four in 1971. It was now being cultivated in only seven provinces after the two-year interval during which cultivation had been banned.

62. Turkish opium had a high morphine content—100 kilograms supplied about 14 kilograms of heroin—and only Yugoslav and Afghan opium was of comparable quality. One hectare sown to opium poppy produced between 4 and 11 kilograms of raw opium. In 1970, 10 kilograms of raw opium had brought in only about \$180 for the Turkish cultivator, whereas it could be sold for \$10,000 on the illicit market. It was not the poor Turkish cultivator who had made money out of opium, but the international traffickers. By 1972, the price for the same amount of opium on the illicit market had risen to between \$12,000 and \$15,000. Opium cultivation never made the poor farmer wealthy in Turkey and opium did not grow in rich soil. At best, one farmer could collect between 5 and 6 kilograms, which earned him a total of \$200 to \$250. That was two thirds of an average farmer's total income in the poppy-growing regions, where the average annual *per capita* income was much lower than in the rest of the country. According to one estimate, annual poppy crop sales on the international market for the pharmaceutical industry had been about \$12 million before 1971 and the global revenue had been about \$25 million.

63. After the Second World War, nearly all the opium used in the world pharmaceutical industry had been produced by four countries only, Iran, India, the USSR and Turkey. In 1970 India had produced 974 tons, Iran 78 tons, the USSR 226 tons and Turkey only 51 tons. In 1971 India had produced about 1,200 tons out of the total of 1,616 tons, and Turkey only 149 tons. A total ban on opium production in Turkey had been declared by the Prime Minister on 29 June 1971 following the suggestion of the United States Government. Following that decision, which had become effective in the autumn of 1972, some 90,000 families had been deprived of their main source of income. Turkey had had very little choice. If it continued "to poison American youth" by cultivating opium, all United States aid was to be cut off; a resolution to that effect sponsored by 70 congressmen had been introduced into Congress. The Attorney-General had publicly stated in the United States Senate on 29 June 1971 that if Turkey did not take measures to stop opium production, the United States might take economic sanctions against it.

64. It was often claimed by official sources in the United States, which were echoed by the international press, that 80 per cent of the heroin consumed in the United States originated in Turkey. There had never been any factual basis for that figure, which was unsubstantiated and in fact untrue. Some official sources admitted that in 1971 there had been more than 600,000 narcotics addicts in the United States; assuming that each addict used 3 grams of opium daily, the United States would have had to import at least 600 tons of opium in 1971 alone, an amount which was more than four times the total produced by Turkey (149 tons in 1971). Furthermore, the total ban on opium cultivation in Turkey had not solved the United States drug problem; addicts had simply turned to other markets, in particular, the Far East and Latin America.

65. As he had reported at the 2042nd meeting of the Committee during the twenty-eighth session, Turkey had undertaken economic development projects to provide poppy cultivators with alternative sources of income. Those projects had comprised sunflower cultivation, production of animal feed crops, cattle breeding, small irrigation schemes, a cheese and butter factory, among others. Some of them had been successful and some had failed. The funds to be made available for the economic development of the area through bilateral arrangements had totalled \$20 million, of which \$6 million had been actually disbursed. As the economic investment projects had been directed more towards long-term objectives than immediate relief, the cultivators had been paid compensation for 1972 and 1973, amounting to \$10 million in bilateral aid. All those projects embarked upon under the crop substitution programme would continue until completion.

66. The reason for the lifting of the ban was the serious shortage of opium to meet international pharmaceutical requirements. According to the *Bangkok Post* of 2 April 1974, the shortfall had been no less than 200 tons in 1973. The article went on to say that the demand for medicinal opium had been increasing at the rate of 6 per cent a year, an increase which had coincided with the 1971 ban on Turkish opium production. By 1972, drug companies had been bringing considerable pressure to bear according to the paper, and by 1973, the world market supply of opium had

fallen 400 tons short of the 1,300 tons demanded for medicinal and other licit purposes.

67. In a joint position paper, three major pharmaceutical companies had underlined that fact that, as the three United States importers of crude opium, they had become aware that the world supply of opium had become dangerously inadequate to meet legitimate medical demand for morphine, codeine and other opium derivatives, and they had stated that as far as the United States was concerned the opium shortage had reached critical proportions.

68. Professor William T. Beaver, of Georgetown University School of Medicine, had declared at a symposium held in 1973 that the United States policy of discouraging or totally eliminating the cultivation of the opium poppy, aimed at reducing the supply of illicit heroin in the United States, had had the effect, together with the vagaries of economics and the weather, of creating a world shortage of opium alkaloids and their semi-synthetic derivatives; he had added that that development was likely to have a substantial world-wide impact, and he had argued against any policy that would restrict the availability of those valuable substances. It had been stated in a report published in *The New York Times* of 5 May 1974 that a tentative White House plan called for growing 400 acres of opium poppy on an experimental basis at two locations, one near Walla Walla, Washington, and the other near Phoenix, Arizona. The poppies were to be grown inside military installations and would yield 160 tons of opium, slightly more than half the annual medical consumption in the United States, which had been 300 tons in 1973.

69. India, however, had been encouraged to increase its opium crop. In 1974, Indian growers had had 130,000 acres under opium poppy, 37 per cent more than in 1973, when the area had been only 94,000 acres. However, cold weather and drought should reduce the actual increase to only about 22 per cent, from 900 in 1973 to 1,100 tons in 1974. There were about 200,000 opium farmers in India and it was generally held that the Indian control system worked well. It earned India \$25 million annually.

70. Following the Turkish ban, there had been a change in the pattern of the international opium trade, and the Far East had tended to replace Turkey as a source of illicit supplies. Illegal production in many parts of the world was continuing to supply the illicit traffickers. The difficulties involved in altering social customs and centuries-old traditions were obvious. Those involved in halting illicit cultivation, especially in the Andean region of South America and South-East and South Central Asia, were well known.

71. A recent United Nations conference on narcotics law enforcement held in Bangkok in September 1974 and attended by experts from Australia, Hong Kong, India, Indonesia, Japan, the Khmer Republic, Laos, Malaysia, New Zealand, the Philippines, the Republic of Viet-Nam, Singapore, Sri Lanka and Thailand, had concluded in its report that there appeared to be an increase in the traffic in drugs from Asia to Europe and the Americas. Thus, when Turkey had stopped opium poppy production, other countries had stepped in to make up the difference and meet the increasing demand for opium. The problem of drug abuse,

especially in the developed countries directly concerned, still remained to be solved. That was a social ill that would persist until such time as forceful national drug laws were adopted or existing national and international measures were enforced, and until the problem was attacked at the social level.

72. Turkey was a member of the United Nations Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East, together with Afghanistan, Iran, Pakistan and Sweden. The Sub-Commission had played an active role since its inception in 1973, at the twenty-fifth session of the Commission on Narcotic Drugs. The Sub-Commission had visited the area in 1974 and while at Ankara had been briefed in detail about the illicit traffic situation in Turkey. Although there was no problem of addiction to opium or its derivatives in Turkey, a small increase had been noted in the use of cannabis, especially among the young. In 1971, 890 kilograms of opium, 250 kilograms of base morphine and 3,535 kilograms of cannabis had been seized by the police. In 1972, 1,945 kilograms of opium, 145 kilograms of base morphine and 6,257 kilograms of cannabis had been seized. The latest figures for 1973 showed the seizures amounted to 2,429 kilograms of opium, 136 kilograms of base morphine and 5,396 kilograms of cannabis. In 1973, liquid cannabis had been seized for the first time in Turkey, smuggled from Lebanon into the province of Hatay. Three hundred LSD tablets illegally imported from Canada had also been seized in 1973 at Istanbul, the first time that LSD tablets had been seized in Turkey.

73. The upward trend in the seizures of opium and cannabis in Turkey was due to the increasing efficiency of law enforcement units. Secret agents working from the inside had engaged in operations with illicit traffickers and had eventually brought important traffickers to justice. New techniques and methods were being adopted every day. Special narcotic teams of the Turkish *gendarmérie* had been sent to eight more of the sensitive provinces. The air control team now had three planes at its disposal, which were used to monitor opium cultivation. In addition to the 22 narcotics bureaux already active in Turkey, similar bureaux had been established in 11 additional provinces. They would be manned by 800 law enforcement agents under the police force. Narcotics experts received special training in intensive courses. The National Central Narcotics Bureau, established within the National Security Department, co-ordinated the activities at both the international and the regional levels and exchanged information with INTERPOL, the Narcotics Office of the Arab League and the representatives of the Drug Enforcement Agency of the United States, in Ankara. The Turkish-Iranian and the Turkish-Syrian Mixed Border Commissions, and a special sub-commission of the latter, continued to meet regularly and to co-operate actively in the common struggle against the illicit traffic.

74. In 1973, officials from the *gendarmérie* and the Police Department had attended six-week courses in the United States, and 75 high-ranking officials had participated in courses in Turkey organized by the United States mobile training team in co-operation with the Turkish authorities. A number of officials from law enforcement agencies had been granted United Nations scholarships and visited

France and Switzerland. Increasing emphasis had been placed on the training of secret agents. In addition, practical arrangements as far as border controls were concerned had been strengthened with the extension of the *gendarmarie* teams.

75. Drug traffickers were liable to severe penalties under Turkish penal law, especially when smuggling was involved. Sentences of up to 30 years' imprisonment with hard labour or even life sentences could be given. The Turkish Government was ready to strengthen regional and international co-operation in order to improve further the effectiveness of measures to combat the illicit traffic in narcotic drugs.

76. In the field of control measures and limited cultivation, the main issue was effective government control of opium poppy cultivation in other countries. The limited production of opium was an absolute necessity if chemical and scientific needs were to be met. The method of control known as unincised poppy cultivation implemented in India would also be applied in Turkey.

77. On 25 August 1971, a new law had come into force in Turkey allowing the cultivation of the opium poppy under licence, in accordance with the provisions of the Single Convention on Narcotic Drugs, 1961. Under that law, each cultivator had to make an individual application for a licence, there was direct State control of cultivation in the field, and yield estimates were made by the Soil Products Office, the main control organ. On-the-spot collection of the yield was also envisaged. That law had not so far been enforced because the total ban had intervened.

78. The control mechanism for the prevention of the illicit traffic would largely depend on the licence system, which would operate roughly in the following way. Cultivation was permitted only in seven provinces. Individual application forms had been distributed in 2,175 villages, which involved approximately 90,000 opium poppy cultivators. The total area of cultivation was limited by decree to a total of 20,000 hectares. In granting licences, priority would be given to the poorer farmers whose livelihood primarily depended on poppy cultivation and whose traditional occupation it was. Such licences would be limited to a total of 5 decares per cultivator, or an average of 2.2 decares by an individual farmer. The records of all opium poppy cultivators were kept in the Soil Products Office and those of applicants for licences would be scrutinized so as to eliminate farmers who had criminal records or had been sentenced for illicit opium poppy cultivation. Licences were issued to individuals and were transferable.

79. Cultivation and the control of the cultivation would involve three stages. First, following the distribution of the application forms, some individual fields had been selected and identified. The local agency of the Soil Products Office, the technical personnel of the Ministry of Agriculture and the village headman would complete that process. Sec-

ondly, the cultivation would be kept under careful scrutiny to see whether the actual planting corresponded to the figures on the individual application and the size of the plot. Thirdly, the individual application would be checked against the actual yield, according to the Drazing method, which was based on the amount of poppy straw and capsules per square metre. Fourthly, the Government provided credit before the October planting, secured on the expected production of opium. Lastly, the poppy harvest could be bought on the spot, in the field itself, unincised, by mobile buyer units, and there were also 21 established collection centres. To complement those measures, the police and the *gendarmarie* would assist in the control process with law enforcement measures, including aerial reconnaissance. Airborne remote sensing methods would also be used to identify the poppy crop and measure the cultivated areas by computer.

80. It would be absurd for an opium-producing country like Turkey to import morphine, codeine and other related pharmaceutical needs from industrialized countries. In any event, there had been years in the 1950s when Turkey had wished to import morphine and codeine but had been unable to do so owing to foreign exchange difficulties. Now, with limited and controlled cultivation at hand, the plans conceived a decade before would, he hoped, be translated into one or more alkaloid factories, at most in two years' time. The opium would be processed into pharmaceutical substances in the poppy-growing region itself. The alkaloid factory would provide additional employment and save foreign exchange. In that respect Turkey was ready to co-operate with the United Nations Development Programme and the World Bank.

81. The United Nations Fund for Drug Abuse Control had embarked on interesting country programmes in Thailand, Afghanistan and Lebanon and had started new programmes for Burma, Nepal and Pakistan in 1973. Turkey was interested in similar programmes in control measures against illicit traffic.

82. Introducing draft resolution A/C.3/L.2123, on the illicit traffic and abuse of narcotic drugs, he announced that Iran, Sweden, Uganda and Yugoslavia had joined the list of sponsors. He expressed the hope that it could be adopted without a vote. He trusted that the Committee would signify its approval of chapter V, section B, of the report of the Economic and Social Council (A/9603) and that it would adopt both the draft resolutions before it (A/C.3/L.2121 and A/C.3/L.2123).

83. Mr. BALOCH (Pakistan) requested that the Turkish representative's statement should be reproduced *in extenso* in the summary record of the meeting.

84. The CHAIRMAN said that the statement would be given full coverage in the summary record.

The meeting rose at 6.10 p.m.

2080th meeting

Monday, 4 November 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2080

Expression of sympathy upon the death of Mr. P. E. Nedbailo

1. The CHAIRMAN conveyed the Committee's condolences to the delegation of the Ukrainian Soviet Socialist Republic on the death of Mr. P. E. Nedbailo, who had represented that country in the Committee and other United Nations organs for many years.

2. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) expressed his appreciation to the Committee and said that its condolences would be conveyed to the family of the deceased.

AGENDA ITEM 12

Report of the Economic and Social Council [Chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2118/Rev.2, 2121, 2123, 2126, 2127)

3. The CHAIRMAN announced that Gabon, Senegal and Sierra Leone had joined the sponsors of draft resolution A/C.3/L.2112/Rev.2. She then invited delegations which wished to explain their votes on draft resolution A/C.3/L.2117, adopted at the previous meeting, concerning the International Women's Year Conference, to do so.

4. Mrs. WU Yi-yu (China) recalled that her delegation had voted in favour of that text. With regard to the question of the participation of all States, she wished to state that the Provisional Revolutionary Government of South Viet-Nam was the only genuine representative of the people of South Viet-Nam and should therefore be invited to participate in the International Women's Year Conference. Furthermore, the clique entrenched in Phnom Penh had no right to represent Cambodia at international conferences since the Royal Government of National Union, headed by Prince Norodom Sihanouk, was the sole legal representative of the Cambodian people.

5. Mr. TRAVERT (France) said that his delegation had abstained in the vote on draft resolution A/C.3/L.2117 because of the adoption of the third amendment contained in document A/C.3/L.2125 which added a new operative paragraph 2. That did not mean that it objected in principle to the proposal it contained, particularly in the light of the interpretation which the Chairman had given at the previous meeting and which would be included in the Committee's report to the General Assembly. Nevertheless, his delegation's acceptance in principle of that proposal should not be regarded as acceptance of any organizations as representative of the indigenous populations of French Territories.

6. Mr. DESBIENS (Canada) said that his delegation had voted in favour of the draft resolution in question. However, had a separate vote been requested on the question of movements recognized by the League of Arab States, it would have abstained, as it did not wish to prejudice in any way the decision as to who would represent the Palestinian people in the future.

7. Mr. BROAD (United Kingdom) said that his delegation supported the first additional operative paragraph proposed in document A/C.3/L.2125 in the light of the interpretation given by the Chairman and considered that it embodied sensible arrangements for the organization of the Conference. It had abstained in the vote on draft resolution A/C.3/L.2117 because of its well-known reservations concerning the status of the movements mentioned in the new operative paragraph 2.

8. Mrs. IDER (Mongolia) said that her delegation had voted in favour of draft resolution A/C.3/L.2117 incorporating the amendments presented by various African, Asian and Latin American delegations in document A/C.3/L.2125. It considered that the "all-States formula" should be interpreted in such a way as to ensure that the Provisional Revolutionary Government of South Viet-Nam was invited to attend the Conference.

9. Mr. NOWORYTA (Poland) said that his delegation had voted for draft resolution A/C.3/L.2117 incorporating the amendments contained in document A/C.3/L.2125 because it believed that all States and the liberation movements should be invited to participate in the Conference in accordance with the principles of universality and the Charter. The Provisional Revolutionary Government of South Viet-Nam should be invited to attend the Conference. In the present climate of détente, it was essential to prevent discrimination and apply the principle of universality in the interests of peace and international co-operation. The Committee should adopt a clear position against any discrimination, in accordance with the views which had been expressed during the debate.

10. U SOE MYINT (Burma) said that it was by error that his delegation had abstained in the vote on the amendments contained in document A/C.3/L.2125. It had intended to vote in favour of those amendments.

11. The CHAIRMAN invited the Committee to consider the revised draft resolution on International Women's Year contained in document A/C.3/L.2118/Rev.2.

12. Miss SHAHKAR (Iran) said that, following consultations between delegations, the sponsors of draft resolution A/C.3/L.2118/Rev.1 had considered it necessary to incorporate some amendments in the interests of precision and to avoid possible ambiguity. The purpose of the revised

draft resolution was to ensure the maximum effectiveness of the consultative committee in preparing for the Conference to be held during International Women's Year. Since it would appear that the practical arrangements had not been sufficiently clearly defined in the original draft resolution, the sponsors now wished to submit a revised text, which was before the Committee as document A/C.3/L.2118/Rev.2.

13. Operative paragraph 3 had been modified to ensure that the consultative committee would be composed of experts in the field of women's rights. The formulation "nominated by their respective Governments and designated by the Secretary-General" had been used in view of the financial implications of the proposal, since travelling expenses would not be paid by Governments but would be met from the voluntary fund established under Economic and Social Council resolution 1850 (LVI). Operative paragraph 6 had been included for technical budgetary reasons; there were no financial difficulties in arranging the meetings of the consultative committee, since some States had already offered extra contributions for that purpose, and her Government would shortly announce a substantial contribution to the voluntary fund. She drew attention to the fact that the statement on administrative and financial implications (A/C.3/L.2126) had been drafted on the basis of the provisions of document A/C.3/L.2118/Rev.1 and should therefore be modified in the light of the subsequent revision of that document. Operative paragraph 7 had been added to facilitate the work of the Committee, improve its effectiveness and facilitate the preparatory work for the Conference. She hoped that the draft resolution, as revised, would reflect the interests of all delegations and that the Committee would adopt it unanimously.

14. Mr. BAL (Mauritania), supported by the representative of Uruguay, wished to propose some possible amendments with a view to improving the document under consideration. The wording of operative paragraph 2 was somewhat ambiguous. He therefore proposed that it should be amended to read "composed of not more than 18 Member States". With regard to paragraph 3, he considered that the word "decides" was inappropriate and the words "and designated by the Secretary-General" were superfluous, since the members of the committee would be nominated by Governments. He further proposed that, in view of the involvement of the Third Committee in the preparations for the Conference and International Women's Year in general, its Chairman should be invited to participate in the consultative committee in addition to the 18 Member States.

15. Miss SHAHKAR (Iran) said she would like to consult the other sponsors of the draft resolution concerning the proposals submitted by the representative of Mauritania.

16. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation supported draft resolution A/C.3/L.2118/Rev.2. However, it felt that the consultative committee should not limit its work to consideration of the international plan of action but should discuss other questions connected with the preparation of the Conference. The progress report which the Secretary-General was to submit to the organizational session of the Economic and Social Council, in accordance with operative para-

graph 7 of the draft resolution, could also be discussed in the consultative committee, particularly as the organizational session would be too short to permit a thorough discussion of it.

17. With regard to operative paragraph 3, his delegation agreed with the comment of the representative of Mauritania concerning the phrase "and designated by the Secretary-General". As the financial aspects were covered in operative paragraph 5 of the draft resolution, there was no need for the Secretary-General to designate members of the consultative committee for financial reasons. In operative paragraph 5, his delegation considered that the word "all" should be inserted between "that" and "the costs of" and that the words "including the travel expenses of its members" should be added after "the consultative committee". That would ensure that all costs would be met from the voluntary fund, and that no additional funds would be sought from the regular United Nations budget.

18. Mr. BAL (Mauritania) said that if the Chairman of the Third Committee was to participate in the work of the consultative committee, she would do so in her capacity as Chairman and not as representative of Mali; that should be made clear either in the draft resolution or in the progress report to be sent to the Economic and Social Council. Her participation would therefore not alter the number of seats on the consultative committee to be allotted to the African States.

19. In operative paragraph 3 of draft resolution A/C.3/L.2118/Rev.2 the word "*Decides*" was inappropriate because it related to action to be taken by Governments; the words "Expresses the hope" would therefore be more suitable.

20. Mrs. WU Yi-yu (China), Mr. MADI (Jordan) and Miss DUBRA (Uruguay), supported the suggestion made by the representative of Mauritania that the Chairman of the Third Committee should participate in the work of the consultative committee.

21. Mrs. MOHAMMED (Nigeria) said that her delegation supported the suggestion that the Chairman of the Third Committee should participate in the work of the consultative committee and further suggested that the Chairman of the Commission on the Status of Women should be invited to attend.

22. Mr. EVANS (Australia) said that his delegation hoped that a form of words concerning the financial arrangements for the Conference would be found that would be acceptable to both the Secretariat and the Fifth Committee. He would be pleased if the Chairman of the Third Committee participated in the work of the consultative committee, but pointed out that it would be inadvisable to invite too many individuals to attend because of the costs involved and because the sponsors of the draft resolution had wished to limit the number of members of the consultative committee in the interests of efficiency.

23. Mr. TRAVERT (France) said that his delegation supported the suggestion of the Nigerian representative that the Chairman of the Commission on the Status of Women should be invited to participate in the work of the consultative committee.

24. The CHAIRMAN suggested that the sponsors of draft resolution A/C.3/L.2118/Rev.2 and other interested delegations should discuss the amendments to the draft resolution and work out an agreed text; meanwhile, the Committee would continue its consideration of chapter V, section B of the report of the Economic and Social Council (A/9603), on narcotic drugs.

25. Mr. ARIZAGA (Ecuador) said that the problem of narcotics was both a moral and a human one. Drug addiction had been spreading for many years and was now one of the most serious problems of modern society. Addiction-producing drugs, psychotropic substances and the hallucinogens lead to a clouding of the mind and a paralysis of the will, releasing terrifying forces from the subconscious. Statistics showed that the use and abuse of such drugs was much more widespread in highly developed and industrialized countries than in the rest of the world. That would seem to indicate that the people of those countries, saturated with luxury and ease, were seeking by escaping into dreams a balance which their life could not give them. The young people who took to drugs might be said to be rejecting and denying the attitudes and legends of the consumer society. The hatred and disenchantment they expressed was a sure sign that something was wrong. In their revolt, they looked to drugs to save them from their decadent society. In its essence, the problem was certainly a moral one. The relaxation of moral standards, the release of passions, the replacement of faith by political ideologies, materialism, the constant and dangerous decline of authority and the weakening of the home were all signs of the times. The steady absorption of narcotics destroyed moral and ethical values and could lead the addict to suicide, murder and the total destruction of his mind and body; furthermore, it could also produce genetic mutations leading to unknown horrors.

26. The international community could not remain idle in the face of such an enormous problem, a problem which affected primarily young people, the hope of the future. A united effort must be made to attack the deep-rooted social peril of drug addiction. It was both necessary and urgent for Governments to take energetic measures against the merchants of death, which was what drug traffickers really were. The cultivation of drug-producing plants must be controlled so that only enough to meet medical and therapeutic requirements was grown. Every weapon must be used against the international Mafia which battered on the misery of its victims.

27. The penal legislation of Ecuador prescribed severe penalties for offences such as illicit drug trafficking, trading in addiction-producing drugs and cultivating for other than medicinal purposes the plants from which such drugs were obtained. At the same time, Ecuador was a party to the Single Convention on Narcotic Drugs, 1961,¹ which had come into force on 13 December 1964. It was also one of the 19 States which had signed and deposited their instruments of ratification or accession to the 1971 Convention on Psychotropic Substances,² which had unfortunately not yet come into force because the number of ratifications still fell short of the 40 laid down in article 25

of the Convention. Lastly, Ecuador had ratified the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961.³ He urged those countries which had not yet done so to ratify the last two instruments he had mentioned as speedily as possible. Concerted action on the part of those States would help to eradicate the indescribable havoc caused by drug abuse.

28. After giving the text careful consideration, his delegation whole-heartedly supported draft resolution A/C.3/L.2121, on contributions to the United Nations Fund for Drug Abuse Control, which was fully in harmony with his delegation's thinking. He also supported draft resolution A/C.3/L.2123 on illicit traffic and abuse of narcotic drugs.

29. Mr. BAROODY (Saudi Arabia) said that drug addiction had become prevalent in certain parts of the world because of the disruption of the social order which had been shaken to its foundations by the industrial and technological revolutions; that had made people bewildered and had sometimes driven them into the abuse of drugs. While the work of the Commission on Narcotic Drugs was laudable, the Third Committee should look into the causes of drug addiction. The problem had been discussed in the United Nations since 1951 and had only worsened in the interval. Measures taken by Governments to combat it had been ineffective. Faith in a religious or moral code had been replaced by materialism, which was threatening the order of society that had been developed over millenniums, the family unit and human relationships in general. The abuse of opium led to addiction and social ills, especially in the industrialized countries where the triumph of materialism over spiritual faith was most marked. However, opium was not the only dangerously addictive drug; alcohol was one of the most dangerous of all drugs, but nobody wished to discuss that problem.

30. He praised the statement made by the Turkish representative at the previous meeting. The statement had contained references to the cultivation of opium poppies in ancient times; but while the abuse of opium had once been limited to the very rich or to the very poor, it was the middle class, the repository of morality in society, which after the industrial and technological revolutions had become infected by materialism and was succumbing to drug addiction.

31. There was no reason to single out Turkey and India in the struggle against the abuse of narcotic drugs, as many synthetic drugs were addictive, and opium had been cultivated for centuries for medicinal purposes. Furthermore, there was no mention in the draft resolutions of the question of treating not only the symptoms but also the causes of drug addiction. The disappearance of the extended family and lack of maternal attention drove young people in industrial countries to drug addiction. Young people took drugs to stimulate themselves from apathy and to escape from the real world. It was a waste of time to consider the report of the Commission on Narcotic Drugs and to draw up resolutions while ignoring the root of the problem. As long as people put their faith in material things and vied with others in luxurious living, and as long as Governments were corrupt and the police and courts in

¹ United Nations, *Treaty Series*, vol. 520, No. 7515, p. 151.

² E/CONF.58/6 and Corr.1 and 2.

³ E/CONF.63/8.

certain countries turned a blind eye to drug trafficking, no solution to the problem would be found.

32. Mr. MESSING-MIERZEJEWSKI (Office for Inter-Agency Affairs and Co-ordination) informed the Committee that the United Nations Fund for Drug Abuse Control was funding an epidemiological study, to be carried out mainly by the World Health Organization, dealing also with the medical and social aspects of drug abuse. The study would probably be completed in 1975.

33. Mr. FERGUSON (United States of America) said that the international drug abuse problem remained a persistent intruder in the lives of millions; all too often the victims of drug addiction were already living in poverty, underprivileged conditions and despair. However, the tenacity and persistence of the drug abuse problem should not be viewed as grounds for despair, but as a challenge to the international community to eliminate that most dangerous threat to the happiness and health of its members. His delegation believed that nations acting within their borders in co-operation with each other and international institutions had the means which, if rigorously applied, would eventually bring illicit drugs under control. The momentum of past efforts must be maintained without relaxation until the tide of drug abuse subsided.

34. The United States intended to persevere, both domestically and in co-operation with other Governments and international organizations; it planned to strengthen the bilateral programmes developed over recent years and to maintain its vigorous support of the international organizations concerned with the problem of drug control. In a proclamation dated 18 October 1974, the President of the United States had called for further efforts to bring about the total banishment of drug abuse from American life.

35. Significant efforts in international narcotics control had been made over the previous year. The draft resolutions recommended by the Commission on Narcotic Drugs at its third special session in February 1974⁴ and later adopted by the Economic and Social Council should prove valuable in strengthening the world community's ability to attack the drug problem, and the research efforts of the United Nations Laboratory should provide the world community with increased knowledge upon which to base future decisions in the narcotics field. The information and analyses made available to the international community by the International Narcotics Control Board were useful to an understanding of not only licit traffic, but also the illicit traffic and the general supply situation. His delegation hoped that the Board would continue its achievement as its responsibilities multiplied with the coming into force of the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961, and of the 1971 Convention on Psychotropic Substances. It urged all Governments to ratify those Conventions and the Single Convention on Narcotic Drugs, 1961, itself so that the international system for controlling all abused drugs—both natural and synthetic—could be completed. The United States Government had ratified two of those Conventions and was considering

enabling legislation which would permit the ratification of the 1971 Convention on Psychotropic Substances.

36. His delegation believed it essential that the work of the United Nations Fund for Drug Abuse Control should be continued and urged all Members to provide it with substantial and sustained contributions. Although it believed that there was still room for improvement in the Fund's programming, operations and project evaluation procedures, it noted with satisfaction the speed and flexibility which had been displayed by the Fund in responding to the request from the Government of Turkey for technical advice on control procedures. In that context his delegation noted that the Turkish Government, after consultations with the United Nations narcotics authorities, had informed the United States Government that it had decided, in principle, to adopt the poppy straw method of harvesting poppies. While his Government believed that it would have been preferable to continue the ban on poppy cultivation, it was greatly heartened that the Turkish Government had decided to use that method, which was much more amenable than the earlier method to efficient and effective control. With effective policing to ensure that opium gum was not illegally extracted, a resurgence in the production of heroin could be avoided.

37. Past efforts towards creating an effective international system for controlling drugs had been successful in providing the instruments needed for the task. However, there was no justification for considering that the problem was even near solution and the world community must utilize all available instruments with skill, imagination and determination to achieve the common goal. His delegation therefore urged all Governments to continue to support all organizations dedicated to the elimination of drug abuse as a serious social problem.

38. Mrs. WATANABE (Japan) said that the abuse of narcotic drugs and illicit trafficking in drugs unquestionably had destructive effects on the international community and constituted a grave menace to the well-being of mankind. The problems of drug abuse were among the most serious of the numerous problems which urgently required more effective international co-operation for their solution. The Government of Japan was keenly aware of the gravity of those problems and it recognized its responsibility as a member of the international community. It was co-operating with the United Nations in its efforts to solve the problems of drug abuse and was a member of the Commission on Narcotic Drugs and also of the International Narcotics Control Board. It had been a party to the Single Convention on Narcotic Drugs since 1964, and in 1973 it had ratified the Protocol Amending the Single Convention on Narcotic Drugs. The Convention on Psychotropic Substances was being studied in relation to the relevant domestic laws with a view to its early ratification. The Japanese Government had made contributions to the United Nations Drug Abuse Control Fund amounting to \$400,000 in 1973 and 1974.

39. Her Government fully supported Economic and Social Council resolution 1845 (LVI) on co-operation for drug law enforcement in the Far East region. The Far East region was still one of the most crucial areas in relation to the drug problems of the world. Japan had participated in a

⁴ *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 6 and correction, chap. XIII.*

meeting on narcotics law enforcement held in Bangkok in September 1974, as envisaged in operative paragraph 2 of the resolution. The Japanese Government's participation at that meeting had further deepened its conviction of the desirability of holding such meetings on a regular basis to provide the opportunity for the operational heads of the national narcotic law enforcement agencies of the Asian region to become better acquainted with each other and each other's problems through the first-hand exchange of information and suggestions. With regard to Economic and Social Council resolution 1848 (LVI), the Japanese Government hoped that the question of the periodicity of the sessions of the Commission on Narcotic Drugs would be thoroughly discussed at the Commission's twenty-sixth session in 1975 and that all countries would provide useful suggestions and ideas for the discussion.

40. Miss VOLLMAR (Federal Republic of Germany) said that her Government attached the utmost importance to both national and international measures to control drug abuse. It had therefore participated in the activities of the United Nations in that field. It was a member of the Commission on Narcotic Drugs and it had contributed DM 1 million to the United Nations Fund for Drug Abuse Control in 1971. It had also contributed DM 500,000 in 1974 and was now considering the possibility of a further contribution. The amount of that possible contribution would depend, *inter alia*, on whether the funds were used to finance promising priority projects involving only a small amount of administrative expenditure, whether the contributing countries received adequate information on current and planned projects, and whether those countries were given an opportunity to participate in the decision-making process.

41. The Federal Republic of Germany was a party to the Single Convention on Narcotic Drugs, 1961, which had come into force in the Federal Republic on 2 January 1974. The 1972 Protocol Amending the Single Convention was likely to be ratified before the end of 1974, and the 1971 Convention on Psychotropic Substances during the current legislative period, ending in 1976. The Federal Republic was participating in other efforts to control drug abuse, such as the Pompidou initiative, under which it closely co-operated with its partners in the European Economic Community.

42. From its co-operation at different international levels, her country had repeatedly gained the impression that better co-ordination was urgently required in order to avoid duplication. It therefore considered General Assembly resolution 3012 (XXVII), on assistance in narcotics control, to be much to the point. It would be a step forward if each of the organizations concerned undertook to provide the others with detailed information about the control measures it intended to take.

43. Her delegation supported draft resolution A/C.3/L.2121, taking into account its position with regard to the Fund for Drug Abuse Control which she had already explained. It was a sponsor of draft resolution A/C.3/L.2123 and it was strongly of the view that the unincised poppy cultivation and straw process for harvesting method mentioned in operative paragraph 2 would lead to more effective control.

44. Mr. LÜTEM (Secretary of the Committee) drew attention to paragraph 3 (b) of the statement of the administrative and financial implications of draft resolution A/C.3/L.2118/Rev.1, contained in document A/C.3/L.2126, which provided that the travel expenses of the representatives of Governments serving on the consultative committee would be met by the respective Governments concerned. That statement was based on the policy established by the General Assembly in resolution 1798 (XVII) and confirmed on subsequent occasions that neither travel nor subsistence expenses should be paid in respect of members of organs or subsidiary bodies who served as representatives of Governments, unless the resolution establishing the organ or subsidiary body provided otherwise.

45. Following the distribution of the statement of financial implications, the sponsors of draft resolution A/C.3/L.2118/Rev.2 had informed the Secretariat that it was their intention to amend operative paragraph 5 of that text by adding the word "all" before the words "the costs", so that the paragraph would read "*Decides* that all the costs of convening the consultative committee will be met from the Voluntary Fund established under Economic and Social Council resolution 1850 (LVI)." The sponsors had further indicated that, by that amendment, it was their intention to make an exception to the principle established in General Assembly resolution 1798 (XVII) and thereby authorize the payment of travel and subsistence to the members of the consultative committee. Should the General Assembly approve the draft resolution with that amendment to operative paragraph 5, an additional amount of \$27,000 would be required.

46. Miss SHAHKAR (Iran) said that the sponsors had been able to agree with representatives of the regional groups and the delegations that had submitted amendments on a generally acceptable text for draft resolution A/C.3/L.2118/Rev.2. The changes that had been agreed upon were the following. In operative paragraph 2 the words "composed of representatives" should be deleted from the first line, so that the text would read "*Decides* to establish a consultative committee of not more than 18 Member States." Paragraph 3 should be reworded to read: "*Further expresses the wish* that the consultative committee should be composed of highly qualified individuals nominated by their respective Governments," the end of the paragraph being deleted. In paragraph 4 the words "or in Geneva" in the second line should be deleted, and the words "for a maximum of 10 working days" should be inserted after the words "United Nations Headquarters". In paragraph 5, the word "all" should be inserted after the words "*Decides* that" and the words "including the travel expenses of its members" should be inserted after the words "consultative committee", which was along the lines of what the Secretary of the Committee had just suggested.

47. As to the participation of the Chairman of the Third Committee in the work of the consultative committee, that might be looked after by a paragraph in the Committee's report to the General Assembly reading: "The Committee recommends to the General Assembly that the Chairman of the Third Committee should be invited to participate as an observer in the work of the consultative committee." A further sentence might be added to the following effect: "The travel expenses of the Chairman would also be borne

by the Voluntary Fund." She trusted that draft resolution A/C.3/L.2118/Rev.2, as amended, would meet with general approval.

48. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the provisions with regard to travel expenses read out by the Iranian representative differed from the statement made by the Secretary of the Committee. His delegation would vote for the new wording on the understanding that there would be no additional expense for the United Nations budget.

49. Mr. SPEEKENBRINK (Netherlands) asked what the distribution of seats in the consultative committee would actually be in accordance with the principle of geographical distribution.

50. The CHAIRMAN said that, based on the geographical distribution of seats in the Economic and Social Council, the distribution would be the following: African Group, 5; Asian Group, 4; Latin American Group, 3; Western Europe and other countries, 4; Socialist States 2.

51. Mrs. HEANEY (Ireland) asked what the time-table would be for the action envisaged in operative paragraph 2.

52. The CHAIRMAN said that she would consult the Chairmen of the different regional groups as soon as possible and would then submit a suggestion to the Committee based on the outcome of those consultations.

53. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that it would be difficult for the Committee to vote immediately, since more consultations were envisaged.

54. Miss SHAHKAR (Iran) said that the Committee could vote on the draft resolution since the principle of equitable geographical distribution was spelled out in operative paragraph 2 and the consultations were concerned only with its implementation. No decision would be taken without the agreement of the regional groups.

55. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.2118/Rev.2, as amended. If there was no objection she would take it that the draft resolution was adopted.

Draft resolution A/C.3/L.2118/Rev.2, as orally amended, was adopted without objection.

The meeting rose at 1.10 p.m.

2081st meeting

Monday, 4 November 1974, at 3.15 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2081

AGENDA ITEM 12

Report of the Economic and Social Council [Chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9737, A/9764, A/9767, A/9785, A/C.3/L.2118/Rev.2, 2121, 2123 and 2127)

1. Mrs. SHAHANI (Philippines) recalled that the Philippines had ratified the Single Convention on Narcotic Drugs, 1961¹ as well as the 1971 Convention on Psychotropic Substances,² and that it had contributed \$US3,000 to the United Nations Fund for Drug Abuse Control. That was an indication of the profound interest that her Government took in the matter. The Philippine authorities estimated that over 250,000 people were using drugs in the Philippines, particularly in Manila. It was a problem of considerable scope and was difficult to solve because of the number and variety of factors involved: proximity to external sources of drugs, a long coastline which facilitated smuggling, the existence of international syndicates and clandestine heroin laboratories. Her Government had reacted by promulgating a law concerning dangerous drugs in 1972, by

drawing up a very full list and classification of those drugs, by carrying out very strict supervision of sales and including courses on the dangerous effects of drugs in the programmes of public education establishments. The Government had set up a drug brigade which ensured that the law was strictly applied to all drug manufacturers and purveyors. Traffickers were subject to very severe penalties and efforts were being made to rehabilitate addicts. She had listened with great interest to the statement made by the representative of Turkey to the Committee at the 2079th meeting. He had indicated that activities associated with drug trafficking had increased in South-East Asia. Unfortunately that was true. Several countries which were concerned about the new outbreak of drug trafficking were represented on the Committee, for example Indonesia, Malaysia, Singapore and the Philippines. Those countries should unite to fight against international traffickers.

2. Her delegation would therefore support draft resolutions A/C.3/L.2123 and L.2121 unreservedly.

3. Mr. FØNS BUHL (Denmark) wished first of all to comment on youth questions which were dealt with in section A.2 of chapter V of the report of the Economic and Social Council (A/9603). Denmark was very interested in the work of the *Ad Hoc* Advisory Group on Youth and hoped that the ideas expressed in the reports on its first two sessions would be helpful to the Commission for Social

¹ United Nations, *Treaty Series*, vol. 520, No. 7515, p. 151.

² E/CONF.58/6 and Corr. 1 and 2.

Development at its twenty-fourth session to be held in January 1975 when it would consider a redefinition of international policy on youth within the framework of the United Nations system.

4. In his delegation's view, youth should not be treated as an isolated sector of society, and the issues discussed in the United Nations should not be artificially divided into those which concerned youth and those which did not. Instead of merely arranging special youth meetings, greater efforts should be made to ensure meaningful participation by youth in the consideration of major issues within the United Nations, for example, population, the world food situation and the trade and monetary issues discussed by UNCTAD which, in many industrialized countries, as in Denmark, were closely followed by various youth groups. The United Nations should welcome such activities and should find ways to enable young people to participate in the debate on such questions. In the human rights field, the question of conscientious objection deserved greater attention. The *Ad Hoc* Advisory Group had recommended that the Commission on Human Rights should organize meetings of young people at the regional and national level on human rights issues, including reconciliation of conscientious objection with national defence needs. That was a problem to which youth and youth organizations in Denmark attached considerable importance; his delegation would welcome the establishment of common international standards allowing an individual to be exempt from compulsory military service if it was incompatible with his conscience on religious or moral grounds.

5. He recalled that the General Assembly, in its resolution 3022 (XXVII), had decided to re-examine the question of channels of communication with youth and international youth organizations at latest at its thirtieth session. He recommended that the third session of the *Ad Hoc* Advisory Group should take place as soon as possible after the Economic and Social Council had considered, at its fifty-eighth session, the report of the Commission for Social Development on its twenty-fourth session. The Secretary-General would then be able to take the Group's final report into consideration when preparing documentation for the thirtieth session of the General Assembly. Furthermore, he noted that the composition of the Group had totally changed between the first and second sessions. Although that could be helpful, he felt that, in the interest of continuity, the *Ad Hoc* Advisory Group should include some members from the first and second sessions at its third and last session.

6. Turning to the question of narcotic drugs, he said that Denmark attached great importance to the work carried out by United Nations bodies which reviewed the world drug situation and tried to organize concerted action. The question of narcotics control affected not only producer countries but also countries which were, or might become, centres of illicit traffic in and abuse of drugs. The United Nations Fund for Drug Abuse Control had been established to provide the necessary machinery for concerted action to eliminate illicit drug supply, traffic and demand. It needed the sustained support of member States. In that connexion, the Danish Government had decided, subject to parliamentary approval, to contribute \$50,000 to the Fund for 1974. As a sponsor of draft resolution A/C.3/L.2121, his delegation hoped the Committee would adopt it unanimously.

7. Mr. MAROOFI (Afghanistan) said that the complex problem of drug abuse had occupied the international community for a long time and had already been discussed in various different forums. It was no longer confined to one particular region but affected the entire world.

8. Drug abuse fed millions of dollars into organized crime which could be productively invested, particularly in the developing countries. It was therefore imperative that the international community embark on a joint campaign against the cultivation, illicit traffic, use and abuse of narcotic drugs if it was to rid the world of that scourge.

9. The methods used by international traffickers had become more and more complex; they must be countered by more sophisticated measures and methods of control. However, it should be borne in mind that the burden of allocating resources for the control of narcotic drugs should not fall only upon the small developing nations. The responsibility should be shared by the developed countries, many of which were the chief consumers of drugs and therefore directly influenced demand. The developing countries had special needs and their own national priorities. The limited resources at their disposal must be largely channelled towards the development effort. Consequently, it was incumbent upon the developed countries to make generous financial and technical contributions to strengthen the international control machinery already established.

10. The Government of the Republic of Afghanistan had taken a number of substantive actions, which had already resulted in satisfactory achievements. The law banning cultivation, production, trade in and use of opium remained in force. The Government had recently approved a new police and gendarmerie law providing that illegal traffic in all substances harmful to the health of human beings would lead to the confiscation of such substances and the prosecution of offenders. It was determined to do its utmost to prevent the transit of opium and other illicit drugs through its territory. In co-operation with the United Nations Fund for Drug Abuse Control, the Government had recently concluded an agreement under which the Fund undertook to provide \$US192,000 in assistance to law enforcement activities, with the Government making a counterpart contribution of \$100,000 for facilities and equipment for a narcotics section in the headquarters of the Afghan police force. A narcotics squad equipped with the necessary facilities had been established under the agreement, and smaller narcotic drug sections would also be set up in other parts of the country. Those measures had already resulted in a marked increase in seizures of illicit drugs. The United Nations Fund for Drug Abuse Control was kept informed of the results of those efforts and of the amounts seized. The Government was also giving most serious attention to studies on the problems of drug use and to possible solutions, and it intended to become a member of the International Criminal Police Organization.

11. His Government could not stop there, but it was clear that the establishment of programmes for the eradication of poppy cultivation—a traditional crop which was the only livelihood of the indigenous peoples of the region—and its replacement by other crops depended to a large extent on technical and financial assistance from the international community, because large-scale programmes required

skilled personnel, equipment and the mobilization of considerable financial resources. As a result of the tour it had made of the region, the *Ad Hoc* Committee on Illicit Traffic in the Near and Middle East, of which Afghanistan was a member, had collected some important information which was set out in its first report,³ where the situation of the people whose traditional occupation and only resource was poppy cultivation was described in detail.

12. The difficulties faced by Afghanistan and other countries in similar situations had been taken into consideration by the United Nations in General Assembly resolution 3145 (XXVIII). It was therefore obvious that those countries could not be asked to cope with the situation on their own. Technical and financial assistance from the world community was essential to enable developing countries to implement broad and effective programmes for drug abuse control. Such assistance must be separate from the financial assistance granted to developing countries for development purposes.

13. It was in accordance with that principle that his delegation had decided to become a sponsor of draft resolution A/C.3/L.2121, in which the General Assembly would urgently appeal to Governments for generous and sustained contributions to the United Nations Fund for Drug Abuse Control.

14. United Nations assistance and bilateral aid were necessary in order to meet the basic needs of the people concerned. The United Nations should therefore undertake an economic survey of the region, as had already been envisaged. His delegation would welcome any other action aimed at providing people engaged in poppy cultivation with other means of earning their livelihood.

15. The recent decision by the Government of Turkey with regard to the resumption of poppy cultivation would have a considerable over-all impact on the region to which Afghanistan belonged. That decision was mainly based on the fact that the world demand for opium for pharmaceutical purposes was increasing steadily, to the extent that in 1973 it had reached a critical level. It was to be hoped, on humanitarian grounds, that as a result of the Turkish Government's decision the demand of the pharmaceutical market for opium would be met. At the same time, however, his delegation believed that increased efforts should be made, at the national as well as the international level, to control the deviation of opium production to the illicit narcotic drug market.

16. He would add that the right of other countries in the region, which were traditional cultivators of poppies, to consider taking the same decision as Turkey, should not be prejudiced.

17. In view of the foregoing, his delegation would vote in favour of draft resolution A/C.3/L.2123 submitted by the Turkish delegation and others.

18. Mr. RAZA (Pakistan) said that his delegation fully supported draft resolution A/C.3/L.2123 on illicit traffic and abuse of narcotic drugs. The action proposed in the

text would no doubt help to curb the evil of trafficking in drugs, and he hoped that the draft resolution, of which his delegation was also a sponsor, would receive wide support in the Committee.

19. Mr. VAN ZEIL (Netherlands) said that, since the Chairman had said at the outset that the debate would not be confined to the question of narcotic drugs, he would like to refer to the question of the role of non-governmental organizations in the activities of the United Nations. That role had been recognized in 1945 in Article 71 of the Charter, which, moreover, referred not only to international non-governmental organizations, but also to national non-governmental organizations. During the almost 30 years of existence of the United Nations, the many consultations and discussions which had taken place on the basis of Article 71 had proved the wisdom of the drafters of the Charter in providing for that unique means of communication between intergovernmental organizations and organizations representing various private interests. There had been valuable contacts between those organizations and the United Nations, which had widened to cover an ever greater variety of questions. By organizing international conferences simultaneously with intergovernmental conferences, the non-governmental organizations had been able to participate in the international thinking process. He mentioned as an example the United Nations Conference on the Human Environment, held in Stockholm in June 1972, and the World Population Conference, which had taken place in Bucharest in August 1974. The new consultation procedures developed by the Secretariat of the United Nations with the International Chamber of Commerce and other organizations were a further example of the trend towards increased contacts, as was the increasing attention by UNDP to co-operation at the field level between resident representatives and non-governmental organizations in various developing countries. Several important international conferences would take place in the coming months. In that connexion, mention should be made of the World Food Conference which was meeting during that month in Rome, and also the Second General Conference of the United Nations Industrial Development Organization to be held at Lima in March 1975, the review and appraisal of the Second Development Decade, the discussions concerning the international monetary reform and the negotiations on international trade. All of those would focus on extremely important problems and would provide elements for the seventh special session of the General Assembly in September 1975 (see General Assembly resolution 3172 (XXVIII)). As the Netherlands Minister for Foreign Affairs had indicated at the 2252nd plenary meeting of the General Assembly, the Netherlands believed that non-governmental organizations had a very important role to play in those discussions.

20. The acting chairman of the informal meeting of the Council Committee on Non-Governmental Organizations, held on 3 July 1974, had given an account of the way in which the relationship between the United Nations, and more particularly the Economic and Social Council, and the non-governmental organizations had developed. The representatives of non-governmental organizations had taken a very active and stimulating part in the Council Committee's debates, and it seemed that consideration was now being given to seek ways of making the relationship between the

³ E/CN.7/566.

United Nations family and the non-governmental organizations even more meaningful. The four main elements of the relationship could be identified as communication, liaison, information and co-ordination.

21. His delegation felt that the flow of those elements tended to be outwards—in other words, from the United Nations through the non-governmental organizations to organizations and individuals. The reverse flow—from the individual organizations and groups to the United Nations, through the non-governmental organizations—was much less marked. He believed that more use might be made of the opportunities afforded by rule 7 of the Rules of Procedure of the Functional Commissions of the Economic and Social Council and rule 10 of the Rules of Procedure of the Council itself.

22. His delegation awaited with keen interest the report of the Secretary-General under Economic and Social Council resolution 1739 (LIV) on the contribution of non-governmental organizations to the implementation of the goals and objectives of the International Development Strategy for the Second United Nations Development Decade (General Assembly resolution 2626 (XXV)). It was to be hoped that that report, which was overdue, would be issued well in advance of the next meeting of the Council Committee on Non-Governmental Organizations, so that it might be discussed in depth by that Committee.

23. Since the adoption of resolution 1739 (LIV), in May 1973, there had been new developments including the sixth special session of the General Assembly and the decisions concerning the strengthening of the role of the Economic and Social Council throughout the United Nations system. In that context, the question of the strengthening of the relationship between the Secretariat and the non-governmental organizations should be included in the process of the rationalization of the work of the Economic and Social Council. The Council Committee on Non-Governmental Organizations should perhaps play a more prominent role. Traditionally, that Committee's work had mainly been of a procedural nature, but it should perhaps take a more active part in the discussions on the strengthening of the relationship between the United Nations and the non-governmental organizations. Consideration might also be given to the possibility of its being entrusted with the task of discussing with the non-governmental organizations the substance of their participation in the many programmes of the United Nations, including the activities outlined in the Programme of the Decade for Action to Combat Racism and Racial Discrimination (General Assembly resolution 3057 (XXVIII), annex). The Council Committee could further serve as the organ through which non-governmental organizations could transmit proposals, suggestions or ideas to the Council and its subsidiary bodies. The question of the relationship between the Secretariat and the non-governmental organizations had already been discussed extensively over the last few years. A more systematic approach should be taken, and structural changes within the Secretariat should be considered.

24. The purposes and objectives of the United Nations were of such importance that all available resources should be mobilized in the attempt to achieve them. The Organization should therefore avail itself of the assistance of

non-governmental organizations, which possessed a great deal of experience and talent and, by virtue of their specialization, could make a valuable contribution to the work of the United Nations, with which they were willing to collaborate. The opportunity to benefit from such positive co-operation should not be missed.

25. Mr. WIGGINS (United States of America), introducing on behalf of the sponsors draft resolution A/C.3/L.2121, concerning contributions to the United Nations Fund for Drug Abuse Control, said that it contained a single operative paragraph appealing urgently to Governments for generous and sustained contributions to the Fund. After the very clear account of the achievements of the Fund given by the representative of the Office for Inter-Agency Affairs and Co-ordination at the 2079th meeting and that given by the representative of Afghanistan concerning what had been done in his country, there was no need to stress the absolute need for the activities of the Fund to continue. He therefore hoped that the draft resolution would be adopted unanimously by the Third Committee.

26. Miss WENSLEY (Australia) said Australia was fortunate that the problem of drug abuse and drug trafficking was not as serious there as in some other countries. However, it was conscious of the need to keep abreast of current developments in the drug field and to co-operate with other countries to prevent the spread of drug abuse in the world and its disastrous consequences for individuals and nations.

27. Her country was a member of the Commission on Narcotic Drugs and had also served on the *Ad Hoc* Committee of the Commission on Illicit Drug Traffic in the Far East Region. Her Government had also participated in the recent United Nations conference in Bangkok. Australia was a party to the Single Convention on Narcotic Drugs, 1961, and the 1972 Protocol; it had not yet become a party to the 1971 Convention on Psychotropic Substances but action to that end had been undertaken.

28. In 1973, her Government had contributed \$US100,000 to the United Nations Fund for Drug Abuse Control and it was preparing to contribute the same amount for 1974. Her delegation believed it essential that Governments should continue to contribute to the programmes of the Fund. For that reason, it had sponsored draft resolution A/C.3/L.2121, and it had also become a sponsor of draft resolution A/C.3/L.2123, on illicit traffic and abuse of narcotic drugs, introduced by the representative of Turkey. Her delegation trusted that the two draft resolutions would receive the unanimous support of the Committee. She would also like to thank the representative of the Office for Inter-Agency Affairs and Co-ordination for his lucid and comprehensive statement introducing the debate on the present important item.

29. Miss CAO-PINNA (Italy), introducing draft resolution A/C.3/L.2127, said that it was of a general nature, because it referred to all chapters of the report of the Economic and Social Council which were allocated to the Third Committee; it was also procedural, because it dealt with the order of consideration of the report of the Economic and Social Council (A/9603) and with information on action taken by subsidiary bodies of the Council after the

conclusion of its summer session. It reflected the constant concern of members of the Committee—a concern shared by the General Assembly, the Economic and Social Council and its subsidiary bodies—to rationalize the work of the Committee to the maximum extent possible in the interest of all Member States represented in the Committee.

30. Because of the importance of the report of the Economic and Social Council, a number of delegations had welcomed the high priority given to it by the Committee at the current session, in contrast with other years. Previously, the Council's report had been considered only in the second half of the session, and sometimes at its very end. In the Second Committee, however, the Council's report was the subject of a general debate and was considered to be one of the basic items of the Committee's agenda. The low priority given to the Council's report by the Third Committee was due, in the opinion of the sponsors of the draft resolution, to the procedure followed by the Committee in establishing its agenda. With the exception of some questions which had to appear on the agenda—such as racial discrimination and the right of peoples to self-determination—and of reports of other bodies which had to be submitted to the General Assembly, such as the Committee on the Elimination of Racial Discrimination, the other items on the Committee's agenda at each session were the outcome of decisions taken at different times. Moreover, because the field of competence of the Third Committee was so broad, there was a constant stream of new items to be considered. The result was an imbalance between the various questions placed separately on the agenda, on the one hand, and the report of the Economic and Social Council, on the other, to the detriment of the latter. That was why the sponsors of the draft resolution had wished to take note, in the first preambular paragraph, of the fact that for the first time in five years the report of the Economic and Social Council had been given high priority. The sponsors had also found that priority consideration of the report of the Economic and Social Council had made it possible, first, to consider at an early stage of the Committee's work important subjects which were not included in the agenda of the Council as separate items but which fell within its competence; secondly, to improve decisions already taken by the General Assembly; and, thirdly, to give the Committee an opportunity to improve the action taken by the Council with regard to International Women's Year. Those positive results explained why the sponsors proposed, in operative paragraph 1 of draft resolution A/C.3/L.2127, that the General Assembly should give priority to the pertinent chapters of the report of the Economic and Social Council in the consideration, at its future sessions, of questions of social progress and human rights.

31. As to information on action taken after the summer session by subsidiary bodies of the Economic and Social Council, referred to in the third preambular paragraph, she explained that the purpose of the proposal in operative paragraph 2 was to inform the General Assembly more rapidly of action taken by certain subsidiary bodies which met each year before the General Assembly session, such as the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Committee on Crime Prevention and Control. Except in certain special cases, such as the question of torture and other cruel, inhuman or degrading treatment, which had been the subject of a note

by the Secretary-General (A/9767), information on action taken by those subsidiary bodies of the Council as well as on seminars which took place during the year did not reach the Assembly until a year later; it was known to the Committee only through the oral introductions to the various chapters of the report made by various representatives of the Secretary-General.

32. She stressed the draft resolution A/C.3/L.2127 was general and procedural in character. She hoped that all members of the Committee would support it, thus contributing to the rationalization of the work of the Committee. In the French text of the draft resolution, the words "*Considérant que les mesures que les organes subsidiaires du Conseil prennent*" in the first line of the third preambular paragraph should be replaced by the words "*Considérant que les mesures prises par les organes subsidiaires du Conseil*" and operative paragraph 2 should be revised to read: "*Prie le Secrétaire général d'établir une note concise informant l'Assemblée générale, lors de ses futures sessions, des mesures prises . . .*".

33. Mr. LÜTEM (Secretary of the Committee) said that the French text of draft resolution A/C.3/L.2127 would be corrected as requested by the representative of Italy and that, in addition, the French text of the last line of the second preambular paragraph would be amended to read: "*qui sont inscrites séparément à son ordre du jour et ceux qui ne sont traitées que dans le rapport du Conseil*".

34. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation was prepared to vote in favour of all the draft resolutions submitted, with the exception, however, of draft resolution A/C.3/L.2127, which it had not had time to study, since it had only received the text that same morning. It felt, however, that the proposed text, although it dealt only with procedural matters, might have the effect of totally upsetting the system for consideration of the report of the Economic and Social Council. Under the current procedure, the Council considered all those questions which fell within its competence and submitted to the General Assembly information on the activities of its organs, together with suggestions and recommendations. The Third Committee decided the order of priority to be accorded to the items inscribed on its agenda, taking into account the relative importance of each for delegations. At the current session, the report of the Economic and Social Council had been given high priority. It unquestionably merited the Committee's full attention, but there was no guarantee that in years to come another item on the agenda might not have greater priority. It would thus be a mistake to decide at that time that the report of the Economic and Social Council should be given high priority at future sessions.

35. With regard to operative paragraph 2 of the draft resolution, the representative of Italy had cited the example of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, a body composed of experts which met after the spring session of the Economic and Social Council and before each session of the General Assembly; the latter was thus not informed of the measures adopted by the Sub-Commission until the following year. However, the Sub-Commission was a subsidiary organ of the Commission on Human Rights, to which it submitted

its report, and all decisions taken by it had to be approved by the Commission on Human Rights and by the Economic and Social Council before being submitted to the General Assembly. It was therefore not desirable to upset that procedure by transmitting the decisions of the Sub-Commission to the Third Committee. The sponsors of the draft resolution had apparently made that proposal because they were not satisfied with the current procedure. He felt that the simplest thing would be to change the calendar of meetings of the organs in question, so that the Sub-Commission would meet before the Commission on Human Rights and then submit its report to it, to be transmitted subsequently by the Commission to the Economic and Social Council; the customary procedure would not be changed, but the General Assembly could be informed more quickly of the measures taken by the subsidiary organs of the Council. He hoped that all those procedural problems would be considered at the thirtieth session of the General Assembly. In the meanwhile, his delegation was unable to support draft resolution A/C.3/L.2127, which it hoped to study in greater depth.

36. Mr. SÖYLEMEZ (Turkey) expressed appreciation to the Australian delegation for becoming a sponsor of draft resolution A/C.3/L.2123 and submitted orally certain changes in operative paragraphs 2, 4 and 5 of the text.⁴ He hoped that the members of the Committee would approve of those changes, the purpose of which was to place the draft resolution in a broader context.

37. Miss CAO-PINNA (Italy) said that she wished to comment on the observations made by the representative of the USSR. First, the sponsors realized that it was impossible to put draft resolution A/C.3/L.2127 to the vote that same day, since it had only been circulated at the previous meeting. Secondly, the draft resolution aimed solely at correcting the low priority accorded in the past to the report of the Economic and Social Council and not at giving that report absolute priority. The argument of the representative of the USSR that the Council consider all questions which fell within its competence and then submit suggestions and recommendations to the General Assembly seemed an underestimation of the General Assembly's powers to take initiatives and decisions as a principal organ of the United Nations. By inscribing item 12, for example, on its agenda, the General Assembly enabled its members to consider questions which did not form the subject of a separate item.

38. With regard to the meetings of subsidiary organs of the Council held after the Council's summer session, the draft resolution simply aimed at informing the General Assembly of the work done by those bodies, since the Council's report covered only the period up to 31 July. She did not see why the General Assembly should not have before it a brief note on that subject, because, otherwise, there was a risk that the Assembly might invite the Secretary-General to prepare a report on a given question, when a subsidiary organ was already preparing such a report.

39. The suggestion of the representative of the USSR that the calendar of meetings of subsidiary organs should be

⁴ The revised text of the draft resolution was subsequently issued as document A/C.3/L.2123/Rev.1.

changed merited consideration, but it was extremely complex and went beyond the Committee's terms of reference. She hoped that, after mature reflection, the USSR delegation and other delegations which had the same misgivings would finally be convinced.

40. Mr. BROAD (United Kingdom) felt that the wording of the third preambular paragraph of draft resolution A/C.3/L.2121 was too general, and he proposed that it should be made more precise by replacing the word "for", in the second line, by the words "to assist in".

41. Mr. BAKER (United States of America) accepted that amendment on behalf of the sponsors of the draft resolution.

42. Mrs. CABALLERO (Mexico) requested that, in the second and third lines of paragraph 1 of draft resolution A/C.3/L.2123, the words "illicit trafficking" should be replaced by the words "the illicit production and trafficking".

43. Mr. BATIBAY (Turkey) said that the sponsors of the draft resolution would have to consult each other with regard to that suggestion.

44. Mrs. WARZAZI (Morocco) said that she would like translations into French to receive greater care, and she suggested that the Secretariat should revise entirely those texts which had been translated into French.

AGENDA ITEM 55

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (A/9638 and Add.1, Add.1/Corr.1, and Add.2-4, A/9667 and Add.1)

45. Mr. SCHREIBER (Director, Division on Human Rights), assessing the position on the question of which the Committee was beginning consideration, recalled that article 1 of the two International Covenants on Human Rights (General Assembly resolution 2200 A (XXI), annex) contained provisions affirming the right of self-determination as a right of peoples and that the Covenants had received the unanimous approval of the Members of the United Nations. The assertion that it was difficult, if not impossible, for a people to enjoy its basic rights unless it was able to determine freely its political status and to ensure freely its economic, social and cultural development was now scarcely contested. The events of the past year showed, moreover, notable advances in the acquisition of that right.

46. The International Conference on Human Rights held at Teheran in 1968 had declared that the subjugation and oppression of a people by another was a serious violation of the main objectives proclaimed in the Universal Declaration of Human Rights. Since then, the General Assembly and, at its initiative, the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities had been considering that question on a regular basis. The General Assembly, at its twenty-

eighth session, had, after consideration of the report⁵ which the Secretary-General had submitted to it in accordance with resolution 2955 (XXVII), adopted resolution 3070 (XXVIII), in which it had called upon all States, in conformity with the Charter of the United Nations and with relevant resolutions of the United Nations, to recognize the right of all peoples to self-determination and independence and to offer moral, material and any other assistance to all peoples struggling for the full exercise of their inalienable right to self-determination and independence. It had also launched an appeal to Governments, United Nations agencies and intergovernmental and non-governmental organizations associated with the United Nations which had extended various forms of assistance to dependent Territories to increase further such assistance.

47. The Committee had before it a report by the Secretary-General (A/9667 and Add.1) containing information received from States on action they had taken in compliance with the request made in that resolution. It also had before it another report (A/9638 and Add.1, Add.1/Corr.1 and Add.2-4) containing the information received on that subject from the specialized agencies and the international institutions associated with the United Nations; that report had been drawn up in accordance with paragraph 10 (a) of resolution 3118 (XXVIII), adopted on the basis of the report of the Fourth Committee,⁶ and also met the concerns expressed in resolution 3070 (XXVIII). In both resolutions the Secretary-General had been requested to continue to assist the specialized agencies and other organizations within the United Nations system in working out measures for the provision of increased international assistance to the peoples of colonial Territories. The Committee would have before it shortly the report⁷ which the Secretary-General was to submit in accordance with paragraph 10 (b) of resolution 3118 (XXVIII) and which would contain information on initiatives taken by the Secretary-General and the consultations held by the heads of the secretariats of the various United Nations bodies concerning ways of implementing the relevant General Assembly resolutions.

48. The Economic and Social Council, at its fifty-seventh session, had considered the report of the Secretary-General (A/9638 and addenda). In its resolution 1892 (LVII), it had made further recommendations both to Governments and to the specialized agencies and United Nations bodies with a view to an intensification of the efforts made to implement the relevant United Nations resolutions and carry out the appropriate assistance programmes.

49. For its part, the Commission on Human Rights, at its thirtieth session, had by its resolution 5 (XXX)⁸ authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a special rapporteur to study, as the General Assembly had requested in its resolution 2649 (XXV), the implementation of United

Nations resolutions relating to the right of peoples under colonial or foreign domination to self-determination. At its twenty-seventh session the Sub-Commission had entrusted that task to Mr. Gros Espiell (Uruguay). Finally, the Economic and Social Council having, by its resolution 1865 (LVI), authorized the Sub-Commission to appoint a Special rapporteur to prepare a detailed study of the historical and current development of the right of peoples to self-determination on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to the promotion and protection of human rights, Mr. Cristescu (Romania) had been appointed for that purpose.

50. Mr. GHAUSSY (Afghanistan) said that the right to self-determination was the corner-stone of human rights. His country had been among the first to support all the efforts aimed at securing recognition of self-determination as an inalienable right of all peoples, and subsequently to uphold the legitimacy of the struggle waged by peoples living under colonialism and foreign domination for the achievement of self-determination. It fully supported all the aspirations of the liberation movements on all continents, whether or not their cases had been brought to the attention of the United Nations and other international bodies. His delegation was happy to note that Portugal, for so long an outlaw in the international community, had joined in supporting the cause of freedom, a step which was consistent with its traditional role.

51. His country had always been, and would continue to be, in the forefront of the struggle against colonialism and foreign domination in all their forms, whether political, economic or cultural. Traditional colonialism was disappearing, but unfortunately the domination of some peoples and Territories still existed, as could be seen merely by glancing at a map of the so-called frontiers established according to the needs and requirements of the colonialist countries of old.

52. As the Chairman of his delegation had pointed out during the general debate at the 2258th plenary meeting, the United Nations had achieved considerable success in the elimination of colonialism and foreign domination. However, it should not be forgotten that millions of people still lived under foreign domination and were deprived of their rights, even in countries which had themselves formerly been under the yoke of colonialism, especially in Africa and Asia. Even in a world where all countries were independent and had fully developed economies, their independence and development would have no value if their rights were not protected.

53. His delegation was convinced that peace and stability depended in particular on respect for the right to self-determination, which was no longer a mere political principle, but a political, economic and cultural right of man. Nothing could be allowed to jeopardize the right to self-determination, freedom and independence of peoples who had been deprived of them by force, including the peoples who were subjected to colonial or racist régimes or to other forms of foreign domination. His delegation was pleased to note that those ideas had been taken into account in the consideration of the definition of aggression by the Special Committee on the Question of Defining

⁵ A/9154.

⁶ See *Official Records of the General Assembly, Twenty-eighth Session, Annexes*, agenda items 74 and 12, document A/9421.

⁷ A/9830.

⁸ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5*, chap. XIX, sect. A.

Aggression,⁹ for colonialism in all its forms increased the risk of armed conflict inasmuch as oppressed peoples had no choice but to resort to force. In conclusion, it stressed

⁹ See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 19* and corrigendum, para. 22.

the fact that the sincerity of States which claimed to support the right to self-determination could be tested by reference not only to their words but also to their deeds.

The meeting rose at 5.30 p.m.

2082nd meeting

Tuesday, 5 November 1974, at 3.25 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2082

AGENDA ITEM 12

Report of the Economic and Social Council [Chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9737, A/9764, A/9767, A/9785, A/C.3/L.2121, 2123/Rev.1, 2127)

1. The PRESIDENT recalled that, at its 2237th plenary meeting, the General Assembly had decided to refer agenda item 60 (Assistance in cases of natural disaster and other disaster situations: (a) Office of the United Nations Disaster Relief Co-ordinator; (b) Aid to the Sudano-Sahelian populations threatened with famine) to the Second Committee,¹ and that the Third Committee would also consider the humanitarian aspects of the item in conjunction with the report of the Economic and Social Council (A/9603), which dealt with it in section B of chapter III.

2. Mr. MORSE (Under-Secretary-General for Political and General Assembly Affairs) said that the question of aid to Sudano-Sahelian populations threatened with famine as a result of a long and persistent drought was one of the most important and urgent items of the agenda of the Assembly. The relief operations had made it possible at least partially to alleviate the sufferings of the populations most seriously affected and to satisfy their most immediate needs, but much effort was still needed to rehabilitate the entire Sudano-Sahelian region. It was essential to continue the emergency relief operations and at the same time to formulate effective medium- and long-term programmes of recovery and rehabilitation. The international community should provide assistance to the Sudano-Sahelian countries not only during periods of crisis, but for many years to come. As a result of the decision taken at the beginning of 1973 by the Secretary-General, in consultation with the Director-General of FAO, to designate FAO as the focal point for emergency relief operations and to entrust the Office of the Under-Secretary-General for Political and General Assembly Affairs with responsibility for co-ordinating medium- and long-term recovery and rehabilitation programmes, action had immediately been initiated

in those two fields in close contact and co-operation with the Sudano-Sahelian countries concerned and with the Permanent Inter-State Committee on Drought Control in the Sahel.

3. The international community had responded generously to the appeal addressed to it by the General Assembly in resolution 3153 (XXVIII) concerning short-term emergency measures, which were also dealt with in the Secretary-General's report (A/9737). Pursuant to that resolution, FAO, in close consultation with the recipient countries, was currently drawing up plans for food aid and related requirements using technical evaluation teams and multi-donor missions. It was expected that by the end of the month it would be possible to assess the magnitude of the food aid required. Despite the recent rainfall, the 1974 crop in the region could not be expected to meet the needs of the population and additional food aid would have to be provided to the population for the period from November 1974 to October 1975, thus extending the emergency operations well beyond the originally intended deadline.

4. As co-ordinator of medium- and long-term activities for the Sahel, he wished to congratulate FAO on the competent manner in which it had assumed its responsibilities and had been able, despite the many difficulties encountered, to meet emergency needs and formulate long-term relief programmes. In conclusion, he stressed that all United Nations activities, whether in the field of emergency relief operations or long-term recovery and rehabilitation, were being pursued in close co-operation with the Permanent Inter-State Committee and with the Governments of the Sudano-Sahelian countries, which had won the admiration of the international community by mobilizing their national and regional resources, stimulating external participation in the efforts to remedy the effects of the drought and overcoming the severe constraints of their economies. He was confident that the United Nations system would continue to offer aid and co-operation to the Sudano-Sahelian peoples, not only at the current stage of emergency relief, but throughout the subsequent period of recovery and rehabilitation.

5. Mr. GREENE (Food and Agriculture Organization of the United Nations) said he wished to draw the attention of the members of the Committee to certain salient aspects of the work of the FAO Office for Sahelian Relief Operations (OSRO), a detailed account of which would be found in the

¹ For the report of the Second Committee, see *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 60, documents A/9853 and Add.1.

Secretary-General's report (A/9737). The experience gained during the first year of relief operations had contributed to the success of those operations during the second year. In the sphere of food, thanks to the active participation and co-operation of the Governments concerned, bilateral donors and non-governmental organizations, the quantities of food grains delivered had more than doubled in 1974 and had been delivered on time to the populations affected by the drought, and massive airlifts from the ports had not been necessary in 1974, as they had been in 1973. The action taken to reduce the suffering of the populations of those areas had not been confined to the delivery of food.

6. Despite the current monsoon season, which had been satisfactory compared with previous years, the 1974 crop would again be unable to meet the needs of the populations and, given the difficulties of transport and internal distribution and the total lack of reserves, outside food assistance would be necessary until the situation stabilized. For that reason, the Governments and the principal donors had agreed with FAO to send a multi-donor mission to the drought-affected countries in the course of November to assess the additional requirements for foods, protective foods, transport, storage, seeds, logistical support and technical assistance. That mission would be preceded by technical evaluation teams which would evaluate the 1973-1974 relief operations and the harvest prospects, to assist the mission in its work. Arrangements had been made in 1974 for pre-planning with donors for advance commitments of food supplies and for their transport during the slack period between November and March. Out of an advance commitment of 275,000 tons, 240,000 tons of food grains were ready to be shipped to the countries for which they were intended under the shipping schedule prepared by OSRO, taking into account the port capacities and internal distribution needs of those countries.

7. High priority would have to be given to the question of improving internal transport in 1975. In all the countries of the Sahelian region, the road transport systems were deficient and the means of transport insufficient. Some 150 trucks were required and he hoped that the donor Governments, which had already shown great generosity, would appreciate the importance of assistance in that field and would help the FAO Office for Sahelian Relief Operations to ship those trucks in good time to the affected countries.

8. One of the salient features of the emergency relief operations was the catalytic role played by the United Nations system, which had mobilized relief supplies and ensured that outside assistance reached the countries concerned—most of which were land-locked and had transportation problems—and met their needs. Such centralized monitoring of assistance made it possible to ship all contributions in an orderly manner and to maintain an even flow. The help provided by the Office for Sahelian Relief Operations in that regard had been greatly appreciated by the donor countries.

9. In conclusion, he thanked all the Governments represented on the Committee and the members of the United Nations system for the material, financial and moral support they had given to the drought-affected Sudano-Sahelian countries.

10. Mr. KABORÉ (Upper Volta) expressed, on behalf of his delegation and his Sahelian colleagues, his gratitude to the Under-Secretary-General for Political and General Assembly Affairs and to the representative of FAO for the extremely valuable services they had rendered to the Sahel, which demonstrated their concern for the populations of those countries. If the impetus of international solidarity was maintained, the Sudano-Sahelian region could hope to survive. He thanked all the donors and organizations which had participated in the relief operations, particularly FAO, and welcomed the decision of the Secretary-General to transfer part of the activities of the United Nations Special Sahelian Office from New York to the drought-affected region and the establishment of the Permanent Inter-State Committee on Drought Control. He also welcomed the appointment of Mr. Magdi as Director of the United Nations Sahelian Office at Ouagadougou in the Upper Volta, the main functions for which were outlined in paragraph 8 of the report of the Secretary-General submitted in accordance with paragraph 20 of General Assembly resolution 3054 (XXVIII) (A/9733). He again thanked all those who had combined their efforts to enable the populations of the Sudano-Sahelian region to survive.

11. Mr. KÉITA (Mali) said he was pleased that the Secretary-General of the United Nations and the Director-General of FAO had been able to see for themselves the reality of the problems that were preoccupying the Governments and populations of the Sudano-Sahelian region. The visit of Mali had also silenced a certain section of the press which was avid for sensations. On behalf of his Government he thanked the United Nations and its specialized agencies for the material and moral support they had given to the Sahel.

12. Miss DIAROU MEYE (Niger) recalled that, at the 2253rd plenary meeting of the General Assembly, the Minister for Foreign Affairs and Co-operation of the Niger had described the disastrous situation prevailing in that country, which had suffered greatly from the drought, and had expressed his gratitude to all who had concerned themselves with the Sahel and the hope that their efforts would continue. The Under-Secretary-General for Political and General Assembly Affairs had sought untiringly to make world public opinion aware of the tragedy of desertification. He had been at the very heart of the international campaign to organize immediate emergency relief and had helped to set up the Permanent Inter-State Committee on Drought Control and the Special Sahelian Office in the United Nations, whose action was bound to benefit the Sudano-Sahelian countries. She congratulated the Under-Secretary General and thanked him on behalf of her delegation for his dedication.

13. Mr. BERKOL (United Nations Disaster Relief Co-ordinator) said that since the report of the Secretary-General on the activities of the Office of the United Nations Disaster Relief Co-ordinator (A/9637) had been prepared, eight new disasters had occurred requiring the Office's main attention. At the same time, the Office had pursued its activities and had undertaken new ones in the pre-disaster planning field. In addition, it continued to be involved in emergency activities in Ethiopia, where the food shortage remained extremely serious in the southern part of the country. However, with the introduction of numerous

short- and long-term rehabilitation projects and good harvests in certain areas of the country, the situation in Ethiopia was currently improving, and if all went well the Office should be able to terminate or reduce its assistance operations in the coming months.

14. Recent disasters which had required intervention by the Office were the following: the drought in the western part of the Sudan; landslides and flooding in Peru; torrential rains and wind storms in Chile; flooding and landslides in Colombia; flooding and food shortages in Bangladesh; floods in the Philippines and Burma; and a devastating hurricane in Honduras.

15. Following the drought which had struck the western part of the Sudan in May and the request for assistance from the Sudanese Government, a representative of the Office of the United Nations Disaster Relief Co-ordinator had gone to Khartoum for consultations with the Sudanese Government and United Nations officials. The 2,900 tons of wheat provided by the World Food Programme had enabled the Sudanese authorities to release 4,000 tons of sorghum from stocks in the eastern region of the country. The UNDP and the Office had each contributed \$20,000 towards overland freight and distribution costs in the afflicted areas. Work was currently under way on the elaboration of rehabilitation projects.

16. At the same time, a landslide in Peru caused by earth tremors and torrential rains had occurred in the region of the Mantaro river, killing 400 people. In response to an appeal from the Peruvian Government, many Governments, the Red Cross and numerous voluntary agencies had helped evacuate several thousand persons from the disaster area. With funds allocated by the Co-ordinator and cash contributions from several donor Governments emergency supplies had been sent to Lima and the evacuated population resettled in safe areas.

17. In June, 250,000 persons had been affected as a result of torrential rains and wind storms which had struck 13 provinces of Chile. With an allocation from the Office and contributions from other donors, the need for supplies and medicaments had been met promptly by airlift.

18. The Office's financial contribution had also made it possible to cover the cost of an airlift to supply the population in Colombia which had been isolated as a result of a tragic landslide in July.

19. In Bangladesh, in July and August, severe flooding had compounded the already difficult economic situation into a disaster. Two representatives of the Office had been sent to the area to assess the emergency needs and assist in the local co-ordination of relief. Contributions from various States Members of the United Nations, channelled through the Office, had made it possible to meet the food needs of the affected population. In addition, part of the funds allocated by the United Nations for emergency operation in Bangladesh had been used to reroute a cargo of rice to Bangladesh and it would arrive before the end of the month. He would continue to see to it that food-stuffs were delivered promptly, so as to avoid widespread starvation. He stated that the Second Committee, during its consideration of

agenda item 60, had adopted a draft resolution² calling for further aid for Bangladesh.

20. In August, when disastrous flooding had occurred in the Philippines, the Philippine National Disaster Control Centre had immediately mobilized all available local resources and co-ordinated the rescue and relief efforts. The Office had financed the procurement of relief items and several Governments and voluntary agencies had provided substantial additional assistance.

21. Also in August, in response to Burma's request for assistance following floods in that country, the Office had made an allocation from its emergency fund for the immediate dispatch by WHO of cholera vaccine and other medicaments. Several Governments and voluntary agencies had also provided substantial financial assistance to Burma.

22. In September, a devastating hurricane had ravaged the northern coast of Honduras, taking a heavy toll in lives and causing substantial property damage in the space of a few hours. There had been a massive and rapid international response to the Honduran Government's appeal for help. Within 24 hours of the disaster, a representative of the Office had been dispatched to assist the United Nations relief team and the Honduran Government in assessing the relief requirements and in organizing local relief co-ordination. As of 31 October, contributions had passed the \$21 million mark. A representative of the Office would remain in Honduras for another two months to report on changing relief needs and to assist in relief-co-ordination. A special plenary session of the Economic Commission for Latin America (ECLA) had been held on 21 and 22 October 1974 to discuss programmes for the rehabilitation and reconstruction of Honduras, and the Second Committee had adopted a draft resolution on economic and social aid to that country.³

23. Lastly, a representative of the Office had recently visited Somalia, at the request of the Somali Government, and had reported on a drought problem and a deteriorating health situation in that region. The Office was drawing up a programme of assistance for Somalia in collaboration with the World Food Programme and WHO.

24. Currently the Office was dealing simultaneously with nine disaster situations in various regions of the world and had only five officials to shoulder that heavy workload. In addition, the fact that more and more Governments and organizations were channelling their contributions through the Office entailed additional work for which no staff resources were available.

25. Turning to the field of disaster prevention and pre-disaster planning, he said that his Office had continued to make good progress but at a much slower rate than had initially been hoped for, due to lack of staff. The Office of the Co-ordinator had provided expert advisory services in pre-disaster planning to nine countries and was about to send an expert to Indonesia. In addition, a joint UNDP/ ECLA/ILPES (Latin American Institute for Economic and

² Subsequently adopted by the General Assembly as resolution 3244 (XXIX).

³ *Idem*, resolution 3242 (XXIX).

Social Planning) mission which had visited seven countries in Latin America had just formulated a regional UNDP project for assistance to the Andean countries in the prevention of disasters, training of staff in disaster-related activities and elaboration of mutual assistance agreements. He recalled that at the preceding session of the General Assembly he had proposed to the Third Committee, at its 2040th meeting, that an international strategy for disaster prevention should be elaborated and that that proposal had been supported by a large number of delegations. Economic and Social Council resolution 1891 (LVII) also testified to the interest that had been aroused by the question of disaster prevention. Within the framework of that international strategy, the Office had focused the first part of its study on disaster prevention and mitigation and its two main objectives were to identify the knowledge acquired in that field in order to apply it in disaster-prone developing countries and to identify areas in which concerted efforts by the international community were needed. In addition to such qualitative data, it would also be necessary to collect precise quantitative information on the actual costs of disasters. In a large number of developing countries, the damage caused was so extensive that it actually brought about a regression in those countries. A world survey of disaster damage was needed to enable each country not only to assess the financial value of its losses and adopt long-term policies for disaster prevention, but also to carry out in each case cost-benefit analyses of various disaster prevention methods. Other activities undertaken in the field of pre-disaster planning included the preparation of practical manuals on precautions to be taken in the planning construction and management of human settlements; it was expected that those preparations would be completed by mid-1975. All those activities were part of the over-all effort of UNDRO to include in the economic and physical development plans of disaster-prone countries specific provisions taking into account disaster risks.

26. He welcomed the fact that, for the first time, the activities of his Office had been discussed by the Second Committee. During the discussion which had taken place in that Committee (1620th to 1624th meetings), he had noted with satisfaction that all delegations had expressed support for an increase in the resources of the Office both for disaster relief co-ordination and for disaster prevention. He was convinced that those additional resources would enable the Office to carry out its many responsibilities in a more effective way than in the past, with the necessary means.

27. Mr. SOLOMON (Ethiopia) said, that despite its limited resources and small staff, the Office of the United Nations Disaster Relief Co-ordinator had amply demonstrated that it could play a valuable role in the mobilization and co-ordination of disaster relief and in pre-disaster planning and preparedness. His delegation was convinced that the conclusions and recommendations of the Secretary-General (A/9637, paras. 26 to 30) would receive the support of the Committee.

28. The drought prevailing in 11 provinces in Ethiopia seemed to be part of a profound ecological disturbance which was affecting several African countries and might have disastrous consequences. The international community must therefore consider ways and means of combating that alarming phenomenon, which caused the deterioration of

the soil and the living conditions of the people. Emergency relief made it possible to solve problems temporarily, but it was also necessary, with the assistance of the international community, to ensure the recovery of the economies of the countries affected to enable them to deal with that kind of calamity in future.

29. For the past four years, the northern and eastern provinces of Ethiopia had been experiencing drought as a result of the cumulative effects of insufficient rainfall. Because of the lack of communications, the full extent of the losses had not been known until quite recently, but more than 3 million persons had been directly affected and nearly 2,000 had died of starvation and drought-related diseases; hundreds of villages had been abandoned and herds had been seriously depleted. The response of bilateral and international bodies, particularly the World Food Programme, UNDRO, UNICEF, FAO, and UNDP, had been prompt and positive, but it was now necessary to ensure the economic recovery of the regions affected. Thousands of people might still die of starvation and, in Degebur, the most seriously affected province, a third of the population was facing famine and a serious water shortage. His Government requested Member States to provide it with additional funds, medical supplies and food grains and appealed to the international community to help it to overcome the crisis and act effectively in future against that recurrent threat. It hoped that the Office of the Co-ordinator would pursue its commendable efforts.

30. Mrs. SHAHANI (Philippines) said that the Philippines, a disaster-prone country, had, as stated by the Co-ordinator, established a National Centre for the Prevention of National Disasters with the participation of various ministries. It was therefore particularly glad that there was an international Office entrusted with the task of assisting countries to adopt preventive measures and provide disaster relief. As proof of the high esteem in which it held the Office of the Co-ordinator, her country had joined the sponsors of the draft resolution⁴ which was designed to strengthen the role of the Office before the Second Committee.

31. Mrs. BERTRAND DE BROMLEY (Honduras) stressed that it was always the poorest countries which were most seriously affected by natural disasters. Her country had recently had occasion to see how effectively and promptly the Office of the United Nations Disaster Relief Co-ordinator provided assistance and it hoped that the General Assembly would give that Office the means to carry out its humanitarian work.

32. Mr. KARIM (Bangladesh) said that the statement by the United Nations Disaster Relief Co-ordinator and the report of the Secretary-General (A/9637) were eloquent testimonies to the effectiveness of the Office of the Co-ordinator, which provided emergency relief to many countries. He expressed his gratitude to the Office for the relief operation now being carried out in his country. When such enormous disasters occurred, the efforts of the countries concerned where, of course, essential, but insufficient. The report of the Secretary-General showed the limitations under which UNDRO was working. His delega-

⁴ *Idem*, resolution 3243 (XXIX).

tion fully supported the recommendations made in the report of the Secretary-General and designed to strengthen the Office of the Co-ordinator in terms both of resources and of staff.

33. Miss BIHI (Somalia) said that one of the most urgent tasks facing the world community was to deal with natural disasters. The developing countries, which were the least well equipped to solve those problems, must receive relief assistance so that their development efforts would not be negated. Natural disasters seemed, however, to have become a permanent feature of contemporary life. As the President of the Somali Democratic Republic had stated at the 2262nd plenary meeting of the General Assembly, it was necessary to continue to study the phenomenon of natural disasters, to ensure the continued operation of the regional and international machinery set up to deal with the effects of natural disasters and to establish relief programmes on a permanent basis. The Office of the United Nations Disaster Relief Co-ordinator, established by General Assembly resolution 2816 (XXVI), had two main functions, namely, the co-ordination of relief with a view to avoiding confusion about the necessary supplies, waste in transport and duplication of effort; and pre-disaster planning and preparedness in disaster-prone countries.

34. Her Government wished to place on record that it appreciated the way in which the Office, despite its limited resources and shortage of staff, had been able to provide rapid assistance to about 40 disaster-stricken areas. Somalia would like the Office to devote more attention to the question of preparedness in disaster-prone countries, but it could hardly be expected to do so if it had only five staff members in the professional category. Somalia therefore appealed to all donor countries to increase the staff and financial resources of the Office.

35. Mr. ELTAYEB (Sudan) said that the work carried out by the Office of the Co-ordinator was indeed remarkable in view of the limited resources available to it. He approved the guidelines for its activities, particularly with regard to research on preventive measures, and confirmed the need to strengthen the Office.

36. The CHAIRMAN said that the Committee had completed its discussion of the humanitarian aspects of agenda item 60. She suggested that the Rapporteur should be requested to include in the report to the General Assembly a paragraph indicating that the Committee had taken note with satisfaction of the introductory statements.

It was so decided.

Mr. Sayar (Iran), Vice-Chairman, took the Chair.

37. The CHAIRMAN invited the Committee to resume its consideration of section B of chapter V of the report of the Economic and Security Council (A/9603) and in particular the draft resolutions (A/C.3/L.2121 and A/C.3/L.2123/Rev.1) which were before it relating to this topic.

38. Mr. WIGGINS (United States of America) said that the first preambular paragraph of draft resolution A/C.3/L.2121 should be altered to read: "Recalling its resolutions 3145 (XXVIII) and 3146 (XXVIII) of 14 December 1973,".

39. Mr. SÖYLEMEZ (Turkey) said that in the fifth preambular paragraph of draft resolution A/C.3/L.2123/Rev.1, the words "narcotic and psychotropic substances both present" should be changed to "misuse of narcotic and psychotropic substances presents". He announced that Denmark and India had become sponsors of the draft resolution, and on behalf of the sponsors he suggested that the draft resolution should be adopted by consensus.

40. Mr. MACRAE (United Kingdom) said that, having consulted with some of the sponsors of draft resolution A/C.3/L.2123/Rev.1, he proposed that in operative paragraph 4 the word "necessary", which he considered to be too restrictive for the Fund, should be replaced by the word "appropriate".

41. Mr. SÖYLEMEZ (Turkey) stressed that not all the sponsors of the draft resolution had been consulted. It was therefore impossible for him to decide one way or the other at that stage. When he had introduced the draft resolution he had stressed that the Fund would provide the assistance in question within the limits of the means available to it and that it would remain in control of its resources.

42. Mrs. HEANEY (Ireland) said that she would vote in favour of draft resolution A/C.3/L.2123/Rev.1, but wished to propose a few drafting changes in the English text. In the fifth preambular paragraph, the definite article "the" should be added before the word "misuse" which had been added by the representative of Turkey. In operative paragraphs 2 and 4 the word "against" should be replaced by the word "of".

43. Mr. RAZA (Pakistan) suggested that the sponsors of the draft resolution should hold consultations and that the Committee should continue its work. The amendment proposed by the representative of the United Kingdom was an improvement, since if the word "necessary" was used, it would relate to the standpoint of the countries concerned, whereas the word "appropriate" would relate to that of the Fund.

44. Mr. EVANS (Australia) agreed with the representative of Pakistan and wondered whether the other sponsors accepted the proposal of the United Kingdom.

45. Mr. SRINIVASAN (India) pointed out that the existing text of the draft resolution was a result of patient and conscientious efforts by the sponsors, who had taken into account a number of points of view. In order to avoid lengthy discussion, he suggested that the draft resolution should be adopted by consensus.

46. Mr. MACRAE (United Kingdom) said that in presenting his suggestion he had had no intention of complicating matters; the word "appropriate" had seemed to him to be more suitable than the word "necessary", as it was less restrictive, but he was prepared to accept the existing wording on the understanding that no restriction would be placed on the use of the Fund's resources.

47. The CHAIRMAN noted that the text of operative paragraph 4 of draft resolution A/C.3/L.2123/Rev.1 remained unchanged and suggested that members of the

Committee should proceed to vote on that draft resolution and on draft resolution A/C.3/L.2121, draft resolution A/C.3/L.2122 having been withdrawn. He invited representatives who wished to explain their votes at that point to do so without waiting for the vote.

48. Mr. SPEEKENBRINK (Netherlands) said that his delegation would vote in favour of the draft resolution concerning illicit traffic and abuse of narcotic drugs (A/C.3/L.2123/Rev.1) because it supported the aim of the draft resolution, which was to strengthen international co-operation in combating the traffic in narcotic drugs. However, he expressed some reservations on the language of the draft resolution; it made no distinctions with regard to narcotic drugs and its contained exaggerated generalizations about the problem.

49. At the fifty-sixth session of the Economic and Social Council, his delegation had indicated the position of the Netherlands Government with respect to the use and abuse of drugs. The Netherlands Government, and also the Parliament and various interested organizations, were actively concerned with the question. Two fundamental distinctions should be made; a distinction should be made between, on the one hand, drugs whose use entailed unacceptable risks, and, on the other hand, cannabis products; and a distinction should also be made between the illicit traffic and trade in drugs and the possession of drugs for personal use. The Netherlands intended to increase the penalties for the illicit traffic and trade in drugs of the first category, while considering the possession of cannabis products, when they were solely for personal use, as a minor offence.

50. As far as the chronic use of drugs entailing unacceptable risks was concerned, the Netherlands considered that the problem should be placed in its social context and that efforts should be made to resolve it by preventive measures rather than by repression.

51. His delegation had wished to explain its position before proceeding to vote on the draft resolution.

52. Mr. TRAVERT (France) thanked the representative of the Office for Inter-Agency Affairs and Co-ordination for the excellent statement he had made to the Committee at the 2079th meeting. The clear picture he had presented had shown that the struggle against the traffic and abuse of narcotic drugs would be long and arduous and that the efforts which had been undertaken should not be relaxed.

53. He had listened with great interest to the explanations given by the representative of Turkey on draft resolution A/C.3/L.2123/Rev.1 concerning the guarantees planned by the Turkish Government following its decision to lift the ban on the cultivation of poppies. His delegation would therefore support that draft resolution. It hoped that the Committee would adopt that resolution and also draft resolution A/C.3/L.2121, of which it was a sponsor, by consensus.

54. Mr. MESSING-MIERZEJEWSKI (Office for Inter-Agency Affairs and Co-ordination), speaking at the invitation of the Chairman, said, with regard to the financial implications of draft resolution A/C.3/L.2123/Rev.1, that

the Secretary-General, taking into account the limited resources of the United Nations Fund for Drug Abuse Control, would honour requests on the basis of their nature and of the amount of resources available.

55. Mr. ALFONSO (Cuba) said that his delegation would prefer draft resolution A/C.3/L.2121 to be put to the vote rather than be adopted by consensus.

56. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.2121 and on draft resolution A/C.3/L.2123/Rev.1.

Draft resolution A/C.3/L.2121 as orally amended was adopted by 100 votes to none, with 11 abstentions.

Draft resolution A/C.3/L.2123/Rev.1 as orally amended was adopted without objection.

57. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that, as his delegation had already stated on a number of occasions to various bodies, including the Economic and Social Council, it considered that in order to struggle effectively at the international level against the illicit traffic and abuse of narcotic drugs, measures should first be taken at the national level; that aspect of the problem had been ignored in draft resolution A/C.3/L.2121 and that was why his delegation had abstained in the vote. With regard to draft resolution A/C.3/L.2123/Rev.1, his delegation considered that the wording which had been adopted was inexact, particularly in the first preambular paragraph, where it was stated that drug abuse and illicit trafficking had transcended national boundaries and affected the well-being and the health of mankind as a whole. That statement was not quite true, because the problem of narcotic drugs essentially concerned certain regions of the world or certain countries and was the result of the social order which prevailed in certain societies. His delegation could not agree that the problem was a world problem and considered that the solution should be found at the national level, each State taking the necessary measures separately, and international action being viewed only as complementary to those measures. Thus if the draft resolution in question had been put to the vote, his delegation would have abstained on that text too.

58. Mr. SRINIVASAN (India) said that his delegation was very satisfied that draft resolution A/C.3/L.2121 had been adopted because it considered that it was essential for the United Nations Fund for Drug Abuse Control to be maintained. India was not currently in a position to make a very large contribution to the Fund, but it had considerable technical experience in the matter because to date it was the only legal producer of opium for export. India was prepared to share its experience with all countries which wished it to do so.

59. Mrs. MASSON (Canada) said that her delegation had voted in favour of the draft resolution on illicit traffic and abuse of narcotic drugs (A/C.3/L.2123/Rev.1) because it understood its objectives. However, it had some difficulties with regard to operative paragraph 4. It was, in her delegation's view, important that the United Nations Fund for Drug Abuse Control and the Commission on Narcotic Drugs should devote their limited resources to drug abuse

control, and particularly to projects concerning education, treatment, training and research. Canada made the second largest contribution to the Fund, and her delegation was concerned about the possibility thus opened up that the Fund's slender resources might be applied to bilateral technical assistance projects. While it was true that those countries which were preparing to apply new methods of drug control needed technical and financial assistance, that assistance should be provided on a bilateral basis or through multilateral agencies with larger resources, such as the World Bank and UNDP. Her delegation agreed that the United Nations Fund for Drug Abuse Control could in certain circumstances contribute to the administration of bilateral aid in the field of narcotic drugs, but it considered that the Fund should not have to bear the financial burden of those programmes unless its budget was increased accordingly.

60. The CHAIRMAN invited the members of the Committee to resume consideration of draft resolution A/C.3/L.2127, on the manner in which matters dealt with by the Economic and Social Council should be treated, submitted by Finland, Italy, Mexico and Morocco. He announced that Ecuador also had become a sponsor of the draft resolution.

61. Miss CAO-PINNA (Italy) said that the Federal Republic of Germany and Ireland had also become sponsors of the draft resolution. The draft resolution appeared to have aroused misgivings in some delegations. After consulting many members of the Committee, her delegation proposed to make certain changes in it, which, she hoped, would alleviate those difficulties. In order that operative paragraph 1 should not be liable to misinterpretation, as some delegations feared, she proposed that the following phrase should be added: "without prejudice to the priority generally accorded to specific questions included in the agenda as separate items". With regard to the possible disruption of the hierarchy of the various organs, which some feared might result, she explained that the text could in no way jeopardize that hierarchy. The sponsors of the draft resolution merely wished all members of the Committee to be equally well-briefed when they attended the General Assembly, on all the work of the various organs, at all levels, including the work done after the summer session of the Economic and Social Council.

62. Mr. BAL (Mauritania) said that, after hearing the statement by the representative of Italy, he had the impression that he was back at the start of the session, during the debate on organization of work. Despite the explanations just given, he continued to have doubts regarding the merits of the draft resolution. It amounted to anticipating action to be taken in years to come. That was impossible, in view of the political and social implications of items considered which might be on the agenda of other committees. Moreover, he felt that the concept of priority that had been invoked was not clearly defined. He asked whether, for example, if the Committee decided to consider the report of the Economic and Social Council as its sixth item, that would constitute priority. In any event, the United Nations system had an established procedure for the consideration of agenda items. If the draft resolution was adopted, the prescribed procedure for referring an item to a particular commission of the Economic and Social Council would no longer be respected. Items dealt with in August

by the Sub-Commission on Prevention of Discrimination and Protection of Minorities would be brought before the Third Committee, when they should have been considered the following year by the Economic and Social Council. The Third Committee, which was sovereign with regard to decisions which directly concerned it, could not take decisions which entailed commitments for other United Nations organs. Moreover, no mention was made of the possible financial implications of such a new procedure.

63. Furthermore, it was stated in operative paragraph 1 of the draft resolution that the priority in question would be given to "the pertinent chapters of the report of the Economic and Social Council in the consideration . . . of questions of social progress and human rights". The Third Committee dealt essentially with social questions. However, a number of the items which came before it did not come within the purview of the Economic and Social Council; an example was the question of decolonization, which related to the field of human rights. He did not see why priority should be given to the report of the Economic and Social Council as opposed to such items.

64. The change proposed by the representative of Italy merely served to encumber the text while in no way changing the spirit of the draft resolution, which, in his view, had no real justification. Moreover, the draft resolution was contrary to the Rules of Procedure of the General Assembly; rule 99 stipulated that, at the beginning of each session, each Main Committee should decide the order of priority to be accorded the items referred to it. In the first preambular paragraph, reference was made to the high priority given to the report of the Economic and Social Council. That was the result of a decision taken by the Committee for purposes of the twenty-ninth session, but there was no reason to regard that decision as a statement of established custom. In the second preambular paragraph, there was mention of "an appropriate balance". It was not clear to him how the draft resolution could contribute to establish an appropriate balance between items which were all important.

65. Accordingly, he would vote against draft resolution A/C.3/L.2127 if it was put to the vote.

66. Mr. KOMISAROV (Byelorussian Soviet Socialist Republic) pointed out that the priority given to consideration of the report of the Economic and Social Council at the current session of the General Assembly was in accordance with the custom whereby the Committee set an order of priority for the questions before it at the beginning of its work, an order of priority which it could change subsequently if it so wished. To set an order of priority for the future would be tantamount to establishing a procedure for the automatic assignment of priorities, which would indubitably have the result of slowing down the Committee's work. It was true that there would be some advantage in improving the existing procedure. At the fifty-sixth session of the Economic and Social Council, the question of narcotic drugs had been considered in detail and resolutions had been adopted that did not call for decisions by the General Assembly. The Committee, however, was currently discussing that question over again—an apparent instance of unjustifiable duplication. However, when the representative of Italy said, with regard to operative paragraph 2 of draft

resolution A/C.3/L.2127, which proposed the preparation of a concise note informing the General Assembly of the activities of subsidiary organs, that the only purpose of such a note would be to provide the members of the Committee with additional information, it was hard to follow her argument. It was clear that the purpose of reporting to the General Assembly on those activities was not solely for its information but in order that the General Assembly could utilize that information in its work. If that line of reasoning were pursued the only logical solution would be to alter the calendar of conferences.

67. For those reasons, his delegation considered that draft resolution A/C.3/L.2127, as it stood, even taking into account the proposed amendments, was unacceptable.

68. Mr. POC THIEUN (Khmer Republic), speaking in exercise of the right of reply, said that the representative of the People's Republic of China during her intervention at the 2080th meeting has seen fit to make offensive remarks concerning the Khmer Republic. To use her words, only the Royal Government of National Union of Cambodia had the

right to represent Cambodia in international organizations, and not the Lon Nol clique. He asked on what legal grounds the representative of China based such a judgement. That assertion was, in fact, based on a personal opinion and was therefore to be treated with caution. The Khmer Government had the most solid constitutional and popular foundations. It had its headquarters in the capital of the country, controlled the greater part of the territory and administered the great majority of the population, which had full confidence in it. The 200,000 people who had sought refuge in the country were sufficient proof of that confidence and of the legitimacy of the Khmer Government, which alone had the right to be represented in all international organizations.

69. Mrs. WU Yu-yi (China) reaffirmed the stand taken by her delegation and repeated that the Lon Nol clique was illegally occupying a seat in the United Nations which legitimately belonged to the representative of the Royal Government of National Union of Cambodia.

The meeting rose at 6.05 p.m.

2083rd meeting

Wednesday, 6 November 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9737, A/9764, A/9767, A/9785, A/C.3/L.2127)

1. Mr. SAYAR (Iran) welcomed the fact that 98 States had ratified the Single Convention on Narcotic Drugs, 1961,¹ which had now come into force. Iran had initiated the procedures for the ratification of the two other international instruments on narcotic drugs, the 1971 Convention on Psychotropic Substances² and the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961.³ Iran urged all countries which had not yet done so to accede to the Single Convention, which was the pivot of the entire system of measures for the prevention of drug abuse. In that connexion he emphasized the importance which his Government attached to the United Nations Fund for Drug Abuse Control, which it had supported from the outset. In 1973, the Iranian Government had decided to increase its regular contribution to the Fund and to make a special contribution, which would be substantial.

2. There was no need to recall the reasons which had prompted the Iranian Government to resume opium culti-

vation a few years before. Those reasons had been given by his delegation in the Commission on Narcotic Drugs and in other international forums. Iran's international commitments did not conflict with its decision to authorize the national production of opium, which was strictly for local consumption. Furthermore, the areas where the opium poppy was cultivated were under strict control by Government agents and a special permit was required for each poppy-growing region.

3. The Government's decision to reduce the area under poppy from 20,000 to 2,000 hectares had been put into effect in 1973 and the number of provinces where poppy cultivation was authorized had been reduced from 19 to 14 and would be further reduced as the measures to combat drug addiction and to rehabilitate drug addicts produced results. The *Report of the International Narcotics Control Board for 1973*⁴ mentioned the Iranian Government's willingness to co-operate in the international drug control system and to apply the provisions of the Single Convention. It also stated that in Iran there had been no cases of the diversion of opium to the illicit market. However, it was still necessary to produce a certain quantity of opium for the number of registered opium addicts—registration had become compulsory when poppy cultivation had been resumed—which had been nearly 120,000 in 1973, without counting the many addicts who were not registered. For the last two decades one of his Government's major concerns had been to provide facilities for the treatment and rehabilitation of addicts. In 1973, 7,695 drug addicts had

¹ United Nations, *Treaty Series*, vol. 520, No. 7515, p. 151.

² E/CONF.58/6 and Corr.1 and 2.

³ E/CONF.63/8.

⁴ United Nations publication, Sales No. E.74.XI.2 and corrigendum.

been hospitalized, either in special centres or in regular hospitals, and 3,079 of them had received treatment.

4. However, the biggest and most important problem facing not only the Iranian Government but other Governments also and which was of concern to the competent international bodies and the international community as a whole was that of the illicit traffic in narcotic drugs. If there was such a problem in Iran, it was not due to the local production of opium, which was very strictly controlled and was in the hands of the State monopoly, but to drugs which were smuggled in from neighbouring countries by tourists, despite the fact that they were liable to severe penalties under Iranian law. For instance, under the 1969 law on drug trafficking, 11,488 persons had been arrested and prosecuted in 1973, the penalty depending on the seriousness of the offence.

5. Iran welcomed the work done by some of the specialized agencies to combat drug addiction, particularly the research undertaken in Iran with the assistance of WHO on the treatment of former addicts. Iran also appreciated the studies undertaken by UNESCO and the projects for which it was the executing agency both in the industrialized countries of Europe and in Africa and the Americas relating to the problem of young addicts. The studies undertaken in Thailand and in the Republic of Viet-Nam on the replacement of poppy by other crops in rural areas were of special interest, and their results might be useful to other poppy-growing countries. The 79 projects for which the United Nations Fund for Drug Abuse Control was the executing agency were all examples of the efforts being made by international organizations in that field. Special mention must be made of the efforts of the Inter-Agency Advisory Committee on Drug Control Activities, which had met in Geneva from 11-13 September 1974. The work it did in co-ordinating the diverse activities of the United Nations in the field of narcotics was worthy of study. Iran had always felt that closer co-ordination between the different bodies concerned with the narcotics problem would be the best guarantee of success in the efforts to control drug abuse.

6. Iran attached very great importance to the activities of the Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East, of which it was a member, together with Afghanistan, Pakistan, Turkey and Sweden. The two visits which the Sub-Commission had made to the region and the two meetings at Ankara and Teheran in April 1974 gave grounds for hope that effective regional co-operation could be established, for the purpose of dealing with the illicit traffic. His delegation wished to assure the United Nations narcotics bodies of its full co-operation and whole-hearted support.

7. The CHAIRMAN invited the Committee to resume its consideration of draft resolution A/C.3/L.2127, relating to the procedure to be followed in the examination of questions dealt with by the Economic and Social Council and its subsidiary organs.

8. Mr. SCHREIBER (Director, Division of Human Rights) said that several representatives had asked him to provide the Committee with data as to the calendar of meetings of organs active in the human rights field and to comment as to the effects which the present calendar of such meetings

had on the timeliness and the adequacy of the annual reporting by the Economic and Social Council to the General Assembly on human rights and social questions. He would only confirm that various human rights organs had been expressing concern with regard in particular to the timing of their respective sessions which would make their work most effective and the lag between the time when the social and human rights bodies of the Economic and Social Council were adopting their resolutions and recommendations and the time when those texts were brought to the attention of the General Assembly. Those activities were covered by the report of the Economic and Social Council, but only partially; any action taken under the authority of the Council after the end of its summer session could not be included in the report, and the time lag was in fact even greater as social and human rights questions were considered at the spring session of the Council, now ending in early May.

9. As to the reports of the relevant functional commissions of the Council—the Commission on Human Rights, the Commission on Social Development, and the Commission on the Status of Women—they had to be ready in time for consideration by the Council at its spring session, now beginning early in April, and the Commissions concerned had therefore to meet very early in the calendar year. In the case of a subsidiary body, such as the Sub-Commission on Prevention of Discrimination and Protection of Minorities, it had to meet earlier still, in the August-September period, since its report was to be considered first by its parent commission—the Commission on Human Rights—before being considered by the Council. As the Sub-Commission could not meet during the General Assembly session, more than a year elapsed between the time when the Sub-Commission adopted its recommendations and the time when the General Assembly could take cognizance of them. As the Committee knew, when he introduced various items on its agenda orally to the Third Committee, he usually referred to the most important action of subsidiary bodies in the field of human rights which were relevant to the consideration by the Committee of items referred to it by the General Assembly.

10. With regard to those bodies, however, dissatisfaction had been expressed in the Sub-Commission and the Commission on Human Rights as to the long interval existing between their meetings, in the Commission as to the tardiness of the documentation presented to it, which was due to the proximity of its sessions to those of the General Assembly, and in the Council at its spring session because of the tardiness of the presentation of the report of the Commission.

11. The remedy to all these problems would, of course, be for the Sub-Commission to meet in January, as it used to do previously, for the Commission on Human Rights to be allowed to meet in March or April, and for the Council to examine the report of the Commission in the summer.

12. There were, however, serious technical problems involved pertaining to the possibility of servicing meetings as well as to the internal arrangements of the Council's work.

13. Possible solutions might perhaps be found as a result of implementation of Council resolution 1907 (LVII), on a

revised pattern of meetings. The adoption of that resolution showed that the Council was not unaware of those problems. The Council had decided in paragraph 2 of that resolution that, in addition to the spring and summer sessions, full account should be taken of “the need for a better distribution throughout the year of the questions included in the Council’s programme of work”, and in paragraph 3, “with a view to such a better distribution of meetings . . . the Secretary-General was requested to present to the Council at its organizational session for 1975 a report containing recommendations to that end”. The Council would therefore have the opportunity of dealing with the aspects of the question which concerned its own responsibilities to the General Assembly.

14. In his view, the possibility of special meetings of the Council in the summer devoted to human rights questions should be explored, as that would permit the establishment of a suitable calendar of meetings of the subsidiary organs of the Council and permit the General Assembly to be informed of all the activities undertaken and results achieved by organs acting under the supervision of the Council. Such special meetings would also be desirable in view of the new responsibilities entrusted to the Council under the Programme for the Decade for Action to Combat Racism and Racial Discrimination (General Assembly resolution 3057 (XXVIII), annex) and in view of the important responsibilities which were to be entrusted to the Council in the near future as the international implementation organ for the International Covenant on Economic, Social and Cultural Rights (General Assembly resolution 2200 A (XXI), annex).

15. Mrs. HEANEY (Ireland) said that draft resolution A/C.3/L.2127 responded to a feeling which had been clearly expressed in the Committee, particularly at the 2052nd meeting, that some degree of priority should be given to the report of the Economic and Social Council. The number and range of the draft resolutions that had been adopted on the Council’s report at the current session was an argument for considering the report at a time when it could be given reasonably adequate consideration. The usefulness of giving priority to the report had been demonstrated in two instances. One was the decision taken at the 2070th meeting that the Committee, in order to emphasize its concern at violations of human rights wherever they occurred, should submit for consideration by the plenary General Assembly a report on the relevant aspects of its deliberations on the human rights questions dealt with in chapter V, section C, of the Council’s report (A/9603). It had been possible also to take prompt action on the recommendation of the Commission on the Status of Women that an international conference should be held during International Women’s Year. That had been possible only because the Commission’s recommendation had been taken up early in the session under the heading of the report of the Economic and Social Council.

16. It was not the intention of the sponsors of draft resolution A/C.3/L.2127 to give the report of the Economic and Social Council priority at the expense of other items. Nor did the text recommend any particular order of precedence for consideration of the questions contained in the Council’s report.

17. If the draft resolution was adopted, questions such as those which were the subject of agenda items 53 and 55, the Decade for Action to Combat Racism and the importance of the universal realization of the right of peoples to self-determination, could still be given a higher priority if the Assembly so decided at any given session. That was made perfectly clear by the addition to operative paragraph 1 of the wording proposed by the Italian representative at the previous meeting (see 2082nd meeting, para. 61). All that was intended was that the Committee should consider the Council’s report during the first half of its session. The draft resolution did not suggest any specific number of meetings that should be devoted to consideration of the Council’s report at any particular session. The General Assembly would therefore still have full scope to decide, on the basis of its total agenda, how much time it could devote to discussing the report.

18. It had been suggested at the previous meeting that the draft resolution was out of order because it involved the organization of work and was directed to subsequent General Assemblies. But there were many precedents for such action by the Committee, which had adopted a number of resolutions according priority at subsequent sessions to this or that question, or requiring an item to be kept under constant review. The report of the Economic and Social Council was a permanent item on the agenda of the General Assembly, and the Committee was entitled to pass on to future Assemblies the benefit of its experience in dealing with that item; essentially, that was all the draft resolution aimed at doing. As the Committee was an integral part of the General Assembly and one of the organs of the United Nations in which all Member States were represented, it was extremely important that it should do so.

19. In his statement at the previous meeting, the Mauritanian representative had appeared to be under the impression that the draft resolution aimed at downgrading the priority of such issues as the right of peoples to self-determination. Because of its own experience, Ireland had every sympathy with the African countries that were struggling to free themselves from foreign domination, and she therefore understood the Mauritanian representative’s concern that high priority should be given to questions of decolonization. Nevertheless, her delegation felt that the Committee was legitimately interested in violations of human rights wherever they occurred, and not only in Africa.

20. The draft resolution was very simple. The Director of the Division of Human Rights had shown that changing the pattern of meetings of the Council and its subsidiary bodies was no simple matter. Nevertheless, she thought that the adoption of draft resolution A/C.3/L.2127 would help to achieve an organization of the Council’s work thanks to which each of its bodies could support the work of all the others. The explanation given by the Italian representative at the previous meeting should certainly have banished many of the difficulties and hesitations mentioned by other delegations. The sponsors would be happy to give any further clarifications that might be requested. If the draft resolution was approached in an objective spirit, she was sure that most of the delegations would be able to vote for it.

21. Mrs. SHAHANI (Philippines) supported draft resolution A/C.3/L.2127. The question of how the recommendations of the bodies of the Economic and Social Council that were concerned with social progress and human rights were to be given prompt attention by the General Assembly had been discussed by the Council's Social Committee. The problem was far from simple because so many important recommendations emanated from the Council's three functional commissions and the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Little progress had been made in the Social Committee, which was somewhat restricted because the membership of the Council was limited.

22. Operative paragraph 2 of the draft resolution provided for a report by the Secretary-General on the activities of the Council's subsidiary bodies. That would keep delegations informed and at the same time simplify matters for countries with small delegations.

23. She had listened with attention to the objections to the draft resolution expressed at the previous meeting by the representatives of Mauritania and the Byelorussian SSR. She did not think that there was any danger of the draft resolution prejudging future priorities, which could always be settled under rule 99 of the rules of procedure of the General Assembly. There was, therefore, a mechanism for ensuring that other items could be given priority when necessary. She trusted that the amended text would command the support of all delegations.

24. Miss VOLLMAR (Federal Republic of Germany) said that her delegation considered draft resolution A/C.3/L.2127 a most constructive contribution aimed at enabling the Committee to fulfil its obligations under the Charter of the United Nations more effectively. In 1974 the report of the Economic and Social Council had for the first time received the full attention which, because of the very important subjects it dealt with in the fields of human rights and social and humanitarian affairs, it deserved. The intensive debate in the Committee on various items dealt with in the report had shown that the report was indeed a matter of great importance. The draft resolution was aimed at confirming the Committee's recognition of the report's importance, and it did not go too far, for operative paragraph 1 did not call for "higher" or "highest" priority, thus leaving sufficient flexibility to the Committee if it should consider on future occasions that other items should be taken up first. It was aimed only at according an appropriate degree of priority to the relevant chapters of the report in the consideration at future sessions of questions related to it. Operative paragraph 2 was not intended to cause, nor would it cause in practice, the disruptive effect on established procedures governing the relationship between subsidiary and principal bodies which was feared by certain delegations. The draft resolution did not in any way touch on or alter the normal procedure of a subsidiary body in reporting first to its principal or superior body, but merely sought to ensure that the General Assembly would have more information available to it in order to allow the Third Committee to fulfil its task more efficiently. The sponsors of the draft resolution were willing to amend the wording in order to meet the preoccupations expressed in the Committee.

25. Mr. ALFONSO (Cuba) said that his delegation had had reservations from the start about the contents and implications of draft resolution A/C.3/L.2127, and the statements made by sponsors of the draft resolution had only confirmed those doubts. At the same time his delegation did not deny the importance of the report of the Economic and Social Council; although it would be inadvisable for the Committee to take up matters which had been considered only by subsidiary bodies of the Economic and Social Council, that would not prevent the Committee from studying such matters at a later stage.

26. With regard to the second preambular paragraph, his delegation did not believe that the alleged imbalance in the examination of different questions dealt with in the Council's report, if there was such an imbalance, was necessarily a bad thing. If items were separately inscribed on the agenda of the General Assembly, that was because they were considered important by the Secretary-General or by the bodies concerned. As to operative paragraph 1, he agreed that the agenda items connected with the report of the Economic and Social Council which had been discussed at the current session by the Committee were very important and relevant and had justified the decision on the order of consideration of agenda items taken by the Committee at the beginning of the session, but he did not think there was any need for a draft resolution on the subject. The clearest proof of that was the fact that the Committee had not needed a resolution to decide to give priority to the report at the current session. Decisions on priorities should not be made in advance, as the situation might well be different in later years. The report covered a very broad range of subjects and it was therefore impossible to predict their relative importance in later years.

27. With regard to operative paragraph 2, while he realized that the sponsors had been concerned to ensure that delegations would be well informed about matters under discussion, he thought the Secretariat could be asked to make all the relevant information available at the beginning of each session or at the beginning of the discussion of each item. If the paragraph were to be implemented, it would be a disservice to delegations, for if a concise note was made available to delegations after the beginning of the session they would not have had the opportunity to consult their Governments and as a result there would be extensive debates on matters that had not been decided on by Governments and had not even been taken up by the Economic and Social Council in accordance with established practice. It would be absurd if draft resolutions were submitted to the General Assembly on matters which had been discussed only in subsidiary bodies of the Economic and Social Council.

28. The draft resolution was unnecessary, if not counter-productive, and his delegation would therefore vote against it, and endorsed the appeal made by the representative of Mauritania at the previous meeting that it should be withdrawn.

29. Mr. RAZA (Pakistan) said that his delegation considered that draft resolution A/C.3/L.2127 was an exercise in futility. Every resolution was expected to make a definite recommendation, but the draft resolution in question did nothing of the sort, for the decision in

operative paragraph 1 by which the Assembly would give priority to the pertinent chapters of the Council's report had been rendered meaningless by the subsequent revision of that paragraph. He endorsed the arguments of the representative of Cuba against the draft resolution and joined the representative of Mauritania in appealing to the sponsors to withdraw it. If it was put to the vote his delegation would abstain.

30. Mr. GRAEFRATH (German Democratic Republic) said that his delegation shared the misgivings of the representative of Mauritania about draft resolution A/C.3/L.2127. It was aimed at regulating the future work of the Third Committee in a certain manner and would have the Secretary-General prepare a note on the activities of the subsidiary bodies of the Economic and Social Council on which the Council would have no opportunity to comment. Moreover, as the future organization of work was not on the agenda adopted by the General Assembly, the proposal contravened rule 97 of the rules of procedure of the General Assembly. The organization of the Committee's work was a matter of such importance that it could not be determined simply by means of a draft resolution introduced under any agenda item, in the absence of discussion in the Committee and without allowing Governments time to reflect on it. Indeed, it was regulated as a matter of principle by the rules of procedure; the attempt to set general priorities and fix the Committee's future programme of work for an indefinite time contravened rule 99. While due attention should be given to consideration of the report of the Economic and Social Council, the course proposed in the draft resolution was inadmissible. If any new item was to be placed on the General Assembly agenda, that should be done in the prescribed manner; the rules governing the introduction of agenda items were designed to ensure that Governments had time to prepare for their discussion. No Government had been asked if it wished to alter rule 99 of the rules of procedure, in other words, if it wished to base decisions on the priority to be accorded agenda items not on considerations of substance but on whether a question was included in the agenda as a separate item or as part of the report of the Economic and Social Council. There was nothing to prevent Governments from moving that an item with some such title as "Future organization of work of the Third Committee" should be placed on the Assembly's agenda; in that case, every Government would be able to reflect on it and decide the question on its merits. But that was not the course which was proposed in the draft resolution.

31. His delegation also believed that it would be expedient to establish an appropriate balance in the work programme between items separately inscribed on the agenda and other topics which were to be discussed within the framework of the Council's report. However, that balance did not depend on whether the items appeared separately or as part of the report but on what importance was attached to them by Member States at the beginning of the Assembly, as provided for under rule 99. His delegation also had the impression that the separate consideration of the various parts of the report had in general proved to be a good method. An appropriate balance between individual items in accordance with the nature of the problems involved should be established through discussion of the work

programme, and not through a formal establishment of priorities.

32. His delegation would also welcome exact information from the Secretary-General about the latest situation in the discussion of issues which were on the agenda, but considered that the agenda adopted by the Assembly would disintegrate if the Secretary-General were to report to the Assembly on work being done by subsidiary bodies of the Economic and Social Council which was not covered by an Assembly agenda item and if that led to immediate consideration of the matter in the Third Committee. That would also have a negative effect on the strengthening of the role of the Economic and Social Council, which had been emphatically demanded by many Member States. His delegation was therefore convinced that the Committee could draw a number of practical conclusions from the year's work without placing any new items on the agenda, and it hoped that the sponsors would withdraw the draft resolution.

33. Mr. LEHTIHET (Algeria) said that his delegation too hoped that draft resolution A/C.3/L.2127 would be withdrawn.

34. Mr. SINARINZI (Burundi), in connexion with the Committee's consideration of the humanitarian aspects of agenda item 60 undertaken at its previous meeting, said that 1974 had been a year of ordeals not only for the Sudano-Sahelian countries and other countries which had been afflicted by natural disasters but also for the international community as a whole. Through the solidarity of the international community, irreparable damage in those countries had been avoided. In that connexion his delegation paid a tribute to the Under-Secretary-General for Political and General Assembly Affairs for the efforts he had made to alleviate the effects of the disasters which had occurred and also to those countries and private and public bodies which had provided moral support and generous material aid that had mitigated the consequences of the drought. However, it was essential that international aid should be increased and continued within the framework of short- and long-term programmes. There was much to be done in the way of financing projects; for example, the development of the Senegal River required increased assistance from the international community. His delegation was convinced that the World Food Conference which had begun in Rome the previous day would do everything possible to find an effective remedy to the scourge of drought.

35. His delegation endorsed the remarks made by the representative of Mauritania on the political implications and financial consequences of draft resolution A/C.3/L.2127 and hoped that it would be withdrawn. If it was put to the vote, his delegation would vote against it.

36. Mr. KÉITA (Mali) said that his delegation would not participate in a vote on draft resolution A/C.3/L.2127 because it did not think that the draft resolution was useful or relevant.

37. Miss CAO-PINNA (Italy) assured the representative of the Philippines that the sponsors of draft resolution A/C.3/L.2127 would take into account the reservations and

comments made by various delegations. It would be preferable to defer the vote on the draft resolution until the following day, so that there would be time for consultations and for the preparation of a revised text.

38. With regard to the comments made by the representative of Mauritania, she noted that in previous years almost all items on the agenda had been matters of priority. The concept of priority was relative, and the sponsors of the draft resolution had wanted to ensure that the report of the Economic and Social Council would not be left to the end of the session as had been the case in previous years. Her delegation did not agree with the argument that by giving priority to consideration of the report, the Third Committee would be repeating the debates held in the Economic and Social Council and other bodies, as it believed that it was the right of Member States to raise any questions they wished, whether that involved repetition or not. Rule 99 of the rules of procedure had been quoted, but she noted that although the rule did not provide for discussion on the order of work during sessions, in past years the Committee had in fact altered its priorities during sessions.

39. Mr. BAL (Mauritania) said with regard to the comments made by the representative of Ireland that his delegation did not wish to make the question of self-determination a purely African matter, as it had always considered it to be of concern to the international community as a whole. It called on those who were on the side of Africa to show their support by voting in favour of the draft resolution on self-determination which was to be discussed when the Committee took up agenda item 55.

40. Mr. KABORÉ (Upper Volta) said that his delegation did not understand the purpose of draft resolution A/C.3/L.2127, and endorsed all the comments made by the representative of Mauritania. The draft resolution would not be a serious contribution to the Committee's work. In previous years when the Committee had decided to set priorities it had not always followed them. Moreover, if the international political situation changed, a decision taken now to give priority in future to the discussion of the report of the Economic and Social Council might make it appear that the work done by the Third Committee was not serious. Also, his delegation did not think there was any purpose in asking the Secretary-General to provide a concise note on action taken by subsidiary bodies of the Economic and Social Council, as the Committee would be unable to act on such a note. The Director of the Division of Human Rights had explained that there was a possibility of altering the calendar of conferences to enable the Sub-Commission on Prevention of Discrimination and Protection of Minorities to meet early in the year, so that its report could reach the Third Committee by the normal process. Draft resolution A/C.3/L.2127 was therefore futile and his delegation supported the appeal that it should be withdrawn so that the Committee could proceed to discuss more important matters on its agenda. Although the report of the Economic and Social Council was important, all the other items on the Committee's agenda were important too and it was inadvisable to decide on priorities in advance. If the draft resolution was put to the vote his delegation would vote against it.

41. Miss DIAROU MEYE (Niger) said that her delegation appreciated the desire of the sponsors of draft resolution A/C.3/L.2127 to improve the Committee's working methods, but felt that the draft resolution was of little use and regretted that so much time had been spent on it. Items were not necessarily of priority importance because they were included in the report of the Economic and Social Council, and any attempt to fix priorities for later sessions would only burden the Committee and lengthen discussions at the outset of each session on the organization of work. Her delegation therefore joined the delegation of Mauritania in calling on the sponsors to withdraw the draft resolution.

42. Mr. ELHOFARI (Libyan Arab Republic) concurred in the views expressed by the representatives of Mauritania and the Upper Volta. The draft resolution served no useful purpose and could not be improved by amendments. He associated himself with previous speakers in requesting the sponsors to withdraw it.

43. Mr. MARTINEZ (Venezuela) said that he too thought the draft resolution should be withdrawn.

44. The CHAIRMAN observed that draft resolution A/C.3/L.2127 was the last document before the Committee relating to item 12. She understood that the sponsors intended to present a revised version of the draft, and asked them to do so by 6 p.m. that day, so that the Committee could take a decision on it at its next meeting.

45. Mr. AL-QAYSI (Iraq) said that his delegation had carefully followed the arguments put forward by the supporters and opponents of draft resolution A/C.3/L.2127 and had found none of them entirely convincing. As responsible representatives of Governments, members of the Committee should attempt to arrive at a consensus on any document placed before them.

46. The representative of one country had suggested that the draft resolution was procedural in nature and should therefore be withdrawn. However, it was clear that in the past the Committee had considered many procedural draft resolutions and there was therefore no precedent for its withdrawal on that ground. Another representative had suggested that the draft violated the rules of procedure in so far as it did not deal with a specific item. That, too, was a faulty argument, since the draft was purely procedural and therefore not related to any specific item.

47. There were two ways of resolving the problem posed by the draft resolution. One was to take a hasty vote on the revised draft to be submitted by the sponsors. He urged against that approach and suggested that the better course would be for all parties concerned to hold consultations with a view to achieving an agreed text. Such informal consultations would also save valuable time in the debate on the issue.

48. Mr. ALFONSO (Cuba) recalled that the representative of Mauritania had at the previous meeting requested a statement of the financial implications of operative paragraph 2 of the draft resolution. Such a statement would be useful to the Committee, regardless of whether the action

proposed in that paragraph was a futile exercise, as some had suggested.

49. Mr. SCHREIBER (Director, Division of Human Rights), replying to the representative of Cuba, observed that the Secretary-General was requested, in the paragraph in question, to prepare for future sessions of the General Assembly a concise note informing the Assembly of the action taken by subsidiary bodies of the Economic and Social Council on questions of social progress and human rights. Such a note would not entail any additional cost within the total cost of documentation presented to the General Assembly by the Secretariat.

50. Miss DUBRA (Uruguay) said that the sponsors should be given time to carry out their intention of preparing a revised version of the draft resolution. Under rule 119 of the rules of procedure, she moved that the debate on the item under discussion should be adjourned.

It was so decided.

51. Lady GAITSKELL (United Kingdom) said that her delegation wished to comment on the report of the Committee on Non-Governmental Organizations,⁵ which was dealt with in chapter V, section E, of the report of the Economic and Social Council (A/9603), and, more particularly, on Council decision 8 (LVI).

52. It was very difficult to devise a consistent and appropriate method of classifying the extremely large number of non-governmental organizations (NGOs) which wished in various ways to be associated with the United Nations, particularly since many of those NGOs were by their very nature pressure groups interested in persuading Governments to change their policies. Her Government, for one, welcomed the existence of such organizations, which possessed experience, insight and talent and could offer a positive and original contribution to the work of the United Nations. Her delegation recognized, however, that if Governments were to derive maximum benefit from the work of the Economic and Social Council, there must be a definite limit to the extent to which NGOs were allowed to participate in the Council's work. Council resolution 1296 (XLIV), which was the current basis for dealing with the question, represented an adequate compromise, but her delegation recognized that the material presented to members of the Council for their use in classifying or reclassifying NGOs presented difficulties. The specialized agencies employed different methods for classifying NGOs and there might be elements in their systems of value to the United Nations. Whatever the views of the various delegations might be on that question, her delegation hoped that the Committee on Non-Governmental Organizations, at its next session, would reach a consensus on the need to devise a more straightforward and less contentious system.

53. As far as the question of the frequency of meetings of the NGO Committee was concerned, she noted that the Economic and Social Council, in paragraph (d) of decision 8 (LVI), had decided to approve the recommendation of the Committee that it should meet in 1975 to consider the Secretary-General's report requested in Council resolution

1739 (LIV) and thereafter meet biennially. Her delegation considered that the decision to recommend biennial sessions was of considerable importance if the Council's self-declared aim of rationalizing its proceedings was to be effectively implemented and if the danger of the Council being swamped by the reports of its different subsidiary bodies was to be avoided. Adequate provision existed for providing temporary association for NGOs between meetings of the NGO Committee. The NGO Committee could fulfil a useful role by meeting less often but at better-prepared sessions.

54. Referring to the recommendation that the NGO Committee should meet in 1975 to consider the report requested in Council resolution 1739 (LIV), dated 4 May 1973, she pointed out that in paragraph 2 of that resolution, it was noted that the Secretary-General would submit a full report at the next regular session of the Council Committee, i.e., in 1974. For reasons that had not been satisfactorily explained at the most recent session of the NGO Committee, the Secretary-General had failed to produce such a report.

55. In resolution 1739 (LIV), the Economic and Social Council recognized the importance of providing a structure within which NGOs could associate themselves with the economic and developmental role which the United Nations was increasingly called upon to play. Many delegations recognized the need to amend the existing structure so that NGOs which had the necessary experience could contribute fully to the consideration of such questions as population, food and development in general. In paragraph 5 of the report of the NGO Committee, the hope was expressed that the full report promised by the Secretariat would be forthcoming as soon as possible, at least well in advance of the next regular meeting of the Committee. That meeting would be held in less than three months' time and her delegation would like to hear a statement from the Secretariat on the status of the report and a reassurance that it would be submitted in good time.

56. Mr. SCHREIBER (Director, Division of Human Rights), replying to the representative of the United Kingdom, said that he had been informed by the Secretariat services concerned that an interim report⁶ had been submitted to the NGO Committee at its session in February 1974. The final report was being prepared in consultation with the departments concerned and it was hoped that it would be ready in the near future.

AGENDA ITEM 55

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (continued)* (A/9638 and Add.1, Add.1/Corr.1 and Add.2-4, A/9667 and Add.1, A/9830)

57. Mr. LIDBOM (Sweden) said that the growing number of States Members of the United Nations was an eloquent

⁶ E/C.2/766.

* Resumed from 2081st meeting.

expression of the irresistible force of the right of self-determination. Since the twenty-eighth session of the General Assembly, the Portuguese dictatorship had been crushed and that change had accelerated the liquidation of Portugal's colonial empire. Despite the progress made, however, people in many countries continued to live under the yoke of foreign or domestic oppression.

58. In South Africa, Namibia and Southern Rhodesia, those responsible for the policy of racial discrimination were still in power. In all those countries the white minority continued to exploit the African population without respect for the dignity of man. In Viet-Nam, the foreign troops had been withdrawn but the war continued. The fundamental political problems of Viet-Nam had not been resolved in accordance with the Paris Agreement on Ending the War and Restoring Peace in Viet-Nam, of 27 January 1973, and responsibility for that situation weighed heavily on the United States. In the Middle East, there was a growing feeling that a fresh outbreak of war was inevitable. The problem of realizing the legitimate national rights of the Palestinian people was far from having been solved.

59. The system of *apartheid* had no future. It was a disgrace to mankind and should be eliminated as soon as possible. It was to be hoped that the liquidation of the Portuguese colonial empire marked the beginning of the final breakdown of the abhorrent system of racial discrimination. The fact that the sanctions against Southern Rhodesia had had limited effect and that certain States had defied the recommendations of the Security Council and continued to export arms to South Africa was a setback to the United Nations, but one which should inspire new efforts to make sanctions more effective. Consideration should now be given to the possibility of imposing sanctions on South Africa. At the current session of the General Assembly, Sweden had said that it would welcome a thorough examination of the question of *apartheid* in all its aspects by the Security Council.

60. In the Middle East no solution was possible which did not simultaneously guarantee the right of Israel to continue to exist within secure and recognized borders and the legitimate rights of the Palestinian people. It was an illusion to believe that the Palestinian problem could be dealt with as a refugee problem exclusively. The right to self-determination, so solemnly affirmed in many conventions and declarations of the United Nations, could tolerate no exceptions. His delegation had supported the decision to grant the Palestine Liberation Organization the right to participate in the forthcoming debate in the General Assembly on the question of Palestine, since no fair and lasting solution would be possible without a dialogue in which all the parties concerned participated.

61. Many States entering the United Nations as independent countries had discovered that the withdrawal of foreign troops was only the first step on a long and difficult path towards genuine independence. Even when the classical form of colonial domination disappeared, the new States, which were often poor and underdeveloped, continued to be economically dependent on the industrialized world. In many cases, the threat of economic imperialism was as great as the former threat of colonial domination.

Most States which had achieved independence during the past few decades had found it necessary to sell cheaply to the industrialized countries their raw materials, which they were then obliged to repurchase at high prices in the form of more refined products. It was extremely important to create a more equitable economic régime which would determine relations between the countries which produced raw materials and the industrialized countries. Such a régime would help to reinforce the freedom and independence of poor countries and thus to secure peace. In that connexion, he recalled that his Government had supported the Declaration and the Programme of Action on the Establishment of a New International Economic Order, which had been adopted at the sixth special session of the General Assembly (resolutions 3201 (S-VI) and 3202 (S-VI)).

62. Economic imperialism expressed itself not only through the policies of the great Powers but also in the activities of transnational corporations. Such corporations were expanding rapidly and were continuously reinforcing their influence on the world's economy. They often provided the developing countries with the foreign capital on which the latter were dependent, thereby shaping the future of those countries. However, it should not be forgotten that the sole objective of such corporations was their own profit and expansion. If the future of the poorer nations was to be decided on the basis of the common interest and not by the dictates of private profit, the power of transnational corporations must be reduced.

63. The two great Powers claimed that they had a particular responsibility for peace which entitled them to interfere in the lives of nations throughout the world. While détente was a welcome development, there was reason to fear that the great Powers considered any radical change a threat to stability and order. There was thus in détente a conservative element which tended to conserve the *status quo*, even when that meant the preservation of injustice and oppression. In so far as it was concerned with disarmament, the policy of détente was a constructive contribution to peace. On the other hand, if it resulted in the preservation of social and economic injustices in various parts of the world, it would sooner or later threaten peace.

64. The two great Powers demonstrated in various ways their aspiration to rule the world. Only a few years earlier, the dreams of democracy and independence of a small European nation had been brutally crushed by the tanks and soldiers of a great Power. The memory of public opinion was deplorably short. However, the aspiration for freedom of an entire people could not be suppressed indefinitely by violence and military force.

65. In some cases, the major Powers used more subtle and discreet means to influence the destiny of other nations. They might use as their instruments for that purpose transnational enterprises, intelligence services or financial support to political parties and the mass media. Such interference in the domestic affairs of other States violated the United Nations Charter and other international instruments, the principles of which should be respected by all Powers, great and small. For example, no country had the right to finance or in other ways support subversive activities directed against another country or to interfere in its domestic conflicts.

66. The fact that the two International Covenants on Human Rights (General Assembly resolution 2200 A (XXI), annex) had been ratified by a large number of States encouraged the hope that they would soon enter into force. Those Covenants were a symbol of progress, but their significance paled in the light of the daily reports of violence and cruelty in all parts of the world. Human beings were being tortured and thrown into prison because of their convictions. In those parts of the world where war was raging, more and more refined weapons were being used to inflict senseless suffering. Unjustified and excessive violence and terrorism in all its forms must be condemned.

67. The pessimism engendered by reports of assaults on fundamental human rights by the most diverse régimes throughout the world was not necessarily justified. The causes of violence were identifiable and could be elimi-

nated. For example, it was known that there was a connexion between the widespread use of violence, on the one hand, and injustices within nations and between nations, on the other. The most elementary human right was the right of peoples to control their own destinies. As long as there were nations which had not gained independence and régimes which protected the privileges of minorities while neglecting the will of the people, it could not be expected that violence would be suppressed. To the oppressed, violence might ultimately become the only way out of a desperate situation. It was therefore one of the most urgent tasks of the United Nations to work for the liberation of countries still under colonial domination. All countries should adopt policies based on the will of the people which promoted the people's interests.

The meeting rose at 1.05 p.m.

2084th meeting

Thursday, 7 November 1974, at 3.15 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2084

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492, 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G), and VII (sections 1 to 3)] (concluded) (A/9603, A/9637, A/9707, A/9733, A/9737, A/9764, A/9767, A/9785, A/C.3/L.2127/Rev.1)

1. Mr. NOTHOMB (Belgium) said that his country's contribution to the voluntary fund for the International Women's Year, as announced at the 2079th meeting, would amount to \$20,000.

2. Miss CAO-PINNA (Italy) introduced the revised draft resolution (A/C.3/L.2127/Rev.1) on the consideration to be given to the questions arising from the report of the Economic and Social Council. She said it took account of the misgivings expressed by some delegations: it no longer referred in the first preambular paragraph or in operative paragraph 1 to any order of priority for the consideration of the items before the Committee; the second preambular paragraph mentioned only the items which were dealt with only in the Council's report; in operative paragraph 2, it was specified that the request set forth in the draft resolution was without prejudice to the various bodies competent in those fields; finally, in the matter of the financial implications, no details were given as to how the Secretary-General should meet the request addressed to him. She hoped that the intentions of the sponsors would thus be better understood.

3. Mrs. MALLOUM (Chad) thought that the revised text added nothing new and that the sponsors should have withdrawn their draft resolution. In accordance with rule 117 of the rules of procedure of the General Assembly, she

moved the closure of the debate and said that her delegation would vote against draft resolution A/C.3/L.2127/Rev.1.

4. Mr. MACRAE (United Kingdom) thought that it was too early to proceed immediately to the vote and requested, under rule 116 of the rules of procedure that the discussion should be adjourned until the following meeting.

5. The CHAIRMAN pointed out that under rule 119 of the rules of procedure, a motion to adjourn the debate on the item under discussion took priority over a motion to close the debate. Under rule 116, two representatives might speak in favour of, and two against, the motion, after which the motion should be immediately put to the vote.

6. Mr. BAL (Mauritania) deplored the fact that the Committee was devoting as many meetings to a completely meaningless draft resolution as to such an important item as colonialism. He would vote against the motion of the representative of the United Kingdom if it was maintained, and would vote for the motion of the representative of Chad.

7. Mr. TUROT (France) supported the motion for adjournment, since in the intervening period agreement might be reached. The changes mentioned by the representative of Italy should dispel any remaining hesitation. In any case, the Committee was always free to decide how it would consider the items on its agenda and what priority it would give them.

The motion to adjourn the debate was rejected by 40 votes to 33, with 18 abstentions.

8. Mr. ALFONSO (Cuba) urged the sponsors to withdraw their draft resolution.

9. The CHAIRMAN put the motion to close the debate submitted by Chad to the vote.

The motion was adopted by 54 votes to 27, with 22 abstentions.

At the request of the representative of Ireland, a recorded vote was taken on draft resolution A/C.3/L.2127/Rev.1.

In favour: Australia, Austria, Belgium, Canada, Chile, Costa Rica, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Germany (Federal Republic of), Iceland, Ireland, Israel, Italy, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Pakistan, Panama, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: Argentina, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, Gambia, Democratic Republic of Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Lebanon, Libyan Arab Republic, Mali, Mauritania, Mongolia, Nicaragua, Niger, Nigeria, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Upper Volta, Yugoslavia, Zambia.

Abstaining: Afghanistan, Albania, Bahrain, Bangladesh, Bhutan, Brazil, Burma, China, Dahomey, Gabon, India, Indonesia, Iran, Iraq, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lesotho, Liberia, Madagascar, Malaysia, Nepal, Oman, Philippines, Portugal, Qatar, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Venezuela, Zaire.

Draft resolution A/C.3/L.2127/Rev.1 was rejected by 41 votes to 28, with 43 abstentions.

10. Mrs. BERTRAND DE BROMLEY (Honduras) said that she had voted for draft resolution A/C.3/L.2127/Rev.1.

11. Miss CAO-PINNA (Italy) said that less than one third of the members of the Committee had voted against the draft resolution, the others had voted for it or had abstained.

12. The CHAIRMAN said that the Committee had completed its consideration of item 12 of the agenda.

AGENDA ITEM 55

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (continued) (A/9638 and

Add.1, Add.1/Corr.1 and Add.2 to 4, A/9667 and Add.1, A/9830)

13. The CHAIRMAN congratulated the delegations of the Byelorussian SSR, the Ukrainian SSR and the Union of Soviet Socialist Republics on the occasion of the fifty-seventh anniversary of the October Revolution. The Committee was the appropriate body to pay a tribute to all the heroes who had fallen for the cause of freedom and in defence of human rights.

14. Mr. NEYTCHEV (Bulgaria) associated himself with the congratulations offered by the Chairman, particularly since the anniversary of the October Revolution was also celebrated by Bulgaria and all progressive forces. If there had been no 7 November 1917, which had marked the beginning of the process of liberation for all the colonial peoples, the Committee would not now be considering the important matter of self-determination.

15. Mr. POZNYAKOV (Ukrainian Soviet Socialist Republic) thanked the Chairman for her congratulations. His country had a particular interest in the question of self-determination and was happy that the liberation movements, which had developed through the progress of socialism, had almost succeeded in eradicating colonialism and imperialism. The day was not far off when the last bastions of colonialism would fall and all Africa would be independent, but it was worrying to see that, in violation of the Charter of the United Nations, of the Universal Declaration of Human Rights and many United Nations resolutions, the legitimate rights of peoples aspiring to self-determination and independence were still being thwarted. His country, as a socialist State born of the October Revolution, had always supported and would continue to support the legitimate struggle of peoples against imperialist, racist, colonialist and neo-colonialist oppression.

16. The colonialists were trying at any cost to maintain their inhuman domination and exploitation with the support of imperialist and capitalist interests, which continued to derive enormous benefits from their investments in South Africa, Southern Rhodesia and elsewhere. Considerable documentation was available on the subject of foreign investment, which represented 70 per cent of all investment in South Africa, and a great deal of information was contained, in particular, in the July 1974 issue of the Bulletin of the Unit on *Apartheid*.

17. The monstrosity of the policy of *apartheid* derived from the fact that racism had been raised to the level of an official ideology and from the fact that racial discrimination, which formed the basis of the South African State, served to oppress 80 per cent of the people. According to reports by UNESCO and other international bodies, African children were forbidden to attend school; 70 per cent suffered from undernourishment and 50 per cent needed medical care. Among the Bantus, the infant mortality rate was 20 times higher than among whites. The military budget of South Africa for the year 1974-1975 had nevertheless doubled compared with the previous year. *Apartheid* was a means of repression against the indigenous population, which was deprived of its most basic rights, including the right to move freely in its own country.

Thousands of freedom fighters had been imprisoned and the Expert Committee established by the Security Council under the terms of its resolution 191 (1964) had noted that the methods of the South African police were similar to those of the Gestapo. The Ukrainian Soviet Socialist Republic, which had undergone the terrible experience of the Hitlerian occupation, considered that nazism and *apartheid* were two forms of the same evil, namely, the exaltation of the supremacy of one race over another. The international conscience would never accept the situation of terror and violence prevailing in South Africa, Southern Rhodesia, Namibia and the Arab territories occupied by Israel. As the example of Guinea-Bissau had recently shown, the African peoples were firmly determined to recover their land from the colonialists. His delegation was convinced that the success of the struggle for liberation in Africa lay in the unity of the countries of Africa and their co-operation with the socialist countries and all progressive forces. In that connexion, OAU was playing a very important role and the decisions taken at Mogadiscio in June 1974, during the eleventh session of the Conference of Heads of State and Government of OAU, would intensify the struggle and hasten the emancipation of the African continent. His country urged the full implementation of the right of peoples to self-determination and respect for the rights of the peoples of southern Africa and Palestine so that all peoples might be freed from fascism and aggression.

18. Miss DUBRA (Uruguay) stressed the fundamental nature of the right of peoples to self-determination. The United Nations decisions which her Government had fully supported had helped to speed up the process of decolonization and its impetus could now no longer be stopped. It was, however, to be regretted that, so many years after the signature of the Charter of the United Nations and the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1514 (XV)), an item relating to the universal achievement of the right to self-determination and the granting of independence to colonial countries and peoples was still on the agenda of the General Assembly. At its fifth session, the General Assembly, had, however, reaffirmed the right to self-determination in resolution 421 D (V) and, at its following session, had decided, in resolution 545 (VI), to include an article embodying that right in the International Covenants on Human Rights (General Assembly resolution 2200 A (XXI), annex), which had been opened for signature in 1966 and which, it was to be hoped, would enter into force in 1975.

19. An important step forward had nevertheless been made in 1974 when Portugal had taken the decision to recognize the principle of self-determination in its African Territories and her delegation welcomed that decision.

20. Moreover, as a result of resolution 4 (XXX) and 5 (XXX) adopted by the Commission on Human Rights,¹ two important studies, one relating to self-determination and its historical and current development and the other relating to the implementation of the United Nations resolutions on that subject, had been undertaken in 1974 by the Sub-Commission on Prevention of Discrimination

and Protection of Minorities. It was to be hoped that those studies would be ready in 1975 at least in preliminary form, so that the Committee might use them at the thirtieth session.

21. Mr. HUSSAMY (Syrian Arab Republic) said that the right of peoples to self-determination was recognized in the very first Article of the Charter of the United Nations, which stated that the recognition of that right was an appropriate measure for the development of friendly relations among nations and the strengthening of universal peace. The meaning of the concept of the right to self-determination had been extended since the fifth session of the General Assembly, thanks to the pioneering efforts of the Committee and the peoples subjected to colonial régimes and despite the opposition of the imperialist and colonialist Powers. Those Powers had claimed that the immediate extension of the provisions of the International Covenants on Human Rights to colonial peoples might destroy the very basis of their societies because those peoples would be suddenly brought to a point which civilized countries had reached only after a very long period of development. The international community had fortunately not listened to such arguments and had adopted a series of historic resolutions, including General Assembly resolution 421 (V) relating to the draft International Covenant on Human Rights and resolution 637 (VII) relating to the right of peoples and nations to self-determination. The colonialist régimes had nevertheless continued to oppress the peoples they were exploiting and, in 1960, the General Assembly had been under the obligation to adopt resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples. It had subsequently reaffirmed the importance of the universal achievement of the right of peoples to self-determination and the speedy granting of independence to colonial countries and peoples in a long series of resolutions which included resolutions 2649 (XXV), 2787 (XXVI) and 3070 (XXVIII).

22. His delegation deplored the fact that, to a great extent, the efforts made by the Committee had been useless. Courage and freedom of thought were, however, not lacking in the Committee and he was proud of the resolutions which had been adopted on its initiative. He also wished to thank the Director of the Division of Human Rights for his valuable contribution to the Committee's work.

23. Nevertheless, some basic questions still had to be answered. How long would the colonized peoples have to remain under the yoke of their oppressors? Why was the international community powerless to deal with violations of the recognized rights of those peoples? Because of the imperialist Powers' indifference to the resolutions adopted by the United Nations, the fascist régime was able to stay in power in South Africa and the Palestinian people were deprived of its national Territory in defiance of the principles of the Charter. The oppressed peoples had no need of a long historical past in order to understand that the land of their ancestors belonged to them and that they had the right to exploit their own resources. They needed no computer to know that they were being wrongly exploited by countries which were endeavouring to deprive them of everything, including their own identity. More than 25

¹ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5, chapter XIX, section A.*

years after the adoption of the Charter of the United Nations, it was painful to note that millions of people in Angola, Mozambique, Zimbabwe, Namibia, South Africa and Palestine were being denied the right to self-determination and independence and were thus being deprived of the enjoyment of their most basic rights. At a time in history when the more advanced countries recognized that, in addition to the right to a decent life, work and security, the individual had the right to require society to guarantee him paid leave, leisure and a whole range of economic and intellectual luxuries, it was surprising and saddening that, by impeding the application of the sanctions adopted by the United Nations, some of the Governments of those countries were helping the colonialists to oppress 40 million people who were lacking food, housing and education.

24. His Government had always supported the national liberation movements and it renewed to them the assurance of its solidarity and unflinching support. It was in favour of the heroic struggle being waged by the Palestinian people against the oppression of the Zionist colonizers. The time had come for the peoples of Angola, Mozambique, Zimbabwe, South Africa and Palestine to exercise their right of self-determination. They must exert pressure on the imperialist Powers and force them to respect the United Nations Charter and resolutions. He appealed to the international community because he was aware that, in accordance with the position it had always maintained, it would spare no efforts to that end.

25. Mr. CATO (Ghana) said that the regularity with which the Third Committee and other organs of the United Nations addressed themselves to human rights questions indicated the concern that was felt over violations or denials of human rights in various parts of the world. The General Assembly's previous resolutions on the item under consideration indicated that peoples still under colonial rule and foreign domination were frequently the victims of inhuman and degrading treatment. Self-determination and independence were therefore a logical first step for those peoples towards full enjoyment of their basic rights and freedoms. It was for that reason that his delegation took the position that the task of the United Nations on matters concerned with the eradication of injustices would not have been accomplished while vestiges of colonialism still existed, while *apartheid* continued to be the law in the southern end of the African continent, and while Palestinians continued to live in tents.

26. It was a matter of great satisfaction to his Government that Guinea-Bissau had become a Member of the United Nations, that a transitional Government under the leadership of Frente de Libertação de Moçambique (FRELIMO) had been established in Mozambique, and that Mozambique might join the membership of the Organization in the near future. Those encouraging developments had been made possible as much by the determined efforts of the United Nations as by the events in Portugal. His Government congratulated the new Portuguese Government for deciding to fulfil its obligations under the Charter and accepting the right of the Territories under Portuguese rule to self-determination and independence, thus making the coup d'état of 25 April 1974 meaningful. His Government expected the Portuguese Government to bring the process of decolonization to a happy finality at the earliest possible

date. If it did so, Ghana was prepared to establish sincere and beneficial friendly relations with it.

27. The situation in South Africa, Namibia and Southern Rhodesia was quite different. The majority African population in those Territories was still subjected to barbarous repression and degrading treatment. In that connexion, the recent debate in the Security Council, as a consequence of General Assembly resolution 3207 (XXIX) on the relationship between the United Nations and South Africa, had caused his delegation considerable pain. He was referring to the drama at the 1808th meeting of the Council on 30 October 1974² in which the United States, the United Kingdom and France, against the decision of 10 other delegations and the desire of an overwhelming majority of the Members of the Assembly, had forestalled action aimed at meting out to the South African racist Government the treatment that it fully deserved. That decision suggested that a solution for the South African tragedy was still remote. The effectiveness of the United Nations was only equal to the degree of political will demonstrated by every Member and that will must be demonstrated. His delegation judged adherence to freedom and justice not by mere words alone but by example. Article 1 of the Charter of the United Nations required the international community "to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace". *Apartheid*, which was a form of aggression against an entire population, was a threat to peace and security, and expulsion of South Africa had been one of the weapons available to the international community for putting *apartheid* to rout. The irony was that the very countries that advocated peaceful methods should have frustrated efforts which could have achieved changes in the situation by peaceful methods. Under such circumstances, Ghana wondered how such changes could be brought about.

28. Ghana had been under British rule for 114 years. In spite of that fact, it had emerged from that status without bitterness or rancour. Like many other countries with other former colonial Powers, Ghana had been able to establish new relationships with the United Kingdom because it shared certain ideals with that country. There was therefore no reason for the British Government or the French Government to fear that their interests and investments in South Africa or Rhodesia would be hurt. However, his delegation did believe that economic relations and North Atlantic Treaty Organization (NATO) arrangements gave support to the racist régime. It could not be maintained that the sale of French arms to South Africa had no bearing on the military and social situation of that country. Nor could one accept the argument, repeated by the *Glasgow Herald* in its editorial of 4 November 1974, that the United Kingdom had a responsibility to the United States and to NATO in connexion with the defence of Europe. The responsibility of the United Kingdom, the United States and France, individually or collectively, should be aimed at achieving global peace and not at serving limited interests. Europe had as much right to its security as Africa did, but his delegation believed that the nature of the relationship that existed between NATO and certain European countries

² See *Official Records of the Security Council, Twenty-ninth Year*.

on the one hand, and South Africa on the other, was unwholesome, and that it gave comfort to the racist Government of South Africa and added to the suffering of the majority indigenous population. It therefore hoped for a change in such relationships. His delegation had for long believed that the subjugated peoples who were struggling to regain their dignity and freedom would overcome every obstacle, and it felt that the international community, which had the capacity to support their struggle, must continue to do so.

29. He wished to thank the Director of the Division of Human Rights for his useful statement at the 2081st meeting and the Secretary-General for his reports on the question being studied, which provided the Committee with all the information it needed to consider the item. He also appreciated the assistance which certain Governments, United Nations specialized agencies and some non-governmental organizations and institutions had been giving. He thanked the Swedish delegation for its most noble statement at the preceding meeting.

30. Ghana remained resolutely opposed to colonialism and to every denial of basic human rights wherever that denial occurred, whether in Africa or in Palestine. The United Nations had drawn up a blueprint for a new world economic order. There was also a need for a new world social order in which colonialism and the exploitation of man by man would be replaced by sincere international co-operation; otherwise, the concepts of justice, equality and the right of peoples to self-determination would remain a dead letter and there could be no peace.

31. Mr. RIOS (Panama) said that the very title of the item before the Committee expressed one of the basic objectives of the United Nations as set forth in paragraph 2 of Article 1 of the Charter. Day by day new States emerged to swell the ranks of those that were struggling for the cause of self-determination. The struggle against colonialism had taken on new vigour after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, which had been a milestone in the struggle against the domination of man by man. Fourteen years after the adoption of that historic document, Portugal had radically changed its policies and amended its past errors. Paradoxical as it might seem, even the veto cast in the Security Council on 30 October 1974 by the representatives of the United Kingdom, France and the United States against the expulsion of South Africa from the Organization was a good sign for those who were struggling for their freedom, because it highlighted the tragic aspects of *apartheid* and the illegal occupation of Namibia. The fact that three great Powers, permanent members of the Security Council, which maintained relations of various kinds with South Africa had nevertheless, in their statements to the Council, condemned that country's colonialist policy towards Namibia was proof that the day was not far distant when South Africa would be forced to withdraw from Namibia, leaving it free, at last, to exercise its rights.

32. However, even though traditional colonialism was on the way out, colonialism continued to exist throughout the world in different forms but with the same result,

namely, the domination and exploitation of the less developed countries by the great Powers and the persecution of everyone who attempted to oppose that neo-colonialism. The international community had a duty to condemn those practices and to undertake a vast worldwide information campaign in order to ensure respect for human rights and enforce the implementation of various international instruments on the subject, such as paragraph 5 of the Teheran Proclamation of 1968.³ Churches, political, civic and cultural organizations, and all human beings, young or old, who believed in justice and universal brotherhood must be involved in that action.

33. Panama, which was itself a victim of neo-colonialism and could only condemn such infringements of the dignity of peoples and of the territorial integrity and national sovereignty of States, was ready to support any measure aimed at eliminating colonialism and racial discrimination.

34. Mrs. POKHAREL (Nepal) said that the right of peoples to self-determination and freedom had become a universally recognized principle of the present-day world. Much progress had been achieved in the field of decolonization, the latest evidence being the recent attainment of independence by Guinea-Bissau, through the untiring efforts of the liberation movements, and its admission to the United Nations. Her country would like to see Angola and Mozambique as Members of the United Nations in the near future, and wished to congratulate the new Portuguese Government on its policy towards its former African colonies. By acting in conformity with General Assembly resolution 1514 (XV), Portugal had won the respect of all Members of the Organization.

35. In southern Africa, however, millions of human beings were still deprived of their most elementary rights and continued to live in conditions of slavery. *Apartheid*, a crime against humanity, still flourished in South Africa and the racist Vorster régime continued to scorn the repeated appeals of the international community for justice and reason and to flout all the resolutions adopted by the General Assembly with a view to putting an end to that odious policy. Only international co-operation and concerted action on the part of all States Members of the United Nations would make it possible to eradicate *apartheid* and racial discrimination. In that connexion, her delegation commended all States which supported the legitimate cause of the liberation movements in South Africa. It urged all those which, while verbally condemning *apartheid* in United Nations organs, continued supplying the racist Government of South Africa with economic and military support to observe the United Nations resolutions on *apartheid* and exert pressure on the racist régime to abandon its policy of oppression and racial discrimination.

36. In Namibia, in defiance of General Assembly resolution 3151 G (XXVIII) of 14 December 1973 condemning the policy of bantustans imposed by the racist South African régime, the Pretoria régime continued to create such "homelands", which destroyed the territorial integrity of the country and the unity of its people. In Southern Rhodesia, the Zimbabwe people were still being humiliated

³ See *Final Act of the International Conference on Human Rights* (United Nations publication, Sales No. E.68.XIV.2), p. 3.

and persecuted by the illegal Salisbury régime, and Ian Smith was consolidating his policy of racism and racial discrimination.

37. Her country strongly condemned the policies of the Vorster and Smith régimes and would continue to support the oppressed peoples of southern Africa in their struggle for freedom and independence. Her delegation wished to express its appreciation to the States Members of the United Nations and to such bodies as the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Special Committee on *Apartheid* for their untiring efforts in the fight against colonialism, *apartheid* and racial discrimination.

38. Mr. SMIRNOV (Union of Soviet Socialist Republics) thanked the Chairman for the congratulations she had addressed to his country and to the Ukrainian and Byelorussian Soviet Socialist Republics on the occasion of the fifty-seventh anniversary of the October Revolution, which had marked not only a change of social system, but also the end of a world order based on the enslavement of man by man, violence and war. By its current foreign policy, the USSR sought to defend the interests not only of the Soviet people and all the socialist peoples, but also of all progressive and peace-loving forces throughout the world or, in other words, of all workers. The Leninist principles of peaceful coexistence were put into practice at the international level through the conclusion of treaties between States. His delegation was convinced that world peace was a prerequisite of economic development and social progress for all countries, and of respect for the rights and fundamental freedoms of the peoples of all countries. It was gratified by the strengthening of co-operation between the socialist countries and the developing countries, which were defending their rights and their legitimate interests with increasing effectiveness and making an active contribution to the solution of international problems. The USSR, the Ukrainian SSR and the Byelorussian SSR would spare no efforts to continue that co-operation in the context of the Third Committee's work.

39. Miss CABALLERO (Mexico) said that her country had always taken an anti-colonialist stand and had always defended the principle of the right to political independence, respect for the sovereignty of nations and the

right of self-determination of peoples. Mexico had fought for 11 years to obtain its political independence and, faithful to its past, it rejected whatever vestiges of colonialism might continue to exist in the world. The countries of the third world now had to fight against a new form of colonialism, namely, economic colonialism, which was perhaps more cruel than its predecessor. Mexico firmly believed that all States had the right to exercise their full and complete sovereignty over their national resources and to adopt legislation regulating foreign investment. The Charter of Economic Rights and Duties of States which was to be submitted to the General Assembly for its consideration in accordance with its resolution 3082 (XXVIII) also envisaged international action to control the activities of transnational corporations in developing countries.

40. The gap between wealthy and under-developed countries continued to grow, despite the interdependence of their two worlds. If the countries of the third world needed the industrialized countries, it was equally true that the prosperity of the latter depended on the raw materials they obtained from the developing countries. That was why Mexico called for a new international economic order that would make it possible to eliminate the age-old injustices of which modern economic colonialism was the most glaring example. Her delegation would support any resolution to that effect submitted to the Committee which conformed to Mexico's traditional position.

41. Mr. BARROMI (Israel) said that the statement by the representative of the Syrian Arab Republic, a country which was notorious for its violations of human rights, was an incitement to violence and only served to poison the atmosphere at a time of negotiations and searching for peace.

42. Mr. HUSSAMY (Syrian Arab Republic) observed that he had merely recalled the many General Assembly resolutions recognizing the rights of the Palestinians, which he urged the representative of the Zionist régime to consult.

43. Mr. BARROMI (Israel) said that what he had meant was simply that the remarks of the representative of the Syrian Arab Republic were out of place in the Committee.

The meeting rose at 5.35 p.m.

2085th meeting

Friday, 8 November 1974, at 10.55 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2085

In the absence of the Chairman, Miss Dubra (Uruguay), Vice-Chairman, took the Chair.

AGENDA ITEM 55

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (*continued*) (A/9638 and Add.1, Add.1/Corr.1 and Add.2-4, A/9667 and Add.1, A/9830)

1. Mr. BAL (Mauritania) said that peace and stability depended exclusively on respect for and implementation of the fundamental right to self-determination. It was on the basis of their record in that regard that the sincerity of the self-styled defenders of that right could be tested.
2. His delegation understood colonialism to mean all forms of colonial domination, whether by political, economic or cultural means. A breath of fresh air was blowing across Africa as the new Portuguese Government demonstrated its desire to decolonize its colonial Territories.
3. At the same time, however, those who benefited from foreign investments in colonial Territories argued that mere contacts helped to transform the evils of colonialism into good. Such arguments—as advanced by the member countries of the North Atlantic Treaty Organization (NATO) and other Western Powers which supported the colonialist régimes in Africa and elsewhere—could not be taken seriously. How could the enslaved peoples, once freed, be expected to pardon those who over the years had endeavoured to perpetuate the régimes which had oppressed them? Nothing could prevent the realization of the legitimate aspirations of the African majority in Southern Rhodesia and South Africa as they pursued their struggle together with those who sincerely wished to help them.
4. Many specious and outmoded legal and political arguments were advanced to justify colonial practices. In the political sphere, the liquidation of the colonial empires was an inevitable process, although it was as yet far from complete. Colonialism continued to exist directly, in the form of capitalistic and imperialistic exploitation and, indirectly, in the far more dangerous form of neo-colonialism, which was aimed at protecting economic and strategic interests. In the legal sphere, the colonial Powers continued to use tactics of exploitation under the guise of a right and a juridical practice that was totally outmoded.
5. He recalled the recent events in Mozambique, where reactionary forces had attempted to declare independence on their own terms. Fortunately, Portugal had not hesitated to put down the rebellion and to re-establish order and security in Mozambique so that it could continue on the path of decolonization. In doing so, Portugal had been inspired by a genuine belief in the urgent need to eliminate all the vestiges of colonialism.
6. The situation that had nearly begun to prevail in Mozambique currently existed in neighbouring Southern Rhodesia, a Territory legally administered by the United Kingdom. That situation had been condemned by the peace-loving British people, who felt that it betrayed their historical tradition. Unfortunately, however, the United Kingdom Government had turned a deaf ear to the appeals of the international community and had trampled under foot the relevant resolutions of the United Nations.
7. The critics of colonialism were often characterized as xenophobes. His delegation, for one, was not opposed to any country, its sole wish being that the colonial Powers should demonstrate by deeds rather than words their professed wish to put an end to colonial practices and co-operate in bringing into existence Governments of the black majorities in Southern Rhodesia and South Africa and in the immediate accession of Namibia to independence. It could not close its ears to the appeals of the freedom fighters held prisoner in the gaols of South Africa and Southern Rhodesia, and for that reason it had to speak up, regardless of whether it would be classified as anti-British or even anti-white for doing so.
8. There were no two ways of dealing with the problem: Governments either favoured or opposed colonialism. He appealed to all those who sincerely wished to promote the goals of decolonization to demonstrate that wish in their votes on the draft resolutions before the Committee.
9. Mr. TOKO MANGAN (United Republic of Cameroon) observed that the major problem in connexion with the item under consideration was the refusal of the strong to grant the most elementary human rights to the weak. The tyrant did not listen to reason and had a total disregard for the life of his fellow man. Much was said in the United Nations about peace but manifestations of hatred, violence and conflict were daily realities. Genuine peace could not exist as long as there were some who opposed the triumph of justice.
10. His delegation had not lost faith in the United Nations, which sought to represent mankind as a whole, without distinction. On the contrary, it urged the Organization to adopt a realistic attitude towards events, particularly in the Middle East and southern Africa, where peace and justice were at stake. Apart from moral considerations, the dictates of coexistence required all nations to understand that the future of mankind could not be based on a situation in which a minority enjoyed prosperity while the majority was subjected to poverty and injustice. Peace and

well-being could not be achieved at the expense of the suffering and oppression of millions of blacks in South Africa and Southern Rhodesia. The aim of the régimes in the latter countries was not only to control the non-white population in order to preserve the economic privileges of an authoritarian oligarchy but also to institute a racial ideology which negated the Charter of the United Nations. Africans were often accused of being unreasonable and unrealistic extremists. However, the truth was otherwise, as those countries which were the accomplices of the racist régimes well knew. There was no lack of facts to demonstrate that *apartheid* in South Africa was an ideology based on racial hatred. The United Nations had repeatedly declared that the policy of *apartheid* was a crime against humanity and that its application negated the Charter of the United Nations. The international community was the guarantor of the principles set forth in the Charter and should therefore affirm its adherence to those principles and to the Universal Declaration of Human Rights and its firm determination to ensure that they were applied without distinction, particularly with regard to the inalienable right of self-determination.

11. It was ironic that it had been the representative of South Africa at the United Nations Conference on International Organization, held in San Francisco in 1945, who had requested the insertion in the Preamble to the Charter of the phrase "faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women". Subsequent events had shown that the leaders of the Pretoria régime had no intention of acting in conformity with the principles they professed. In the final analysis, it could be said that the policy of *apartheid* was simply a policy of hate which took the form of racial segregation, oppression and exploitation. The implications of that policy for international peace, stability and security were frightening, when it was considered that non-whites made up the majority of the population of southern Africa. That situation could only lead to revolt, since violence bred violence.

12. Recent events, however, gave promise of an end to colonialism in Africa. The realistic attitude adopted by the new Portuguese Government with regard to decolonization was a matter for satisfaction. However, the process of decolonization must be carried to its logical conclusion. His delegation did not doubt the good faith of the new Portuguese leaders, but pointed out that any delay would be damaging to the positive work already accomplished and could provide a fresh opportunity for the emergence of the forces of oppression.

13. Mrs. BAILOR (Sierra Leone) said that a great change had taken place since the Committee had last discussed the item under consideration: the dictatorship in Portugal had been brought to an end, thus creating hope for the peoples of Angola and Mozambique. Her delegation welcomed the independence of Guinea-Bissau, whose representation in the General Assembly demonstrated the success of United Nations efforts to eradicate colonialism and oppression.

14. However, many problems remained. It was a sad commentary on international relations that, more than a decade after the adoption of the Declaration on the Granting of Independence to Colonial Countries and

Peoples (General Assembly resolution 1514 (XV)), more than 20 million human beings were still denied their basic human right of self-determination. The overriding concern of those people was the achievement of national freedom and freedom from racial discrimination. The majority of them lived in Africa, a continent where man's inhumanity to man assumed its worst forms and where imperialism sought to enslave the very soul of the African under the doctrine of *apartheid*. The various General Assembly resolutions on *apartheid* and racial discrimination had failed to have any effect on the situation in South Africa.

15. The resolutions adopted by the United Nations with respect to South Africa had become almost meaningless, because those who could exert the most pressure continued to trade with and invest in that country on various pretexts. The situation there and in other areas under foreign domination had remained as it was because of the increase in the exploitation of resources and investment. That was the root cause of the perpetuation of colonialism in African and other Territories. If Namibia and South Africa had not abounded in mineral and other resources, the advocates of *apartheid* would long since have abandoned them. Her delegation was not opposed to foreign investment or the exploitation of national resources, provided that those activities had the over-all effect of training and benefiting the indigenous populations and ultimately involving them as partners. However, that was not the case. Foreign investment had been intensified because of the existence of tax incentives, which in turn made the prospects for self-determination even more remote.

16. The struggle against colonialism in South Africa had ceased to be an isolated issue and was now international in scope. It was still fashionable to talk about establishing a dialogue with the *apartheid* régime, but it was impossible to establish a dialogue when one party refused to listen or to respond. The time had come to formulate specific programmes at the international level for the eradication of colonialism and racial discrimination in South Africa. There were those who maintained that the expulsion of South Africa from the United Nations would make even more difficult the situation of the very people it was desired to protect. In her delegation's view, however, such a measure would bring home to the South African régime the fact that the entire international community was ranged against it. Her delegation hoped that future recommendations and resolutions on the question of South Africa would receive the unanimous support they deserved and that abstentions and negative votes would become a thing of the past.

17. Turning to the question of Southern Rhodesia, she drew attention to the striking statement in chapter IV of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/9623 (part V)), that the Special Committee's study of the economic conditions prevailing in the Territories showed that foreign monopolies had continued to dominate the economies of such Territories as Namibia and Southern Rhodesia and that the colonialist and racist régimes were creating the most favourable conditions for their activities. The report went on to state that the foreign monopolies operating in those Territories had been guided solely by their own interests, continuing to follow eco-

conomic and financial policies without regard to the legitimate interests of the inhabitants.

18. Those conditions were major obstacles to political independence and to social and economic justice for the indigenous populations. It was no wonder that the liberation movements had resolved to fight to the death to remove that menace, and were encouraged in their determination by the success of the liberation movements in the Portuguese Territories. In Southern Rhodesia, repressive movements against African students at the non-racial University of Rhodesia had resulted in the reduction of African enrolment by about one fourth. All must agree that the whole future of the country was seriously affected by any action that deprived those who would ultimately assume control of a free Zimbabwe of the education and training they needed. It could no longer be hoped that the illegal régime would be brought to its knees by economic constraints, for the report of the Special Committee showed clearly that it would continue to make economic progress.

19. Her delegation would continue to condemn the practice of suppressing the indigenous populations fighting for self-determination and independence and to support the liberation movements which were striving to achieve their basic human rights. It was for the Committee as a whole to help further the cause of social, economic and political justice.

20. Her delegation was pleased that the Seychelles would attain independence in the autumn of 1975 and hoped that that would be followed by self-determination for St. Helena. It was often argued that the location, size and doubtful economic viability of certain Territories were factors which militated against the granting of independence to them, but such fallacious arguments merely served to conceal the real issues. Indeed, some States which were Members of the United Nations were smaller than some of the Territories concerned.

21. Mr. PARTHASARATHY (India) recalled that General Assembly resolution 3070 (XXVIII) called upon all States to recognize the right of all peoples to self-determination and independence and to offer moral, material and any other assistance to all peoples struggling for the full exercise of their inalienable rights to self-determination and independence. The replies received from Governments (see A/9667 and Add.1) in response to inquiries initiated by the Secretary-General under paragraph 10 of that resolution were a sad commentary on the slowness of the process of decolonization. His delegation hoped that that process would be accelerated.

22. The Indian Government had a tradition of consistency and activity with regard to the subject under consideration. Within the means at its disposal, it had tried to assist morally and materially peoples struggling in various parts of the world for their inalienable right to self-determination, independence and human rights. India had no contacts with certain countries which denied those rights to segments of their populations. It would be recalled that India had been the first country to sever trade relations with South Africa in protest against the racist policies of that country's Government. A decision to impose economic sanctions had

been taken in principle as early as November 1944 and when, towards the end of 1945, the Government of South Africa had announced that fresh legislation would be enacted to extend its policy of racial discrimination, the Government of India had immediately acted to prohibit imports from and exports to South Africa as from July 1946. That prohibition remained in effect.

23. Pursuant to various resolutions of the United Nations, India had been extending assistance to the African National Congress, which maintained an office in Delhi. India had contributed and continued to contribute to the liberation movements in Mozambique, Angola, Cape Verde, South Africa, Namibia and Zimbabwe. It was a regular contributor to the United Nations Educational and Training Programme for Southern Africa and the United Nations Trust Fund for South Africa. It had also contributed to the International Defence and Aid Fund for Southern Africa. A large number of students from southern Africa, assisted by United Nations programmes and by scholarships provided by the Government of India, had been placed in Indian educational institutions.

24. India had been one of the first countries to contribute to the Organization of African Unity's Special Assistance Fund for the Struggle Against Colonialism and *Apartheid*. It had also provided scholarships for African refugees. Following the inauguration of the Special Commonwealth Programme for Rhodesia, the Indian Government had offered 25 scholarships for academic training under the Indian General Cultural Scholarship Scheme as well as places for trainees in government services. A number of Southern Rhodesian refugees had benefited from that scheme. The Government had volunteered such aid in spite of the strain it placed on the limited resources at its disposal to meet urgent development needs within India.

25. His delegation was pleased to note that the struggle against colonialism had produced results at least in some parts of the world. The Portuguese empire in southern Africa, one of the oldest colonial empires in the world, was now being dismantled. The efforts of countries like India to assist the liberation movements in various parts of the Portuguese empire had doubtless contributed to that turn of events. It was to be hoped that continued efforts would soon bring freedom to those peoples who even now were being denied their fundamental human rights.

26. Mr. AL-HINAI (Oman) welcomed the presence of a delegation from Guinea-Bissau in the Committee which proved that that country had achieved self-determination and independence and that there had been a change in the foreign policy of Portugal, which had come at last to realize that Africa belonged to the Africans. He trusted that Mozambique and Angola would soon join Guinea-Bissau in the United Nations.

27. The peoples of South Africa, Zimbabwe and Namibia had been less fortunate. Much had already been said about the policies of the minority racist régimes in southern Africa, but words alone would not speed up the achievement of self-determination. A more unified and concerted effort was needed on the part of all nations, and especially of those countries which had the right of veto in the Security Council, if the downfall of the racist régimes was

to be achieved and the rights of the indigenous peoples restored.

28. The position of Oman on the right of peoples to self-determination and the granting of independence to colonial countries and peoples had been stated in many different United Nations forums. His Government firmly believed that the right of peoples to self-determination was a universal principle of international law. His delegation had voted in favour of the draft resolution which the General Assembly adopted as resolution 3070 (XXVIII) and had continued to respect its commitment to co-operate with the United Nations in the effort to achieve universal realization of the right of peoples to self-determination. His Government had applied economic and other sanctions against the colonial and racist régimes in southern Africa and would continue to do so. Oman maintained no relations or contacts of any kind with South Africa or Southern Rhodesia. It had afforded political, moral and material support to the fighters of the national liberation movements and was still doing so.

29. The struggle for national liberation was not confined to Africa; it was present in the Middle East and elsewhere. His delegation welcomed the statement made at the 2083rd meeting by the representative of Sweden in the debate on the present item that the Palestinian problem was not exclusively a refugee problem. The Palestinians were fighting for the right to self-determination and independence. Oman would support the liberation movement in Palestine, just as it supported other liberation movements elsewhere.

30. In conclusion, he said that his Government had made modest contributions to the United Nations Fund for Namibia and the United Nations Trust Fund for South Africa. Those contributions were now being reviewed and would certainly be increased.

31. Mr. SAYAR (Iran) said that the United Nations was to be commended for its work in the field of decolonization and the realization of the right of peoples to self-determination, and its adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples was a milestone in recent history. His country had always considered the right of peoples to self-determination and emancipation from foreign domination as one of the more sacred human rights. Iran had always been on the side of the oppressed peoples struggling against colonialism and foreign domination, whether in Indo-China or elsewhere in Asia, in the Middle East, in Algeria or in other parts of Africa.

32. In the field of economic domination, his country had set an example by breaking the grip of the foreign oil companies as early as 1950, and it still stood firmly on the same principles. It had welcomed the admission of Guinea-Bissau to observer status at the previous session of the General Assembly and was happy to see it now on an equal footing as a Member State. The Government and people of Iran welcomed the policy of the new régime in Portugal and trusted that Mozambique and Angola would soon join Guinea-Bissau in the United Nations.

33. There was a darker side to the picture, however. It was saddening to see racial discrimination applied in Africa, where the Africans were denied human dignity and their

most essential rights and where *apartheid* was still very much alive. Namibia was subject to foreign domination. In Rhodesia, a handful of whites denied every right to the black majority, which could not yet decide its own destiny. Such a situation was an anomaly in the second half of the twentieth century, when so many newly independent countries were joining hands in the struggle for development. But the peoples of southern Africa were not the only ones which were struggling for their liberation. In the Middle East the unfortunate Palestinian people were denied the very right to nationhood and a mother country. They had been driven from their native land, forced to endure untold suffering and had lived as refugees for more than a quarter of a century. They too were entitled to exercise their right of self-determination. The Palestinian question and the problem of the Middle East were only two sides of the same coin. The root of that conflict, which threatened to precipitate the world into another war, was the injustice which had been done to the Palestinian people and the refusal to recognize their legitimate rights and aspirations.

34. Despite such setbacks, there had been real progress since the General Assembly had adopted the Declaration on decolonization at its fifteenth session, as was clear from the number of newly independent States that were now Members of the United Nations. He was sure that a concerted effort on the part of the international community would be successful in removing the last shadows from the bright picture. As a member of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, Iran would do its utmost to support the efforts of the national liberation movements to free their peoples from the colonial yoke.

35. Mr. GAVRILUK (Byelorussian Soviet Socialist Republic) said that the position of the Byelorussian SSR on the item under discussion was set out in the report of the Secretary-General (A/9667). In pursuing that policy the Byelorussian SSR proceeded from the belief that the self-determination of colonial and dependent peoples on the basis of the complete liquidation of colonialism was an essential condition for the successful economic, social and cultural progress of those peoples and was in the interest of international co-operation and the strengthening of peace throughout the world. Its solidarity with the peoples who were struggling to realize their right to self-determination derived from the socialist character of the relationships existing in the Byelorussian SSR and from its ideology of proletarian internationalism, which rejected any form of exploitation of man by man and affirmed the friendship and brotherhood of the working people of all countries. It resolutely upheld the well-known tenet of Marxism that no people could be free if it oppressed other peoples.

36. The Byelorussian SSR was proud that the principle of national self-determination, which was universally recognized and confirmed in the United Nations Charter, had first been formulated by the Great October Socialist Revolution and had been comprehensively and consistently realized in the establishment of the Soviet Union—a socialist multinational State. In their successes in all spheres of life the Byelorussian people clearly demonstrated the vital role of the full realization of the right of peoples to self-determination.

37. The process of liquidating colonialism, on the basis of the right of peoples to self-determination, was developing successfully, for powerful forces were acting in its favour, especially world socialism which was a natural and reliable ally of the peoples engaged in that struggle. The development of détente had also had a beneficial effect on that process and was creating better opportunities for colonial peoples to attain independence and protect their national interests. The birth of new States from former colonies and dependent Territories was a striking indication of the insuperability of the national liberation movements. Three new States—Bangladesh, Guinea-Bissau and Grenada—had just joined the United Nations, and soon Mozambique and a number of other Non-Self-Governing Territories would achieve independence. The liberation struggle of the peoples under the yoke of the racist régimes of southern Africa was strengthening and expanding. A distinctive feature of the decolonization process was the close organic link between the movement of colonial peoples for their national self-determination and the struggle of progressive and democratic forces for peace and social justice. That had been particularly apparent in the downfall of the Portuguese colonial empire, a development which had created favourable new conditions for the struggle against colonialism, had led to the increased isolation of the racist régimes in southern Africa and had encouraged the liberation struggle wherever colonial domination persisted.

38. The peoples of the world still had a long way to go to achieve the final liquidation of colonialism, racism and *apartheid*, and even greater efforts must be made to overcome the opposition of the colonialist and racist régimes and the international imperialist circles which supported them. That was clearly demonstrated by the triple veto at the 1808th meeting of the Security Council¹ of the recommendation by most members of the Council that South Africa should be expelled from the Organization. General Assembly resolution 3222 (XXIX) entitled "Human rights and fundamental freedoms", adopted on 6 November 1974, strongly condemned the policy of those States which were assisting the racist régimes in southern Africa and elsewhere. The Byelorussian SSR considered that the time had come for all States which were providing political, economic and military support to the racist régimes in southern Africa to comply unconditionally with the relevant decisions of the United Nations aimed at ensuring the realization of the inalienable right to self-determination of the peoples of the colonial Territories and also of their right to control the economic resources of those Territories. Otherwise the actions of the United Nations aimed at extending human rights and fundamental freedoms would be futile. The racist and colonialist régimes were trampling on the most elementary human rights: chapter IX of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/9623/Add.3) described the situation in Namibia, which was illegally occupied by the Republic of South Africa. Colonialism was hindering the realization of human rights not only by perpetuating inequality but also by creating material conditions which prevented the realization of human rights. As foreign

monopolies plundered the wealth of those countries, the peoples were deprived of the resources which were essential for the guarantee of human rights. Chapter IV of the report of the Special Committee (A/9623 (Part V)) described in detail the activity of foreign companies in colonial countries. That document showed that the infringement of human rights and fundamental freedoms in the colonial world was dictated by the mercenary interests of foreign monopolistic circles. Consequently, the struggle for national self-determination of the colonial countries and people involved, in addition to the conquest of political independence, the implementation of measures to liberate them from economic dependence and from all forms of imperialist exploitation. In that context the actions taken at the international level to withdraw support from particular countries or capitalist companies of the colonialist and racist régimes deserved special support. The twenty-third regular session of the Council of Ministers of the Organization of African Unity, held at Mogadiscio from 6 to 11 June 1974, had recommended the study of economic sanctions and other measures which might be applied against the countries and companies which continued to trade with or invest in the racist régimes in southern Africa.

39. The principle of solidarity with the peoples waging the struggle against imperialism and for their freedom and independence was one of the basic principles of the foreign policy of the Byelorussian SSR, which would continue to support the full and final liberation of all peoples from the foreign yoke and the speedy liquidation of the policy of *apartheid* in southern Africa.

40. Mr. HSING Sung-yi (China) said that earth-shaking changes had taken place in the world since the Second World War. The Asian, African and Latin American peoples had become increasingly awakened; the old colonialist system was crumbling rapidly; the heyday of imperialism and colonialism was past. In recent years, the people of southern Africa had achieved historic progress in their struggle for national liberation because they had adopted every means, including armed struggle, to achieve their end with the support of all justice-loving peoples throughout the world. Of the many forms of struggle, armed struggle was one of the most important ways of achieving national liberation. That incontrovertible truth had been borne out by the experience of the people of Guinea-Bissau and Mozambique, and would be confirmed by the experience of many more colonial peoples. As had been pointed out at the Eleventh Conference of Heads of State and Government of the Organization of African Unity, held at Mogadiscio, Somalia, from 12 to 15 June 1974, the way to independence for the colonial countries and peoples lay through constant armed struggle. Advancing along that road, the African people would surely win still greater victories and finally eradicate colonialism and racism from the African continent.

41. At the present time, there were still many crimes of oppression in Africa. In Rhodesia, the white colonizers, who comprised less than 5 per cent of the total population, were occupying about half of the total territory, where the fertile land lay, while the Africans, comprising over 94 per cent of the population, were forced to live in dire poverty on less than half of the total area, where the land was

¹ See *Official Records of the Security Council, Twenty-ninth Year*.

unproductive. The racist régime of Southern Rhodesia had enacted more than 60 laws and decrees imposing racial discrimination and depriving the Africans of all their rights and their freedom of speech, assembly, the press and association. In South Africa, the 15 million Africans occupied only 2.6 per cent of the total territory, while 3 million whites occupied 87.4 per cent. The racist régime of South Africa flogged, arrested and imprisoned the nationalists fighting for their liberation, thus making South Africa a hell on earth. In Namibia, Africans could neither vote nor be elected to office and were not eligible for governmental posts. They had been forced to live on reservations marked out for them by the racists and they would be the victims of bloody repression as soon as they showed the slightest sign of resistance. The people in the Portuguese colonies were also living in dire poverty and misery. Was not that sombre picture the result of the prolonged criminal rule of imperialism and colonialism over the colonial peoples?

42. While talking volubly of human rights and equality, certain Western Powers were giving all-out support to the racist and colonial régimes and had seized the resources of and extorted enormous profits and huge amounts of strategic materials from those areas. Such hypocrisy could not but provoke indignation and strong condemnation.

43. The stark reality was that so long as imperialism and colonialism existed, there could be no question of human rights and equality for the colonial peoples. In order to attain national independence and liberation, regain their inherent national dignity and ensure respect for their human rights, the colonial peoples must uproot imperialist and colonialist forces. The national liberation struggle of the colonial peoples was inseparably bound up with the struggle of all the world's peoples against imperialism, and particularly against hegemonism. There could never be human rights and equality, still less any guarantee of or respect for human rights, if the struggle for them was divorced from the struggle against imperialism and hegemonism and failed to attack the reactionary role of imperialism and colonialism. In that regard, he said that the imperialism which flaunted the flag of socialism and masqueraded as a reliable friend of the African people and the liberation movements was peddling its hypocritical argument of détente everywhere, alleging that détente had opened up prospects for the national liberation movements. Its true aim was to prevent the colonial peoples from rising in revolt and to leave them at the mercy of imperialism and colonialism. The peoples must be on the watch and ready to expose such reactionary views for what they were. One thing which must be realized was that a revolutionary situation was developing rapidly in southern Africa, where colonialism was putting up a last-ditch fight. If a reactionary régime was not attacked, it would not fall. It invariably resorted to counter-revolutionary dual tactics to deal with revolutionary people. Consequently, the revolutionary people must use revolutionary dual tactics against it. Whether in fighting or in negotiations, it was essential to protect the fundamental interests of the people and to base all action on a constant reinforcing of their strength. Only thus would the people remain invincible in their revolutionary struggle, steadily grow in strength and finally emerge victorious.

44. The Chinese people had experienced the same sufferings as the African peoples; they too had been subjected to ruthless oppression and plunder by colonialists and imperialists. The African people were therefore close to their hearts. The Chinese Government and people had always opposed imperialism, colonialism, neo-colonialism and hegemonism and they deeply sympathized with and firmly supported the African and other non-independent countries and peoples in their just struggle for national independence and self-determination and for basic human rights. China was giving them all the assistance it could and would continue to do so until they won complete victory.

45. Colonialism and imperialism were based on the enslavement, oppression and plunder of millions upon millions of Asian, African and Latin American people. Such régimes were bound to perish with the complete victory of those peoples. China was convinced that if the peoples in southern Africa maintained their vigilance, strengthened their unity and persevered in the struggle, they would surely surmount all difficulties and hazards along their road and advance to final victory.

46. Mr. ELIAN (Romania) said that a fundamental tenet of Romanian policy was that international peace, security and co-operation could be achieved only on the basis of complete equality between nations and States and full respect for the national interests of all peoples. The universal realization of the right of peoples to self-determination and the speedy granting of independence to colonial countries and peoples were essential if genuine respect for human rights was to be assured.

47. The Romanian people, which had had centuries of foreign domination in its past history, stood shoulder to shoulder with all peoples that were struggling for self-determination. It had set its face against imperialism and foreign interference in the internal affairs of other States, and it supported all peoples that were struggling for political and economic independence. The right of self-determination was now firmly established in international law, and any denial or violation of that right was a threat to peace and to all mankind.

48. The world was going through a period of rapid change, the balance of power was shifting, and the determination of peoples to assert their sovereignty over their national resources was becoming stronger and stronger. The trend towards détente and collaboration was still meeting strong resistance and there were still imperialist and colonialist forces which were blind to the development of human society and were trying to prevent progress. That was why the President of Romania had recently stressed the need for increased solidarity and co-operation between all anti-imperialist and anti-colonialist forces and all peoples that wished to live in freedom, sovereign dignity and peace.

49. Important changes had taken place since the previous session of the General Assembly, particularly in Africa, where the trend towards the liquidation of the colonial régime of domination had been accentuated. Guinea-Bissau had become independent and had been recognized by Romania immediately. Romania had also welcomed the signature of an agreement at Lusaka between Portugal and Frente de Libertação de Moçambique (FRELIMO) trans-

ferring political power to the people of Mozambique. Romania had always supported the people of Mozambique in their struggle for independence, and he recalled the joint communiqué that had been signed in June 1973 by Romania and FRELIMO, the first international act undertaken by FRELIMO as the legitimate representative of the people of Mozambique. Romania believed that the speedy opening of negotiations between Portugal and the representatives of the liberation movements of Angola, the Cape Verde Islands, Sao Tomé and Príncipe for the transfer of power to the peoples of those Territories would result in the implementation of the declaration of principle on decolonization made by the Portuguese Government.

50. Everything was ripe for a final struggle against colonialism, racism and the régime of *apartheid* applied by the minority régimes in South Africa and Rhodesia. The fact that 30 million Africans were still under the colonialist and racist yoke of the white minority in South Africa placed on the United Nations the heavy responsibility of achieving one of its main purposes under the Charter, namely, creating an effective instrument for the defence and promotion of the independence and sovereignty of nations. The decisive factor in achieving independence was the determined and unrelenting struggle of the national liberation movements, which were entitled to use every means at their disposal, including armed struggle, to ensure respect for their right of self-determination.

51. In a spirit of solidarity, Romania was developing multilateral relations of friendship and co-operation with the national liberation movements. Hand in hand with other States and the progressive forces of the entire world it was actively supporting their right to use any form of struggle to achieve freedom and national independence. On the principle that international recognition of the liberation movements would help to strengthen them and to speed up the process of decolonization, Romania had recognized the new States immediately after the proclamation of their independence and established diplomatic relations with them. There were therefore in Bucharest missions representing several national liberation movements, which had strong political and diplomatic support from Romania. Great prominence was being given in Romania to information about the struggle of colonial peoples for their liberation by sending journalists to the liberated territories, showing documentary films, organizing exhibitions and publishing studies and monographs. The press, television and radio gave wide coverage to the situation in the dependent Territories, emphasizing international solidarity for the liberation movements and unmasking the imperialist and colonialist forces.

52. Romania was strongly in favour of inviting representatives of the national liberation movements to participate in international meetings, such as the sessions of the General Assembly and other United Nations bodies. In the specialized agencies, Romania was striving for the adoption and implementation of effective programmes of material aid to those movements in the economic, medical, cultural, training, social welfare and other fields. It was striving for the prompt implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and of other United Nations resolutions calling for the end of colonialism and policies of racial discrimination

and *apartheid*. In that connexion, he recalled that the Romanian expert on the Sub-Committee on Elimination of Discrimination and Protection of Minorities had been appointed Special Rapporteur for the study on the right of peoples to self-determination based on the Charter of the United Nations and other United Nations instruments, approved by the Economic and Social Council in its resolution 1865 (LVI). That study would be a useful contribution to the efforts of United Nations bodies to promote human rights and fundamental freedoms.

53. In conclusion, he said the Romanian delegation would strongly support any initiative by the Third Committee to increase the United Nations contribution to the struggle against colonialism and racism.

54. Mr. ALLAGANY (Saudi Arabia) said the increasing membership of the United Nations showed how many countries had been able to exercise their right of self-determination despite the opposition of the colonial Powers. Nevertheless, many peoples still remained under the colonial yoke. It was the duty of all Member States to aid and support those peoples in the struggle for their liberation.

55. He paid a tribute to the new Portuguese Government for the efforts it was making to eliminate the last vestiges of colonialism from its African Territories. He welcomed the presence of Guinea-Bissau in the Committee and expressed the hope that Angola, Mozambique and the Cape Verde Islands would soon be represented also. He was sure that the action of the new Portuguese Government would be an example to those colonial Powers which hitherto had shown themselves obdurate.

56. It was regrettable that white minorities still dominated South Africa, Namibia, and Zimbabwe and applied a policy of *apartheid* and racial segregation. He called on all Western Powers that were supplying the minority régimes in southern Africa to respond to the call of world public opinion and boycott those régimes; their resulting isolation might bring them to their senses.

57. In the Middle East his country believed that the only way to peace and justice lay through recognizing the Palestine Liberation Organization and the right of the Palestinians to self-determination and their right to return to the homes from which they had been expelled by the Zionist colonialists. Their right to return had been recognized by the United Nations in General Assembly resolution 194 (III), and their right to self-determination had been reaffirmed by the General Assembly in resolution 3089 D (XXVIII). He welcomed the fact that resolution 3210 (XXIX) dated 14 October 1974, by which the General Assembly had invited the Palestine Liberation Organization to participate in the debate on the question of Palestine in the plenary meetings had been adopted by a very large majority. The Zionist manoeuvres which had led to the partition of Palestine were at the root of the tragedy in the Middle East. He welcomed the fact that the representative of Sweden, a Western Power, had called for justice for the Palestinian people, for without it there could be no peace in the Middle East. It was surprising that the Zionists often quoted paragraph 2 of article 13 of the Universal Declaration of Human Rights, stressing the right

of everyone to leave any country including his own, but entirely ignored the end of the paragraph which proclaimed the right of everyone to return to his country. However, even the exercise of the right mentioned in the first part of the paragraph did not entitle the zionists to expel the inhabitants of Palestine and to occupy their land.

58. Saudi Arabia supported all the national liberation movements and scrupulously respected the United Nations resolutions on decolonization. It had no relations with the racist minorities in Africa or elsewhere, it applied sanctions against them and it contributed to the funds for assistance to the victims of *apartheid* and colonialism. The Decade for Action to Combat Racism and Racial Discrimination (see General Assembly resolution 3057 (XXVIII)) would undoubtedly mark a step forward towards the elimination of racism, racial discrimination and *apartheid*, and it had his country's full support. The information media of Saudi Arabia were keeping the people informed of all developments connected with racism, and his Government was providing scholarships for persons from South Africa to study in his country's universities, thus helping to prepare the future leaders of Africa.

59. Lastly, on the instructions of his Government, he wished to state that Saudi Arabia would give all possible moral and material support to any efforts to eliminate such crimes against mankind as colonialism, racism and racial discrimination and would spare no effort to assist subject peoples to achieve self-determination and independence.

60. Miss NURU (United Republic of Tanzania) expressed her delegation's deep concern at the manner in which General Assembly resolution 1514 (XV) had been ignored by certain States, notably in southern Africa. It would continue to voice its indignation as long as there were countries which remained under colonial domination and alien subjugation.

61. It welcomed the changes that had taken place in Portugal, which represented a very significant milestone in the history of the peoples who had been exploited and oppressed under the former dictatorship not only in the colonial Territories but also in Portugal itself. The downfall of the fascist régime in Portugal had brought hope to the millions of oppressed people in the Portuguese colonies and their supporters. Her Government was encouraged by the attitude toward decolonization of the new Portuguese Government and by its recognition of the right of peoples to self-determination and independence. It welcomed the admission of independent Guinea-Bissau to the United Nations and hoped that Mozambique would become a Member before the conclusion of the General Assembly's thirtieth session and that it would not be long before Angola and other colonial countries were granted independence. Her Government would give its full support to the Portuguese Government in its endeavours to complete the process of decolonization.

62. The spirit of decolonization in the former Portuguese Territories of Africa was, however, marred by the continued atrocities in South Africa, Namibia and Southern Rhodesia. That was why the degrading and inhuman practices of the racist minority régimes of South Africa and Southern Rhodesia were met with violence—the only course

of action left to the oppressed peoples. She recalled that the President of FRELIMO had stated that FRELIMO had never fought against the Portuguese people or against the white race, but against the colonial system of oppression and exploitation. In Rhodesia, the Government of the United Kingdom had refused to take any action towards the realization of the right to self-determination and independence of the people of Zimbabwe; the so-called negotiations between that Government and the illegal Smith régime should delude no one, for if negotiations were to be real and meaningful they should be conducted, not with the illegal régime, but with the true representatives of the people of Zimbabwe. Independence negotiated without consideration for the will of the majority of the people of Zimbabwe would be a sell-out. The Government of the United Kingdom had as much responsibility for the administration of Southern Rhodesia as it had had before Smith's unilateral declaration of independence; the United Kingdom thus remained as the only colonial Power, besides the racist Vorster régime, in southern Africa.

63. The continued illegal occupation of Namibia by the racist white minority was outrageous and constituted a challenge to the integrity of the United Nations. In spite of the fact that the United Nations had entrusted the United Nations Council for Namibia with responsibility for administering the Territory and people of Namibia, the South African racist régime was still deeply entrenched there, flouting all the decisions of the United Nations and strongly consolidating its policies of *apartheid*. The people of South Africa were constantly subjected to humiliation, degradation and discrimination of the worst kind, and the policies of *apartheid* continued to thrive in the midst of all the protests from the world community. The intransigence of the South African *apartheid* régime was partly due to the continued support it enjoyed from some States members of NATO. While they claimed that they were acting in accordance with United Nations resolutions concerning South Africa and Southern Rhodesia, the facts showed that their moral, social, economic and military collaboration with South Africa continued to be strengthened. NATO members were becoming more involved than ever before in military activities within South Africa under the pretext of a communist threat, and recently there had been joint military exercises between the United Kingdom and South Africa. France and the United States continued to have close military ties with South Africa. Those three countries had exercised their power of veto over the will of the majority at the 1808th meeting of the Security Council in respect of the question of expelling South Africa from the United Nations. To her delegation and to all other peace-loving people who valued human dignity, that action by France, the United Kingdom and the United States was an abuse of power; power was meant to be used to protect and defend the oppressed and humiliated, not to condone oppression, and her delegation could not but condemn such action.

64. The question of the Palestinian people remained a burning issue, and it was the duty of the United Nations to see that the Palestinian people were treated with justice and decency. A nation could not live as refugees indefinitely. The Israelis must accept the fact that the Palestinians had the right to self-determination and must move out of all the occupied Arab territories.

65. The right of peoples to self-determination and independence was not a subject of bargaining between the oppressor and the oppressed. It was only logical that when that right was denied, every possible means should be used for its restoration so that the oppressed too could enjoy fundamental freedoms and human dignity.

66. Mr. IPSARIDES (Cyprus) said that the United Nations, since its establishment, had moved towards the realization of the right of peoples to self-determination and independence; the adoption in 1960 of the Declaration on the Granting of Independence to Colonial Countries and Peoples in General Assembly resolution 1514 (XV) had opened a new era in the history of mankind through the universal condemnation of the domination by one people of another and the universal acceptance of the elementary right of peoples to decide their own destiny. Before the establishment of the United Nations and the adoption of the Declaration, colonialism, and indeed any form of foreign domination, had been internationally accepted as a political system of administration and admitted as a constitutional legality; thus domination by force and the denial of fundamental human rights had been treated as the norm. For example, the United Nations had been unable to take a stand for self-determination in relation to the situation in Algeria, which had first come before it at the tenth session in 1955. However, since the 1960 Declaration and with the rapidly growing number of Member States of the United Nations, which was in itself an eloquent proof of the rate of success of the United Nations in decolonization and self-determination, a new climate had evolved. The United Nations had moved towards awakening the conscience of mankind—indeed, towards becoming the conscience of mankind—where decolonization and self-determination were concerned.

67. However, despite the progress so far achieved, there were still peoples in many countries who lived under the yoke of foreign domination and oppression. The United Nations had certainly not failed to profess convictions about the inadmissibility of *apartheid* and racism, or to adopt measures containing pious exhortations. Where it had failed was in the practical application of its professed beliefs and in the effective and faithful implementation of the decisions and measures which most of its Members had voted for. While no one was free from collective responsibility for that failure, grave responsibility rested particularly upon those States which, having put economic, political and strategic considerations above the requirements of conscience, either refused to implement those resolutions or aided and abetted other countries in their negative attitude. For example, it was particularly deplorable that some Governments, disregarding the relevant Security Council resolutions and relying on dubious considerations of external defence and internal security, were supplying South Africa with the means of continuing the oppression of the African majority and encouraging it to export *apartheid* beyond its borders and thus to pose a real threat to neighbouring African States.

68. The Declaration had reflected the awakened conscience of mankind with respect to that issue. In the circumstances, the attempt to hold back progress and to maintain order by force, without remedying the basic wrong, was doomed to failure and only caused increased conflict and strife, for it was futile to try to stem the tide of freedom or to arrest the course of history. In a rapidly changing world, the essential quality of statesmanship was the ability to adjust to rapidly changing conditions, and the sooner the administering, dominating or oppressing Powers adjusted themselves to the age, the better for them and for the whole world. It could not possibly be in the true interests of those Powers themselves to persist in a policy of domination and inequality, with all the resultant internal conflict and increasing international friction. No Government or people, however strong in material force, could for long disregard the fundamental moral principles with impunity or to ignore the force of world opinion. The concept of colonialism referred to any domination by force, injustice and exploitation of one people by another.

69. Cyprus had itself in the past experienced colonialism in one of its gravest manifestations—the policy of divide-and-rule—and had emerged from that state of colonial dependence after a long and arduous struggle. It had then experienced an unprecedented and brutal conspiracy by a senseless régime amounting to gross intervention in its affairs and had been the victim of ruthless aggression with a view to its geographic and demographic dismemberment, as a result of which one third of its population had become refugees in their own country. It therefore espoused with particular vigour the cause of liberation of all peoples from colonialism, oppression and racism. It sympathized with them whether they were in South Africa, Namibia or Southern Rhodesia; in Mozambique and Angola, where it was to be hoped that they would soon attain independence, following Portugal's display of courage and realism in the case of Guinea-Bissau; or in the Middle East, where the acquisition of territory by armed force could not be tolerated and the Palestinian refugees should be allowed to return to their rightful ancestral homes. Cyprus at the same time saw the question of colonialism, domination by force, exploitation and other forms of oppression from the broader viewpoint of peace and stability in the world, for there could be no enduring peace without universal freedom. Interdependence was one of the main characteristics of the era, for with the advancement of technology the indivisibility of humanity, and hence of freedom and of peace, was clearer than ever before. As long as colonialism and alien domination persisted, mistrust and suspicion would result which would frustrate all efforts for the advancement of a peaceful world. It was therefore in the vital interests of all mankind that colonialism should be speedily terminated.

The meeting rose at 1.10 p.m.

2086th meeting

Friday, 8 November 1974, at 3.20 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2086

In the absence of the Chairman, Mr. Sayar (Iran), Vice-Chairman, took the Chair.

AGENDA ITEM 55

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (*continued*) (A/9638 and Add.1, Add.1/Corr.1 and Add.2-4, A/9667 and Add.1, A/9830)

1. Mrs. KINYANJUI (Kenya) said that her country, which would be observing the eleventh anniversary of its independence in 1974, attached great importance to the item under discussion. Her Government congratulated the new Government of Portugal on its realistic approach in recognizing the independence of the Republic of Guinea-Bissau, which had taken place in the United Nations. Her Government also welcomed the establishment of an interim government of Mozambique under the leadership of Frente de Libertação de Moçambique (FRELIMO), which suggested that Mozambique would soon attain complete independence. The Government of Portugal should conduct urgent negotiations with the liberation movements of Angola and the Cape Verde Islands.

2. With regard to Rhodesia, her country held the administering Power responsible for the continued repression of the African majority, which was denied self-determination by the illegal régime of Ian Smith. It would also continue to support the African people of Zimbabwe in their struggle. In the case of Zimbabwe, there could be no independence without majority rule. The situation in South Africa continued to be explosive. *Apartheid* still held sway, encouraging the arbitrary exercise of authority and abuse of discretionary power. The South African régime was generously supplied with military equipment and capital investment by countries which none the less claimed to be champions of democracy, liberty, equality and fraternity. The immense natural resources of the South African land served only to enrich the racist exploiters who lived affluently by the toil and suffering of the Africans. *Apartheid*, racism and organized terror were being ruthlessly extended to Namibia and Rhodesia. Everyone knew who supported *apartheid*, and the recent Security Council debate left no doubt in that respect. Yet nothing would deter the South African peoples from continuing the fight. Her Government would continue to support Namibia unreservedly in the United Nations, so that the illegal occupation by South Africa could be rapidly brought to an end and so that power would no longer be exercised by a small white minority.

3. On the question of self-determination, her delegation would continue to explore with the interested parties every

possibility for arriving at a peaceful solution in southern Africa in order to end the immense suffering of the African people. Every effort would be made to that end, including diplomatic negotiations if they were just, but if all those efforts were in vain her country and the other free peoples of Africa would not hesitate to resort to arms.

4. Mr. GRAEFRATH (German Democratic Republic) said that the year had been characterized by the major successes achieved by the peoples struggling to exercise their right to self-determination. Cases in point had been the overthrow of the Caetano régime in Portugal, the admission of Guinea-Bissau to the United Nations and major victories won by the liberation movements in Africa. The recent climate of international détente had not been without its effect on those changes. It was to be hoped that Angola and Mozambique, which had formed part of the former Portuguese colonial empire, would very soon swell the ranks of the independent States for the greatest benefit, no doubt, of the oppressed peoples in southern Africa. The fact that liberation movements—and particularly the Palestine Liberation Organization—had been invited to take part in the discussions of international bodies showed that another great step forward had been made. And although three Powers had seen fit to use their veto in the Security Council to oppose the expulsion of South Africa from the United Nations,¹ the General Assembly had none the less refused to recognize the Pretoria régime as the representative of the people of South Africa.

5. However, as was recognized in the Declaration on the Establishment of a New International Economic Order (General Assembly resolution 3201 (S-VI)), “the remaining vestiges of alien and colonial domination, foreign occupation, racial discrimination, *apartheid* and neo-colonialism in all its forms continue to be among the greatest obstacles to the full emancipation and progress of the developing countries”. There could thus be no question of safeguarding human rights as long as the right to self-determination and independence had not been universally recognized and exercised.

6. His country had by tradition always supported the peoples struggling for their liberty and rights. Since its establishment 25 years earlier, it had proved its firm solidarity with the oppressed peoples by providing material aid. It had also supported all relevant actions of the United Nations. It had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2016 A (XX), annex) and had been among the first States to ratify the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex).

¹ See *Official Records of the Security Council, Twenty-ninth Year, 1808th meeting.*

7. A form of economic and financial neo-colonialism, which made it possible to oppress peoples for whom independence remained just a word, had replaced traditional colonialism. The big international monopolies were in fact backing Fascist terrorist régimes which were the true heirs of colonialism. In Africa, Asia and Latin America, they exploited natural resources and manpower which did not belong to them. While they derived from their investments large profits which should belong to the developing countries, the indigenous population lived in misery. They interfered in the internal economic and political affairs of those countries, on whose subsequent development they had an evil influence. Concerned only with their own interests, the activities of those monopolies often prevented the application of the right of self-determination.

8. His Government supported all the efforts of the United Nations to put an end to colonialism in all its forms. It could not emphasize too strongly the principles enumerated in paragraph 4 of the Declaration on the Establishment of a New International Economic Order adopted at the sixth special session which established the permanent sovereignty of every State over its natural resources and all economic activities, including the right to nationalization. Moreover, the Declaration provided that the countries concerned would have the right to regulate and supervise the activities of transnational corporations and reaffirmed the right of the developing countries and the peoples of territories under colonial and racial domination and foreign occupation to achieve their liberation and to regain effective control over their natural resources and economic activities. The German Democratic Republic supported Economic and Social Council resolution 1864 (LVI), which stipulated that States giving assistance to the racist and colonial régimes in southern Africa were considered to be accomplices of those régimes in respect of their criminal policies of racial discrimination, *apartheid* and colonialism. Moreover, that resolution made it incumbent upon States to take steps to prevent natural or juridical persons within their jurisdiction from assisting those régimes. In that respect, his Government welcomed the Decree on the natural resources of Namibia² adopted by the United Nations Council for Namibia on 27 September 1974 at its 209th meeting, which might become an effective weapon in the Namibian people's struggle. The Decree was an exemplary measure which might serve as a basis for action in respect of all countries to which Namibian natural resources were illegally exported. It was also a guideline for many countries struggling to exercise their right to self-determination in the face of the intervention of foreign monopolies.

9. All measures being taken by the United Nations to achieve the final elimination of colonialism and neo-colonialism and to support the peoples struggling for their liberation were at the same time serving the cause of peace, as was currently shown by the marked relaxation of international tension.

10. Mr. ELHOFARI (Libyan Arab Republic) said that by now references to the right of peoples to self-determination and independence, were a commonplace, yet entire populations were still subjected to the yoke of the Fascist

imperialists and were struggling for recognition of their rights. It was indeed deplorable that, after the adoption of the Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV) of the General Assembly, and the International Conference of Human Rights held at Teheran in 1968, peoples in many countries were still being deprived of their most basic rights.

11. His delegation had been pleased to welcome Guinea-Bissau as a Member of the United Nations. That country had made enormous sacrifices so that the cause of freedom might triumph, thus winning its independence from the mercenary colonialists and adding an illustrious chapter to the glorious history of the African continent. A new Government had now been established in Portugal and his delegation had noted with satisfaction that the Portuguese delegation had voted at the 2079th meeting in favour of an amendment to the draft resolution concerning the International Women's Year conference which inserted a new paragraph that provided that the General Assembly should decide "to invite also the national liberation movements recognized by the Organization of African Unity . . . to participate in the Conference as observers . . .". It was to be hoped that the Portuguese Government would continue in that new direction and that Angola, Mozambique and the Cape Verde Islands would soon achieve independence.

12. With regard to the two racist minority régimes in southern Africa, it was clear that they had been able to stay in power thanks to the support they received from the imperialist forces which, through the intermediary of transnational corporations, had considerable interests in those countries. It was the imperialist forces and, in particular, the member countries of the North Atlantic Treaty Organization (NATO), which bore the responsibility for the suffering of the peoples of Namibia, South Africa and Zimbabwe. The veto of the United States, the United Kingdom and France in the Security Council of the decision desired by the overwhelming majority of the members of the General Assembly was significant in that respect. It was therefore important for the international community to unite in providing the peoples struggling for their independence with the material and moral support required by their just cause. His country was grateful to the Scandinavian Ministers for Foreign Affairs who, during a recent meeting, had eloquently described the intensity of the repression prevailing in Namibia and had stated that the Scandinavian countries were committed to doing everything in their power to ensure the application of any sanctions decided upon by the United Nations and to provide humanitarian assistance to the Namibian people.

13. The Palestinian people had been struggling against the forces of evil for more than a quarter of a century. In 1917, the Balfour Declaration had emerged as the result of a conspiracy which was to lead to the establishment of the State of Israel. Since that time the Palestinian people, whose land had been usurped by the Zionist gang, had been subject to foreign occupation and acts of terrorism. Despite the tribulations they faced, they nevertheless continued to struggle heroically to reconquer their native soil. The fact that, in 1974, the representatives of the Palestinian liberation movements had been invited to take part in the General Assembly debates was certainly a good sign and

² See A/AC.131/33.

their presence could only give more weight and effectiveness to the work of the United Nations.

14. His country, which was convinced that the peoples who were struggling for freedom would soon achieve independence thanks to the efforts of the international community, would continue, as it had always done, to support the liberation movements in Africa and Palestine. It appealed to all peace-loving countries to demonstrate their solidarity with the oppressed peoples and to give them their political, economic, humanitarian and military support and endeavour to ensure the strict application of the sanctions decreed by the United Nations. It also appealed to the specialized agencies, which had already contributed effectively to the defence of the cause of the oppressed peoples, to continue to give those peoples increased support so that, when their heroic struggle was over, they would be in a position to exercise fully their right to self-determination and independence.

15. Mrs. MUTUKWA (Zambia) said that her country recognized the right of all peoples to self-determination and would continue to spare no efforts to support all peoples struggling for freedom from imperialism, foreign domination, racial oppression and *apartheid*. It welcomed the accession to independence of Grenada and Guinea-Bissau and hoped that all the Territories still under Portuguese administration would soon be on the road to independence.

16. The struggle for freedom in southern Africa, where the population was subjected to the most barbarous and most degrading forms of violations of human rights, continued to be the main preoccupation of her Government's foreign policy. Despite the concern expressed by the international community and in flagrant violation of many United Nations resolutions, South Africa continued with impunity to pursue its inhuman policy of *apartheid* and racial discrimination and had even exported it to Rhodesia, as well as to Namibia, which it occupied illegally. Her delegation considered that such intransigence was the result of the support South Africa received from certain major Western Powers, which were frustrating action the United Nations might take in accordance with the Charter. It was paradoxical that, at the present time, it should be the major Powers which still continued to determine the pace of decolonization in southern Africa and elsewhere and which decided, for example, whether the rebel Government in Salisbury should be crushed or should be protected in defiance of United Nations decisions, where and when human rights were inviolable and even which Government, however progressive it might be, should be overthrown. Her delegation considered that any support to the racist régimes was tantamount to recognition of the policies they practised.

17. Institutionalized violations of human rights in southern Africa were a source of tension because the oppressed masses had no other choice than to take up arms to regain their rights and their independence. How could human rights be guaranteed if a régime was based on the exploitation of one race by another? The only guarantee of human rights was the implementation in South Africa of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

18. In Southern Rhodesia, a minority régime, with the support of South Africa and certain Members of the United Nations, continued to oppress the indigenous masses. In that connexion, President Kaunda had stated on 26 October 1974 at the University of Zambia that a black victory was inevitable in Rhodesia and that no army could defeat the idea of freedom in Rhodesia because its time had come. Moreover, thanks to the brave and relentless efforts of the Zimbabwe liberation movements, the illegal racist régime had finally realized that it was fighting a losing battle and had therefore intensified its repression of the Africans, as had been stressed by the Zambian Minister for Foreign Affairs at the 2241st plenary meeting of the General Assembly. Zambia urged the Smith régime to negotiate with the authentic leaders of the country before it was too late.

19. South Africa should withdraw from Namibia and allow the people of that country to shape their own future. The reign of terror in Namibia had been intensified in the past year and, as in the case of Southern Rhodesia, violations of human rights in that country were well documented. As long as the illegal occupation continued, it would be futile to speak of the human rights of the Namibian people.

20. The situation in the Middle East continued to be of concern to her delegation which was of the opinion that the core of the problem was the destiny of the Palestinian people. All initiatives for peace in the Middle East should take into account the rights of the Palestinians.

21. As long as man continued to oppress and exploit his fellow man, efforts in the field of human rights would be doomed to failure. Her delegation considered that the only guarantees of respect for human rights were self-determination and independence and that all United Nations bodies dealing with human rights should endeavour to free the peoples concerned from imperialist and colonialist forces.

22. Mr. SÖYLEMEZ (Turkey) said that, since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, of which Turkey had been a sponsor, considerable progress had been made in the realization of the right to self-determination, in particular, quite recently, in Guinea-Bissau. Turkey, which had supported the inclusion of the question of Guinea-Bissau in the agenda of the twenty-eighth session of the General Assembly, welcomed the Portuguese Government's change of attitude. Nevertheless, millions of human beings continued to be deprived of their rights, particularly in southern Africa and in the Territories under Portuguese administration. An illegal minority régime continued to oppress and exploit 4 million Africans in Zimbabwe and the question of Namibia was far from being settled. The persistent refusal of the South African Government to implement Security Council and General Assembly resolutions had created in the African and Asian majority a common will to fight back. Turkey had supported the rejection of the credentials of the so-called representatives of South Africa to the General Assembly. As a founding member of the United Nations Council for Namibia, Turkey would spare no effort to make it possible for the Council to discharge the mandate entrusted to it by the General Assembly, namely, to administer the Territory for the United Nations until

independence. It was already contributing to the United Nations Fund for Namibia and to the United Nations Trust Fund for South Africa, which provided relief and assistance to Africans persecuted by repressive and discriminatory legislation. It welcomed the fact that the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples had invited the representatives of national liberation movements to take part in its debates as observers.

23. No efforts made to ensure the universal realization of human rights, particularly in the colonial Territories, were insignificant and the United Nations system was in the best position to ensure the co-ordination of those efforts.

24. In its resolution 2874 (XXVI) and several others adopted subsequently, all the organizations of the United Nations system had been requested by the General Assembly to render all possible moral and material assistance to the peoples in Africa struggling for their liberation from colonial rule and, in particular, to the populations in the liberated areas. That was a goal which the international community was still far from achieving. UNESCO, the ILO, WHO and UNDP, in particular, as well as non-governmental organizations, could play a vital role and some of them had already taken positive steps. His Government had supported the requests made in General Assembly resolutions 2918 (XXVII) and 2980 (XXVII) and Economic and Social Council resolution 1804 (LV), because it considered that they were necessary for the success of the struggle of the colonial peoples for freedom and independence. The liberation movements in Southern Rhodesia, Namibia and the Territories under colonial administration should continue to receive assistance, the refugees from colonial Territories should be helped to establish and carry out projects, and the illegal régime of Southern Rhodesia and the South African Government should continue to be denied any financial, economic, technical or other assistance. In that connexion, it was interesting to note that the World Bank had not granted any credit to South Africa since 1960 and had no relations with the Southern Rhodesian régime. WHO, UNDP and FAO also had much to offer in their respective fields.

25. It was to be regretted that at the previous meeting the representative of the Greek Cypriots had seen fit to introduce the question of Cyprus into the Committee's discussions. That attempt to mislead world public opinion would in no way contribute to solving the problem of Cyprus. It was the Greeks who alone were responsible for the situation in Cyprus, yet it was now they who were complaining about geographic and demographic dismemberment of the island. They talked of colonization when they themselves had been the colonizers for centuries. In resolution 3212 (XXIX), on the question of Cyprus, the General Assembly had commended the contacts and negotiations between the two communities and called for a mutually acceptable political settlement. The remarks made at the previous meeting by the representative of the Greek Cypriots seemed to indicate that they were ready to proceed in the opposite direction.

26. Mr. RAZA (Pakistan) emphasized that his country had always espoused and actively aided the cause of peoples

struggling to achieve freedom from foreign and colonial domination and had rejoiced when one by one the countries of Asia and Africa had achieved independence, particularly in the recent case of Guinea-Bissau. He hoped that the new régime in Portugal would respect the aspirations of the peoples of Angola and Mozambique as well.

27. In the opinion of his delegation, *apartheid* was a form of slavery. It was based on the separation of human beings into the two categories of master and servant in accordance with the sole criterion of the colour of their skin. The rulers of South Africa and Rhodesia were following in the footsteps of Hitler and they should learn the lessons of history before violence broke out in their territories. His delegation was convinced that the twentieth century would go down in history as the century in which *apartheid* was condemned, rejected and abolished. In conformity with the decisions taken since the twenty-sixth session of the General Assembly, his Government fully associated itself with the cause of peoples struggling to recover their inherent right to self-determination. It had always supported the resolutions on that question adopted by the General Assembly and other United Nations bodies. However, the resolutions and declarations of the United Nations had always drawn a clear distinction between instances where the exercise of the right to self-determination was legitimate and instances where it was not. The right to self-determination of a people could not override the principle of the territorial integrity of a State. The principle of self-determination could in no way be extended to areas which were integral parts of the recognized and well-defined territory of Member States. On the other hand, the denial of the right to self-determination of a people which had been recognized as being entitled to it by the United Nations constituted a threat to peace. His delegation suggested in that connexion that the Secretary-General should be requested to list those decisions of the United Nations which had not yet been implemented and comment on the reasons for non-implementation and the prospects of implementation.

28. The people of Pakistan supported the cause of their brothers in Palestine, and had shown their concern for their liberation by hosting the Islamic Summit Conference in February 1974, at which 38 countries had reaffirmed their support of the right of the people of Palestine to return to their homeland. His delegation reiterated its support for national liberation movements wherever they might be.

29. Mr. DAMMERT (Peru) said that many countries had freed themselves from the yoke of colonialism since the adoption of General Assembly resolution 1514 (XV) which contained the Declaration on the Granting of Independence to Colonial Countries and Peoples. The most recent example had been provided by Guinea-Bissau, which had now taken its seat among the States Members of the United Nations. His delegation congratulated the new Government of Portugal in that connexion and urged it to continue on the path of decolonization.

30. However, many countries in Africa, Asia and Latin America continued to suffer foreign domination. The peoples of Zimbabwe, Namibia and South Africa were still the victims of *apartheid* and racial discrimination and were

deprived of their most fundamental human rights. The Palestinian people had been living in exile and despair for many years; and Panama still did not exercise its full and complete national sovereignty over the whole of its territory. If the colonialist and racist régimes were able to pursue their policies, it was because of the financial and military assistance they received from certain countries which were concerned only with their own economic interests and thus prevented the peoples, who were fighting for their independence, from exercising their right to self-determination. Strengthened by that assistance, Southern Rhodesia continued to flout the sanctions imposed against it by the Security Council and South Africa continued to violate the United Nations Charter, the Universal Declaration of Human Rights and the resolutions and decisions concerning it which had been adopted by the General Assembly and the Security Council. The United Nations should not remain a powerless witness of the violations committed by the Pretoria régime as it attempted to extend its odious policy of *apartheid* to Namibia, which it occupied illegally, and as it continued to provide support to the illegal Ian Smith régime. He recalled that his delegation had voted in the Security Council for the expulsion of the representatives of South Africa from the United Nations and reiterated that his country, faithful to its principles and to its foreign policy, recognized the right of all peoples to freedom, equality and self-determination and the legitimacy of their struggle. His delegation would therefore support any resolution in the Committee aimed at eliminating colonialism, racism and all forms of foreign domination.

31. Mr. ARIZAGA (Ecuador) said that there was a casual relationship between the right of self-determination of peoples and individual freedom which was one of mankind's basic prerogatives. Freedom was the *sine qua non* for peoples to be able to decide their own destiny. It seemed incredible that at a time when man was constantly improving his scientific knowledge, racism, colonialism and other forms of oppression of man by his fellow man continued to exist.

32. The Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples were very important documents aimed at guaranteeing the rights and freedoms of all people. Freedom, none the less, remained a Utopian ideal in certain parts of the

world, particularly in southern Africa where racism, colonialism, *apartheid* and racial discrimination continued to exist and where barbarous acts were committed which shocked the conscience of mankind. As had been stated by Mr. Benites, President of the General Assembly for the twenty-eighth session, in his statement in the 2256th plenary meeting on 4 October 1974, the international community and the United Nations which represented it had played an important role in the elimination of those scourges by means of the international opinion they had created, the pressure of which had made possible the liberation of many colonial peoples which had become constituted full-fledged States. The presence of Guinea-Bissau among the Members of the United Nations was the undeniable proof that Portugal had heard the appeals made to it from all sides and had decided to let justice triumph at last. It was to be hoped that Portugal would continue to follow that policy and would grant independence to the other Territories which were still under its domination.

33. His own country, which had been obliged to fight to obtain its political independence, could only condemn the oppression implicit in colonialism. He was, however, convinced that it would soon disappear. His delegation would therefore give full support to any draft resolution to that effect which was submitted for consideration to the Committee in connexion with the item under consideration.

34. Mr. IPSARIDES (Cyprus) said that he was surprised by the attacks on his delegation by the representative of Turkey; he himself had not mentioned Turkey by name in his statement. The question of Cyprus should, indeed, not be raised in the Third Committee, and in that connexion the provisions of resolution 3212 (XXIX), adopted by the General Assembly on 1 November 1974 and urging the speedy withdrawal of all foreign armed forces from the Republic of Cyprus and the return of all refugees to their homes should be heeded. As that resolution mentioned, contacts and negotiations were taking place on an equal footing between the representatives of the Greek Cypriot and Turkish Cypriot communities with a view to reaching a mutually acceptable political settlement of the question, and he was sure that the representative of Turkey had not wished to give rise to a new polemic.

The meeting rose at 5 p.m.

2087th meeting

Monday, 11 November 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2087

AGENDA ITEM 55

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (continued) (A/9638 and Add.1, Add.1/Corr.1 and Add.2-5, A/9667 and Add.1, A/9830, A/C.3/L.2128)

1. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the Soviet Union's position on the question under consideration was well known; it was based on the teaching of the founder of the Soviet State, V. I. Lenin. The Soviet State had always followed a consistent policy of supporting national liberation movements and the struggle for national and social liberation of all peoples who were oppressed by imperialism. The Minister for Foreign Affairs of the USSR, Mr. Gromyko, had reaffirmed that policy in a statement at Moscow on 6 November 1974.

2. The peoples' right to self-determination had been enshrined in the Charter of the United Nations as one of its basic principles on the initiative of the USSR. The Soviet Union had also initiated the adoption of a number of very important United Nations documents aimed at the liquidation of colonialism in all its forms and manifestations, including the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1514 (XV)). It could no longer be denied that the right of peoples to self-determination constituted the basis of human rights and freedoms; that right had indeed become one of the norms of international law.

3. As a result of the downfall of the colonial system, many independent States had emerged in Africa, Asia and Latin America, and those States had become one of the most important factors in contemporary international relations. They played an active role in the work of the United Nations and in the struggle to ensure peace and security and respect for human rights and freedoms. However, the struggle for national independence and economic liberation was not over, and the United Nations had the task of taking all necessary measures to further the liquidation of the vestiges of colonial domination. Those measures should be directed not only against so-called "classic" colonialism but also against the various forms of neo-colonialism which aimed at keeping countries and peoples in subjugation.

4. The Soviet Union advocated the speedy implementation of the relevant United Nations decisions, including General Assembly resolution 3070 (XXVIII), by all States. It was well known that certain States which were Members of the United Nations continued to avoid implementing its resolutions demanding an end to any form of support for the racist régimes of Pretoria and Salisbury. The report of the

Special Committee on *Apartheid* to the current session of the General Assembly¹ had expressed concern, in that respect, and had noted that one of the basic factors enabling the South African régime to pursue its racist policy was the aid it received from transnational corporations and banks. The documents of various United Nations bodies, including the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/9623 and Add.1-7), contained detailed information on the participation of foreign monopolies in economic activity in southern Africa. Thus the exploitation of the African population and the plunder of its national resources continued. The recent discussions in the plenary General Assembly and the Security Council on relations between the United Nations and South Africa had shown clearly which States genuinely supported the liquidation of colonialism and racism; the Security Council had been unable to expel South Africa from the United Nations despite overwhelming support for the relevant proposal.²

5. It was essential to ensure the right to self-determination of the Arab people of Palestine. That was required in the interests of establishing a just and lasting peace in the Middle East. In a statement made on 6 November 1974, the Minister for Foreign Affairs of the USSR had pledged the Soviet Union's support for the just struggle of the Arab peoples.

6. The Soviet Union understood the legitimate desire of peoples freed from colonialism to gain full control over their natural resources. Its position on the matter derived from the very nature of socialist society. In supporting the inalienable right to freedom and independence of all peoples who were still under the colonial yoke and foreign domination, the Soviet Union confirmed the legitimacy of the peoples' struggle to liberate themselves from colonial rule by any means. However, while not denying the significance of armed struggle, it advocated the use of all means of struggle, including political struggle, the use of the United Nations and so forth. A member of the Committee had alleged, at the 2085th meeting, that détente was hampering the peoples' struggle for liberation from colonialism; that assertion contradicted the facts of recent history, for, in the view of his delegation, détente created more favourable conditions for the struggle. His delegation welcomed the new Members of the United Nations, and hoped that Angola, Mozambique and other countries engaged in the struggle against colonialism would also gain independence soon.

¹ *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 22.*

² *See Official Records of the Security Council, Twenty-ninth Year, 1808th meeting.*

7. The Soviet Union had always provided and would continue to provide broad political, moral, diplomatic and material support for national liberation movements waging the struggle for liberation from colonial and foreign domination. Those were not empty words. In 1973 the leader of the State of Guinea-Bissau had expressed gratitude to the Soviet Union for its fraternal aid to the people of that country in its struggle for independence. The Soviet Union, true to its internationalist duty, had also provided and would continue to provide, all possible aid and support to the countries and peoples which had gained independence. About 900 industrial enterprises were being established in 45 developing countries with the help of the Soviet Union, and more than 400 of them had already been completed and brought into operation. The Soviet Union had also provided credit amounting to about 6,000 million roubles to developing countries, and had assisted in the training of about 300,000 specialists. Hundreds of young people from the developing countries were receiving higher education in the USSR. The Soviet Union continued to implement strictly all the decisions of the Security Council and recommendations of the General Assembly on the adoption of economic and other sanctions against the colonial and racist régimes; it had no relations or contacts of any kind with the racist régimes of South Africa and Rhodesia.

8. The Soviet Union firmly and consistently advocated the rapid and complete liquidation of the vestiges of colonialism and of the racist régimes which hindered the free and democratic development of nations and peoples.

9. Mr. LUBIK (Poland) said that his delegation wished to reiterate its continued support for all peoples under colonial and neo-colonial domination and its resolute opposition to colonialism, neo-colonialism, *apartheid*, racism and all forms of national oppression. The people of Poland strove for peace and security all over the world and advocated the political settlement of conflicts on the basis of respect for the legitimate right to independence and freedom of all States and peoples. Poland would continue to offer the necessary support to the peoples engaged in struggle against racial and colonial oppression and to grant moral and material assistance to liberation movements. The Polish Committee for Solidarity with the Peoples of Asia and Africa, which maintained bilateral relations with national liberation movements, provided assistance through the Organization of African Unity's Special Assistance Fund for the Struggle Against Colonialism and *Apartheid*. Direct assistance had been provided to the liberation movements in southern Africa and had also been offered to Palestine refugees. Poland did not recognize the racist and colonial régimes in southern Africa and did not maintain any political, military or economic relations with them.

10. His delegation believed that the elimination of colonialism and neo-colonialism and the guarantee of the right to self-determination constituted the fundamental prerequisite for the effective safeguarding and realization of all human rights. The United Nations should therefore continue and intensify effective measures, on a long- and short-term basis, against colonialism and in support of the legitimate struggle of colonial peoples for self-determination.

11. Mr. LEHTIHET (Algeria) recalled that article 1 of both the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex) provided that all peoples had the right of self-determination. Further, by virtue of that right they freely determined their political status and freely pursued their economic, social and cultural development. The Covenants further recognized that peoples could not enjoy their fundamental human rights if they could not exercise their right of self-determination and if the former colonial Powers and transnational corporations interfered with the free exercise of their sovereignty. Respect for the right of peoples to self-determination was a basic tenet of the foreign policy of the developing countries. As a consequence, his country, other non-aligned countries and some European countries gave every possible moral, material and diplomatic support to the struggle of the liberation movements in Zimbabwe, Namibia and occupied Palestine.

12. The General Assembly had recognized the right to self-determination when it had adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples but that right had not been applied in such a way as to bring about the peaceful liberation of the Territories still under foreign domination. The national liberation movements understood that they would never achieve self-determination and independence except by armed struggle.

13. At the twenty-eighth session of the General Assembly, his delegation had saluted the birth of the new State of Guinea-Bissau and had strongly condemned the barbarous attack on that country by Portugal. His delegation had taken the realistic stand that such attacks were inadmissible and that it was the duty of the international community to make Portugal see reason. The peoples of Guinea-Bissau and Mozambique had then been engaged in a battle with a Fascist régime, but that régime had since collapsed, and the new democratic Portugal had had the courage to undertake the decolonization of Guinea-Bissau. The agreements signed with Frente de Libertação de Moçambique (FRELIMO) and the establishment of a provisional Government to prepare the country for independence in 1975 were highly encouraging facts. His delegation hoped that the example would be followed in Angola and in the other Portuguese colonies.

14. The International Conference on Human Rights, held at Teheran in 1968, had declared in its resolution VIII³ that the subjugation and oppression of one people by another was a serious violation of the main objectives of the Universal Declaration of Human Rights. In South Africa, in Namibia and in Southern Rhodesia, the supporters of *apartheid* and discrimination were still in power and oppressing and exploiting the African population in utter disregard of their rights. It was difficult to understand how delegations which declared that they were opposed to *apartheid* and racial discrimination and claimed to support the Programme of the Decade for Action to Combat Racism and Racial Discrimination (General Assembly resolution 3057 (XXVIII), annex) could oppose the expulsion from the United Nations of the representatives of such racist minorities. The recent action in the Security Council,

³ *Final Act of the International Conference of Human Rights* (United Nations publication, Sales No. E.68.XIV.2), p. 10.

by which three of the permanent members, who were also members of the North Atlantic Treaty Organization (NATO), had vetoed the expulsion of South Africa was, in the view of his delegation, a flagrant violation of the Universal Declaration of Human Rights. Similarly, the maintenance of economic ties with Rhodesia and South Africa was a violation of the recommendations of the Security Council. No one could be against discrimination and *apartheid* and at the same time in favour of States which practised such revolting policies. The conclusion which all Africans had drawn from that vote was that for those three Powers, their own economic interests and those of the transnational corporations with which they were bound up were more important than the dignity and freedom of the peoples of southern Africa. The vote also showed that the great industrialized Powers were still steeped in economic imperialism.

15. There could be no exceptions to the right of self-determination. As the representative of Sweden had said at the 2083rd meeting, the world could not be divided into "haves" and "have nots" where the right of self-determination was concerned. For that reason the Algerian delegation warmly welcomed the unanimous decision of the General Assembly to invite the Palestine Liberation Organization to make its voice heard. The Palestine Liberation Organization represented the Palestinian people, which was struggling for its right of self-determination. It had now been recognized as the authentic representative of the Palestinian people by most Member States, thus silencing the Zionist propaganda which sought to deny the historical, political and legal existence of the Palestinian nation.

16. Algeria would continue to support all oppressed peoples and the struggle of national liberation movements until justice triumphed over tyranny and injustice. Algeria would always be in the vanguard of the defenders of peace and freedom and it would never hesitate to denounce those States which paid lip-service to those ideals, but in defending their interests and those of their transnational corporations were a source of conflict and an obstacle to decolonization in Africa and throughout the whole world.

17. Mr. VARGA (Hungary) said that the eradication of the last vestiges of colonialism and the granting of independence, freedom and the right of self-determination to oppressed peoples was one of the most burning problems of the age, particularly in southern Africa. As long as millions of Africans were oppressed and deprived of their rights under the brutal and illegal domination of colonial and racist régimes, the general and complete realization of the purposes and principles laid down in the Charter and in the Universal Declaration of Human Rights could not be realized.

18. At a time when there was an improvement in the international atmosphere, greater détente and the broadening of international co-operation, it was intolerable and contradictory that suffering and humiliation should be the lot of millions, as a consequence of the racist and colonial policies of imperialist and reactionary Fascist Governments. However, events in Portugal had shown that the policy of colonial expansionism was a failure and that the liberation of colonial countries and peoples was irresistible and irreversible. The reactionary Government of Portugal had

been overturned because of its bloody colonial war against the African peoples, and the heroic struggle of the people of Guinea-Bissau had resulted in the birth of a new independent African State, which was now a Member of the United Nations. His delegation welcomed the positive steps taken by the new Portuguese Government with a view to granting independence to other Territories under its administration and was sure that the peoples of those Territories would soon be in a position to take their future in their own hands.

19. As a result of those developments, the isolation of the racist régimes in South Africa and Southern Rhodesia had become more pronounced. An increasing number of independent African States were pursuing anti-colonialist policies that were an encouragement to the oppressed peoples in their struggle for their freedom and for their right of self-determination.

20. General Assembly resolution 3207 (XXIX), calling upon the Security Council to review the relationship between the United Nations and South Africa, had been a great step forward in the struggle for the liquidation of colonialism. The debate in the Security Council had directed attention to the suffering of the dispossessed and oppressed African peoples and to the intolerable situation prevailing in the southern part of Africa as a consequence of the stubborn refusal of the racist colonial régime of South Africa to comply with the relevant resolutions of the United Nations. But the events in the Security Council also showed quite clearly which countries supported the racist colonial régimes and enabled them to maintain their domination and continue their ruthless oppression and exploitation of the African population. In its resolution 1864 (LVI), the Economic and Social Council had made the point quite clear when it had stated that States giving assistance to the racist and colonial régimes in southern Africa were to be considered accomplices of those régimes in their criminal policies of racial discrimination, *apartheid* and colonialism.

21. The decision of the twenty-ninth session of the General Assembly to consider the question of Palestine as a separate agenda item (item 108) and to invite the delegation of the Palestine Liberation Organization to participate in the debate (see General Assembly resolution 3210 (XXIX)) was a significant development in the long struggle for the restoration of the lawful rights of the Palestinian people. His delegation earnestly hoped that the forthcoming debate would promote the just cause of the Palestinian people.

22. The struggle against imperialism, colonialism, racism and *apartheid* was a corner-stone of the foreign policy of the Hungarian People's Republic. Accordingly, Hungary was determined to support any efforts of the United Nations to promote the complete and final eradication of the last vestiges of colonialism and ensure the people under the colonial yoke the enjoyment of independence, freedom and basic human rights. It was legitimate for peoples fighting against colonial oppression and exploitation to use every means, including armed struggle, to achieve their independence and right to self-determination. Hungary was doing everything in its power to support the people fighting for their freedom and human rights. It provided medical

treatment and if necessary accommodation in sanatoria for wounded members of liberation organizations, granted scholarships and extension training facilities for students from oppressed colonial countries and gave financial and other material support to the liberation organizations.

23. In conclusion, he stated his conviction that the colonial peoples would triumph with the support of the world's progressive and democratic forces and that before long the Declaration on the Granting of Independence to Colonial Countries and Peoples would have become a reality.

24. Mr. EVANS (Australia) said that, since taking office, the present Australian Government had consistently supported the right of peoples, particularly those of Africa, to self-determination and independence, as a necessary prerequisite for the effective guarantee and observance of their human rights. It had sought to give practical expression to that support through the United Nations, its various organs and the specialized agencies, as well as by unilateral action. It had done so in the belief that change could be brought about only by concerted international and bilateral pressure on those Governments which persistently denied the right of peoples to self-determination and independence.

25. His Government had been greatly encouraged by the decision of the Portuguese Government to grant independence to Guinea-Bissau. The decolonization of Portugal's African Territories, which was now in progress, had given new momentum to the aspirations of the people of southern Africa for self-determination and independence. His Government had consistently supported General Assembly resolutions designed to hasten the process of decolonization and the ending of minority rule in southern African countries. It recognized the important role played by the national liberation movements and had increased Australian aid to those movements recognized by the Organization of African Unity (OAU). The 1974/75 federal budget had allocated \$A 150,000 for that purpose. Preference would be given to aid in kind, such as medical and educational materials. The provision of such humanitarian aid was consistent with the view held by the Australian Government that recourse to force and armed struggle to end colonization and racial discrimination should be avoided as far as possible. Australia perceived a clear difference between encouraging people to violence and recognizing that they might be driven to rebellion to secure their natural rights. The latter principle was recognized in the Universal Declaration of Human Rights. For the year 1974, Australia had committed a total of \$55,000 to the United Nations Educational and Training Programme for Southern Africa, the United Nations Trust Fund for South Africa, the United Nations Fund for Namibia and the Special Commonwealth Programme for Assisting Education of Rhodesian Africans.

26. The South African Government's persistent denial of basic human rights to the people of Namibia was a source of great concern to his delegation. Australia had consistently voted for General Assembly resolutions condemning the continued illegal administration of Namibia by South Africa. It had responded to requests for moral and material assistance to the Namibian people. His Government was concerned that the policies of *apartheid* and enforced

settlement in homelands had been extended from South Africa to Namibia. Such practices were abhorrent to it, as was the persistent denial of the legitimate political rights and activities of the South-West African peoples. His delegation considered that the arrest by the South African police of 328 leaders and supporters of the South West Africa People's Organization (SWAPO) in January and February 1974 was a serious breach of the guarantee which the South African Government had itself given to the Secretary-General of the United Nations that it would not curtail legitimate political activity in Namibia. Accordingly, in March 1974, his Government had expressed its deep concern to the South African Government and, in delivering its protest, had emphasized that it would regard any prosecution of the leaders and supporters of SWAPO as illegal.

27. Although his Government recognized SWAPO as the legitimate liberation movement for Namibia, it also viewed the United Nations Council for Namibia as the legitimate authority for the administration of that Territory. Without detracting from the status of SWAPO, it was essential to strengthen the role of the Council and the United Nations in Namibia. One way of achieving that would be for the Council to associate itself with the work of OAU on a regular basis. Another possibility would be to extend the mandate of the Council to include the power to investigate violations of human rights in Namibia. A third possibility would be for United Nations conferences, international institutions and the specialized agencies to consider participation by the Council, in an appropriate capacity, in their work. In that connexion, his delegation welcomed the fact that the Council had been represented at the Third United Nations Conference on the Law of the Sea held in Caracas from 20 June to 29 August 1974. Australia had applied for membership in the Council.

28. He recalled that the Trusteeship Council, during its resumed forty-first session in October 1974, had approved the final steps towards independence for the Territory of Papua New Guinea, in accordance with decisions taken by the House of Assembly of Papua New Guinea and the peoples concerned. Australia, which had discharged substantial responsibilities in that Territory, had welcomed and participated in those decisions.

29. Miss HARELI (Israel) said that in the 29 years since the foundation of the United Nations, 87 new Member States had joined its ranks, most of them having progressed from colonial or trusteeship status to self-determination and national sovereignty. The fact that the overwhelming majority of the world's countries were now independent tended in itself to focus attention on the remaining exceptions.

30. Her Government had supported the liberation movements of country after country, and welcomed the events which had set the Portuguese Territories in Africa on the road to self-determination. It was also encouraged by the recent accession to independence of two new States in the Caribbean area and looked forward to the emergence of two more new States in that region.

31. In talking of self-determination and independence, however, care must be taken to avoid facile judgement and

superficial evaluations. There were many problems of self-determination that had not even been touched upon by the United Nations. There were subject peoples in some parts of the world who could not raise their voices and had no sponsors to speak for them. For instance, the Kurdish people in Iraq were fighting for their very survival against an increasing genocidal war waged by the Iraqi Government. However many of its current problems the United Nations solved, there would always be others.

32. Political independence was not enough if it did not lead to economic and social development, which alone could assure people a better life. That task was beyond the strength of most newly independent nations on their own. It called for freedom from economic domination and for close integration of national and international efforts through international co-operation. The developed countries, whether or not they were former colonial Powers, had a heavy responsibility in that respect; but developing countries could also join in the task. Israel was proud to be associated with such efforts, both bilaterally and in co-operation with UNDP and other United Nations agencies.

33. She would have liked to limit herself to those few thoughts at the present stage, but several delegations had inserted into the debate political questions concerning the conflict in the Middle East. She wished to state most categorically that what had been said about the Palestinian Arabs and about Israel in that context was a malicious distortion of history. Israel's position had been outlined by the Israeli Minister for Foreign Affairs in his statement at the 2255th plenary meeting of the General Assembly on 3 October 1974 when he had said "Israel is cognizant of the existence of the question of Palestinian identity. It holds that it can and should be resolved in the context of the settlement of the dispute with its neighbour to the east."

34. The CHAIRMAN said that she intended to adjourn the meeting at 12 noon so as to enable members to hear an address in the plenary General Assembly by the Federal Chancellor of the Republic of Austria. Since the Committee was behindhand in its consideration of the agenda items allocated to it, she appealed to members to submit draft resolutions on the items that had not yet been taken up in advance of their consideration, as a means of saving valuable time in the Committee's debates. She had in mind in particular items 52 and 54.

35. Miss NURU (United Republic of Tanzania), introducing draft resolution A/C.3/L.2128 on behalf of the sponsors, said that the latter, in formulating the text, had taken into consideration the statements made thus far by various delegations in the general debate on the item, past resolutions on the item and recent events in Portugal which augured the end of many years of Portuguese colonialism.

36. Commenting on the preamble to the draft, she said that the sixth paragraph had been formulated on the basis

of the principle that Southern Rhodesia should not become independent until majority rule had been established.

37. Turning to operative paragraph 2, she noted that many Member States, specialized agencies and non-governmental organizations had given assistance to the liberation movements in the past. However, those countries which had recently attained independence from colonial rule would need continued assistance for some time to come, mainly because of the conditions of drought prevailing in some countries and the sudden departure of persons who had formerly engaged in large-scale farming, which had an adverse effect on their economies.

38. Operative paragraph 4 demanded full respect for the basic human rights of all individuals detained or imprisoned as a result of the struggle for self-determination and independence and their immediate release. The sponsors had in mind particularly those individuals currently languishing in gaols in southern Africa, such as Nelson Mandela in South Africa and the Reverend N. Sitole in Southern Rhodesia, who appeared to have been forgotten by international public opinion.

39. Operative paragraph 6 was concerned with such Territories as Angola and Sao Tomé, on which negotiations for independence had not yet commenced. The wording of operative paragraph 8 was inspired by the fact that it was partly because of support from NATO countries that the racist régimes were able to continue their policies of racial discrimination and *apartheid*. With regard to operative paragraph 10, she reiterated the necessity of continued assistance to newly independent countries from Governments, United Nations agencies, and intergovernmental and non-governmental organizations.

40. She hoped that draft resolution A/C.3/L.2128 would be adopted unanimously.

41. The CHAIRMAN announced that Bahrain, Chad, Dahomey, Gabon, Mali, Qatar, Senegal, Togo, Trinidad and Tobago, the United Arab Emirates and Zambia had become sponsors of draft resolution A/C.3/L.2128.

42. Mr. KÉITA (Mali) drew attention to some slight inaccuracies in the French translation of the draft resolution.

43. Mr. THOMAS (Liberia) said that, while welcoming draft resolution A/C.3/L.2128, his delegation could not fully support operative paragraph 3. The phrase "including armed struggle" in that paragraph should be deleted: it was at variance with one of the purposes of the United Nations, namely, the settlement of disputes by peaceful means.

44. Mr. AL-QAYSI (Iraq) said that his delegation would reply in due course to the allegations made by the representative of Israel earlier in the meeting.

The meeting rose at 12 noon.

2088th meeting

Tuesday, 12 November 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2088

AGENDA ITEM 55

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (*continued*) (A/9638 and Add.1, Add.1/Corr.1 and Add.2-5, A/9667 and Add.1, A/9830, A/C.3/L.2128)

1. The CHAIRMAN announced that the German Democratic Republic, Grenada, Lebanon, Malaysia and the Upper Volta had become sponsors of draft resolution A/C.3/L.2128.

2. Mr. ELTAYEB (Sudan) said that the right to self-determination was a corner-stone of justice; it was impossible for any people to enjoy their legitimate human rights without being able to exercise sovereignty and to choose the political régime and the means of social and economic development which they desired. The fact that an increasing number of countries were joining the United Nations indicated that the right to self-determination would triumph and would disperse the remnants of colonialism. The basic goal of self-determination would be achieved despite the procrastination of the imperialist countries.

3. Although the United Nations had passed many resolutions on the question of attaining self-determination, progress was slow. Some countries were ignoring those resolutions or were implementing them only in so far as it suited their own purposes, on various pretexts. The racist régimes of southern Africa would be unable to continue without support from such countries. Companies representing world monopolies continued to exploit African workers and to inflict the worst type of slavery in modern times. His delegation believed that all Member States should respect the relevant resolutions of the United Nations and should enforce and strengthen sanctions against the racist régimes. Implementation of the resolutions in question should be controlled in order to reveal which countries were not complying with them. It was the basic duty of all States to continue to provide moral and material assistance to the liberation movements until victory for the people in their struggle for self-determination had been achieved.

4. His Government looked with favour upon the new régime in Portugal, and that had been indicated in the statement made by the Minister for Foreign Affairs of the Sudan in the General Assembly at the 2255th plenary meeting on 3 October 1974. It was to be hoped that Angola and Mozambique would soon achieve independence. His delegation had been pleased with Portugal's recognition in the United Nations of the right of the peoples of the countries under its administration to self-determination and political freedom and hoped that the guarantees which had

been made by the Portuguese Government would soon be implemented.

5. The collusion between the Zionist group and the racist white minority group in South Africa was no coincidence; it resulted from the similarity of the two systems, which were both based on the law of the jungle. The usurpation of the rights of the peoples by those two intransigent groups would fail in the face of the peoples' determination. The Palestinian people would achieve self-determination and recover their lands, as their cause was just. The logic of their position would shortly be heard at the General Assembly;¹ his delegation welcomed that victory for all peoples striving to gain their independence. Many resolutions had been passed by the General Assembly denouncing the Zionist group, but the Zionists continued their deplorable methods of aggression and falsification of the truth. However, injustice and untruth would be short-lived and the people of Palestine would achieve independence. The international community should try to isolate Israel and ensure that no United Nations aid was provided to it.

6. It was essential to provide moral and material unconditional assistance to newly independent countries so that they could consolidate their Governments and economies, and all advanced countries had a special responsibility in that respect. The Sudan provided as much assistance as it could to liberation movements because of its faith in the legitimacy and justice of the cause of national liberation.

7. Mr. NEYTCHEV (Bulgaria) said that his country, true to its international obligations, to the Leninist principles of the self-determination, freedom and equality of all peoples and nations and to a policy of friendship and brotherhood with all peoples who were under the yoke of foreign domination, steadfastly opposed colonialism, neo-colonialism, *apartheid*, racism and all forms of national oppression. It therefore consistently implemented the decisions of the United Nations concerning the struggle against colonialism and racial discrimination. Bulgaria's position on the question under discussion was well known and was based on its recognition that the right of peoples to self-determination and independence was a universally accepted principle of international law. The liquidation of the vestiges of colonialism and the attainment of independence by many States of Africa and Asia was a direct consequence of the implementation of that principle. Bulgaria had included the principle in its national constitutional law. It had also been one of the first to ratify the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex), and it had participated actively in the elaboration of all the important international documents on the subject under consideration. It advocated the further development of international co-operation with

¹ 2282nd plenary meeting, held on 13 November 1974.

respect to the protection of human rights and the struggle against racism, colonialism and *apartheid*. Having in the past endured a long period of foreign oppression and slavery, Bulgaria resolutely opposed imperialist policies and all forms of domination over other peoples, and the Bulgarian people were actively participating in the struggle for the final liquidation of all vestiges of colonialism and neo-colonialism.

8. Bulgaria actively supported the legitimate right, recognized by the United Nations, of national liberation movements to use all means of struggle, including armed force, and attached great importance to the provision of broad political, moral and material assistance to the peoples engaged in that struggle. The active participation of the specialized agencies could contribute much to the efforts of the United Nations to promote the liquidation of colonialism and the provisions of support to the colonial peoples striving for their independence.

9. His delegation was convinced that the development of détente and the realization of the principles of peaceful coexistence would contribute greatly to the success of the struggle against racism and colonialism. The easing of international tension would help to restrain the forces which were providing support to the racist and colonial régimes and furthering the exploitation of the colonial peoples. The improvement in the international situation was creating the necessary conditions for the development of the national liberation struggle of the colonial peoples. Favourable results had already been achieved; the overthrow of the Fascist dictatorship in Portugal had strengthened the common struggle against colonialism, racial discrimination and *apartheid*.

10. His delegation attached great significance to the successful implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination (General Assembly resolution 3057 (XXVIII), annex) and considered that efforts should be concentrated on the organization of specific actions aimed at the international isolation of the racists and colonialists of South Africa and Southern Rhodesia and, eventually, the liquidation of their régimes and the granting to the peoples of those countries the right to self-determination and independence. Bulgaria therefore consistently implemented all the relevant United Nations decisions and resolutions, particularly General Assembly resolution 3070 (XXVIII); it had been one of the first to ratify the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (General Assembly resolution 3068 (XXVIII), annex). The consistent and strict implementation by all States of the decisions of the United Nations concerning the right of peoples to self-determination and independence was a decisive factor in the liquidation of the remaining hot-beds of colonialism and racism. Bulgaria, for its part, had always implemented and continued to implement all the United Nations recommendations on the application of economic and other sanctions against colonial and racist régimes, and it had no relations of any kind with the Governments of South Africa and Rhodesia. At the same time the Bulgarian mass media, in accordance with the recommendations of the General Assembly, were actively engaged in informing the population about the efforts of the United Nations to bring about the liquidation

of colonialism and the realization of the right to self-determination, freedom and independence. Bulgaria had also always co-operated and continued to co-operate with African and other States in providing comprehensive assistance to the peoples engaged in the struggle against colonialism and racism and would continue to advocate the adoption of the most effective measures in that respect. It therefore considered that the recent triple veto in the Security Council² would in no way contribute to the triumph of the just causes of the peoples of Zimbabwe and Namibia. His delegation advocated the genuine implementation of the right to self-determination of the peoples of Zimbabwe and Namibia and also the restoration of the legitimate national rights of the people of Palestine. It considered that full respect for and implementation of the inalienable rights of the people of Palestine were essential for the establishment of a just and lasting peace in the Middle East.

11. The liquidation of colonialism and neo-colonialism and the realization of the right to self-determination and independence were basic conditions for the effective guarantee of all human rights. His delegation was therefore prepared to support any appropriate measures aimed at the speedy elimination of racial discrimination and of the policy and practice of *apartheid*. It would continue to provide all possible aid and assistance to the legitimate cause of the peoples' struggle for self-determination.

12. Mrs. TAKLA (Egypt) said that the right of peoples to self-determination was a permanent factor of international life, which made the victory of the peoples in their just struggle inevitable. The change in the policy of the Portuguese Government towards its former colonial Territories had put an end to much suffering and it was logical that the other Portuguese Territories should gain independence as soon as possible. Her delegation hoped the example of the Portuguese Government would be followed by other Powers, so that further suffering would be avoided. There was no doubt that the right of peoples to self-determination was a prerequisite for the effective enjoyment of human rights and fundamental freedoms. That was borne out in the Charter, the Universal Declaration of Human Rights and other United Nations documents. The universal realization of the peoples' right to self-determination was inevitable in a world where peace and justice would prevail. While the efforts of the United Nations and the international community would undoubtedly contribute to the full realization of that right, the heroic struggle of national liberation movements would be the main factor in that success and would lead not only to the freedom of the peoples but also to the liberation of those countries that were still under the imperialist yoke. Humanity and freedom were inseparable, and as long as there were peoples in the world who still suffered under imperialist and foreign oppression, they would be deprived of true freedom.

13. Her delegation had noted with appreciation the adoption of a number of important resolutions by the Economic and Social Council, including resolution 1864 (LVI), 1865 (LVI) and 1866 (LVI), and it hoped that

² See *Official Records of the Security Council, Twenty-ninth Year, 1808th meeting.*

they would be implemented as soon as possible. However, the imperialist forces continued to defy the resolutions on the right to self-determination despite the serious consequences for the peoples of the world. Israel still denied the Arab people the right to independence and liberation and the same was true in southern Africa. Israel had denied the Palestinian people the right to exist; the Jewish people had settled in Palestine as if there had been no people living there already. Yet Palestine had a people with rights and aspirations, a history and a heritage, and moreover a future, despite all denials of their rights. The forces of domination and oppression were calling on the Palestinian people to return to their homes, forgetting that they themselves occupied those homes, which they had usurped. That was the so-called logic on the basis of which those forces moved people around the world as if the world were a chessboard. They assumed rights which they denied to others and imposed a fictitious supremacy over supposedly inferior peoples. Egypt utterly rejected those actions and called on all States to join in putting an end to foreign domination and oppression in all parts of the world. It was not enough to condemn imperialism; the imperialist régimes should be completely isolated in accordance with the relevant resolutions of the General Assembly. The liberation movements must be given moral and material support so that they could continue their just struggle for independence. The decision of the United Nations to invite representatives of the African liberation movements (see resolution 3163 (XXVIII)) and the Palestinian Liberation Organization (see resolution 3210 (XXIX)) to participate in its discussions was a constructive step which would undoubtedly contribute to greater effectiveness in the work of the United Nations. The ideal of an international community based on justice and freedom from aggression, imperialist and foreign domination, exploitation and racism in all forms must be made a reality. Egypt had always fully supported the liberation movements, believing that the unity of the liberation movements and consolidation of the progressive forces would help to attain the goal of an international community and order based on equality, justice and peace.

14. Mr. ALFONSO (Cuba) observed that the indissoluble link between the right to self-determination and independence of peoples and the effective exercise of fundamental human rights was unequivocally affirmed in the Charter of the United Nations and in the Universal Declaration of Human Rights. Article 55 of the Charter expressly stated the interrelationship between self-determination and respect for human rights, and Article 56 established the commitment of all Members of the United Nations to the achievement of those purposes. The self-evident truth that self-determination and independence were a necessary prerequisite for the effective enjoyment of fundamental rights and freedoms had been repeatedly and unequivocally reaffirmed by various organs of the United Nations.

15. Nevertheless, the stubborn persistence of colonialism was noted each year in the General Assembly. Although increasingly isolated by the international community, the forces of colonialism, imperialism, neo-colonialism and racism continued in their efforts to hold back the tide of history and deprive millions of oppressed people of their human rights.

16. The international community had good reason to welcome the events that had occurred in Portugal earlier in the year. The liberation struggle of the indigenous population of the Portuguese African colonies had not only paved the way for the independence of those Territories but had also enabled the Portuguese people to rid themselves of a Fascist tyranny which for more than 40 years had deprived them of their most fundamental civil, political and economic rights. The Cuban people had closely followed the process of national liberation in the Portuguese colonies in Africa and was confident that the peoples of Angola and Mozambique would soon achieve their legitimate rights, thus following the example of Guinea-Bissau.

17. In other Territories not administered by Portugal, the situation remained serious. There was an obvious link between the dependent status of some Territories and the negation of human rights there, as well as between the continued existence of imperialism and that of racism and colonialism. If imperialism were to disappear, colonialism would lose its *raison d'être*. For that reason, it was clear that the struggle of peoples did not end with the achievement of self-determination and that colonialism, neo-colonialism and racism could not be eliminated as long as imperialist interests continued to exist. His delegation therefore supported the anti-imperialist struggle for self-determination and independence of peoples in Indo-China, Africa, the Middle East and the Americas.

18. There were many examples of the links between colonialism and imperialism. In the Middle East, zionism was used to implement a policy of colonization of the ancestral lands of the Palestinian people and other Arab territories occupied by force in flagrant violation of the Charter and numerous United Nations resolutions. According to recent reports, the Jordan Valley, the Golan Heights, Jerusalem and other areas had become the scene of fresh manifestations of conventional colonial policy.

19. In Rhodesia, the people of Zimbabwe continued to be subjugated by the white minority with the connivance of various Western consortia, which constituted the backbone of the Rhodesian economy. The recent statement by the United Kingdom Government that there were no United Kingdom firms operating in the Territory of Rhodesia because such firms had been registered as Rhodesian companies did not alter the fact that the profits earned by such firms were used in violation of United Nations resolutions.

20. In Namibia, foreign interests—and particularly mining interests—had strong reasons for preserving the present status of the Territory and denying self-determination to the indigenous population. The documents of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples showed that various Western enterprises were engaged in intensive activities in Namibia. In South Africa, the high yield on Western investments—higher than could be obtained in other countries—was attracting a substantial flow of capital which bolstered the *apartheid* policies of the white minority régime. It should be added that various North Atlantic Treaty Organization (NATO), Powers, principally the United States, the United Kingdom and France, had

supplied and continued to supply military equipment, either directly or indirectly, to the racist régimes of southern Africa. It was clear that such aid encouraged the brutal repression of the liberation movements in that part of the world. Moreover, those régimes enjoyed the support of the NATO countries at the international level, as was evidenced by the triple veto interposed recently in the Security Council, in defiance of world public opinion.

21. Unfortunately, old-style colonialism was not confined to Africa. In the Latin American country of Puerto Rico, 75 years of military occupation and colonial rule and the ruthless exploitation of natural and human resources by the United States had not subdued the Puerto Rican people, whose struggle for self-determination and independence was now reaching new levels of militancy. That struggle would inevitably lead to national liberation. Many Puerto Rican patriots had for more than 20 years languished in United States gaols and could be considered as the longest-standing political detainees on the American continent. Panama had also been subject, for more than 70 years, to North American military occupation of a part of its territory which was of great strategic and economic importance. It had been turned into a colonial enclave and was used as a training ground for forces that could be used to interfere in the affairs of other Latin American countries.

22. He stressed the close co-operation that existed between all the retrogressive forces of the world. For example, until recently the racist South African régime had maintained close military co-operation with the former Portuguese régime in the African colonies. Southern Rhodesia continued to enjoy a similar arrangement with South Africa. According to recent reports, the bonds between zionism and the racists of South Africa were being strengthened. In view of that situation, all the peoples of the world must unite in their support of the struggle by oppressed peoples for self-determination and independence.

23. His delegation was a sponsor of draft resolution A/C.3/L.2128. All countries interested in ensuring the effective guarantee of human rights had an excellent opportunity to demonstrate their sincerity in that regard by voting in favour of the draft resolution.

24. Lady GAITSKELL (United Kingdom) recalled that the United Kingdom had played a full part in all the discussions on self-determination that had been held since the establishment of the United Nations. Her Government fully recognized the right of the peoples of Non-Self-Governing Territories to determine their own constitutional future and had adopted a policy towards its remaining dependent Territories which was based on the principle of self-determination in accordance with the wishes of the inhabitants. The United Kingdom was anxious to co-operate with the United Nations in securing the implementation of that principle. In that connexion, her Government fully co-operated with the Special Committee and had recently invited a mission from the Special Committee to visit the Gilbert and Ellice Islands in order to observe the holding of a referendum on the future of the islands.

25. Her delegation warmly welcomed the acceptance by the new Portuguese Government of the principles of self-determination and independence for its overseas colonies.

26. The Fourth Committee and the Special Committee were particularly concerned with the question of self-determination and her delegation held the view that discussion of those questions should be concentrated in those two bodies. For that reason, her delegation had not dwelt in detail, in the debates of the Third Committee in previous years, on the situation in Southern Rhodesia, a situation for which the United Kingdom had a precisely defined responsibility. However, since a number of comments had been made on the specific question of the human rights of the citizens of Southern Rhodesia during the debate on the item concerning the elimination of all forms of racial discrimination, her delegation felt that it might be useful to make clear its position on that question.

27. Rhodesia had been internally self-governing since 1923. At no time between 1923 and its unilateral declaration of independence on 11 November 1965 had Rhodesia ever been directly governed or administered from London. In practice, if not in strict law, Rhodesia's relationship to the United Kingdom during those years had been virtually the same as that of the so-called "self-governing Dominions", such as Australia and Canada. No British Government department had had any control over the raising of taxes in Rhodesia or over its army or police force. The form of active administration in the Territory had therefore remained unchanged by the unilateral declaration of independence. There had been no British Government administrators, let alone British troops, serving in Rhodesia before 1965 and, of course, there had been none there since.

28. The analogy which some had chosen to draw with the policy of the United Kingdom in respect of other colonial Territories did not, therefore, hold water. It might be asked why the Government of the United Kingdom had not washed its hands of Rhodesia after the Rhodesian unilateral declaration of independence. The answer was that its constitutional responsibility for the territory gave it some residual influence and it had felt that it was its duty to exercise whatever influence it had for the benefit of the people of Southern Rhodesia as a whole.

29. Precisely because of its concern for the protection of human rights in Rhodesia, the United Kingdom had insisted that it maintained ultimate responsibility for Rhodesia and for the timing of full independence. Successive Governments of the United Kingdom had been unwilling to grant independence to a numerically small group of European settlers because they had not felt sufficient confidence in the readiness of the white minority to protect the human and democratic rights of the majority of Rhodesia's inhabitants. Since 1945, the history of the relationship between the United Kingdom and Rhodesia had been studded with attempts by various Governments of the United Kingdom to find a satisfactory formula for the granting of independence. In all those attempts, the objective of the United Kingdom had been to use the extremely limited leverage of its residual constitutional powers to compel protection for the rights of the majority of the population. Since the unilateral declaration of independence, the United Kingdom had laid down five principles as a prerequisite for the granting of independence. Those principles were: first, that there should be unimpeded progress towards majority rule; secondly, that there should be guarantees against retrogressive amend-

ments of the Constitution; thirdly, that there should be an immediate improvement in the political status of Africans; fourthly, that progress should be made towards ending racial discrimination; and fifthly and most important, that the Government of the United Kingdom should be satisfied that any settlement was acceptable to the people of Rhodesia as a whole. The attachment of successive Governments of the United Kingdom to those five principles hardly accorded with the assertion made in the Committee that the silence of the United Kingdom with regard to the African people of Rhodesia represented a setback for democracy. If that were true, it was hardly likely that the Government of the United Kingdom would have brought the problem of Southern Rhodesia to the Security Council, that it would have asked for mandatory sanctions against Rhodesia under Chapter VII of the Charter, that it would have co-operated with the Committee established in pursuance of Security Council resolution 253 (1968), or that it would have made successive attempts to improve the lot of those suffering in Southern Rhodesia as a result of the violation of their human rights.

30. It was regrettable that the United Kingdom, which over the past 30 years had nurtured self-determination and independence in so many countries, now found itself faced with a peculiarly intractable challenge to its policy of promoting self-determination. In that connexion, she had been disappointed by the reference made by a delegation at an earlier meeting to the superficial difficulties of finding a solution. It was all too easy to fall into the trap of casually dismissing some of the most intractable human rights problems. However, members of the Committee should try to avoid that trap. She could readily sympathize with the impatience and feelings of frustration of the African peoples who lived close to the white régimes of southern Africa. What was more difficult to understand was the attitude of some other delegations which were quick to identify and condemn abuses of human rights in countries other than their own. Over the past several years, the Third Committee had become a closed society with a language of its own, a language little understood in the outside world. The constant repetition of the words "colonialism", "imperialism", "neo-colonialism" and "racism" had become an incantation and seemed to have a narcotic effect on some delegations.

31. In conclusion, she reiterated what the representative of the United Kingdom had said at the 2092nd meeting on 15 October 1974 of the Fourth Committee in the debate on Rhodesia: the Government of the United Kingdom accepted its particular responsibilities and would continue to play its full part in the attempt to promote a just and lasting settlement which would ensure the future of all Southern Rhodesia's people. She hoped that others would do the same.

32. Miss ILIĆ (Yugoslavia) said that her country's position on the question of the right of peoples under colonial and foreign domination to self-determination, freedom and independence had been constantly manifested through its full political, moral and material support to such peoples in their struggle to achieve those rights and through its opposition to the policies and practices that prevented those peoples from enjoying their basic human rights. Her country had always actively participated in all activities of

the United Nations and the non-aligned movement to eradicate colonialism, racism, *apartheid* and alien domination as major obstacles to the realization of the right of self-determination and independence of peoples under colonial and foreign oppression.

33. The process of the liberation of peoples was inevitable and, as a result of changes in Portugal, had recently received a new incentive. The accession of Guinea-Bissau to independence should mark the start of a new era in "colonial" Africa where the peoples of Mozambique and Angola and others would soon achieve full sovereignty over their territories and natural resources. Only then would the threat to peace constituted by the situation in southern Africa be permanently eliminated.

34. The restoration of the legitimate national rights of the Palestinian people was also an indispensable condition for the enjoyment of their inalienable rights, repeatedly confirmed by the General Assembly, and for the establishment of a just and lasting peace in the Middle East. Obviously if it were not for the military and economic co-operation of some Governments with existing unlawful régimes, in open disregard of United Nations resolutions calling for severance of all relations with such régimes, the process of liberation of countries and peoples under colonial and foreign oppression would already have been achieved.

35. The introductory statement by the Director of the Division of Human Rights on the subject under consideration (2081st meeting) and the reports by the Secretary-General presented to the General Assembly both at the twenty-eighth session³ and at the present session (A/9667 and Add.1) pursuant to resolutions 2955 (XXVII) and 3073 (XXVIII) were encouraging. Her delegation welcomed the appointment of special rapporteurs by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at the twenty-seventh session to undertake studies on the historical and current development of the rights of peoples to self-determination on the basis of the Charter of the United Nations and other instruments adopted by the United Nations organs, with particular reference to the promotion and protection of human rights and on the implementation of United Nations resolutions relating to the rights of peoples under colonial and foreign domination to self-determination. Such studies would help in further identifying and eliminating all obstacles to the realization of the rights of peoples to self-determination.

36. The Committee should give full attention to the responses from the specialized agencies and international institutions associated with the United Nations set forth in the Report of the Secretary-General submitted in accordance with paragraph 10 (a) of General Assembly resolution 3118 (XXVIII) (A/9638 and Add.1, Add.1/Corr.1 and Add.2-5) and to the measures taken by the Secretary-General to give effect to paragraph 10 (b) of the same resolution (A/9830). Particularly important were the decisions of those agencies to extend or increase the scope of their assistance to the liberation movements recognized by the Organization of African Unity and the League of Arab States, including the decision to consider simplifying procedure for requesting and providing such assistance and

³ A/9154.

the decision to extend to such national liberation movements invitations to attend the meetings of those agencies as observers when matters pertaining to the Territories in question were dealt with. However, in view of the difficulties sometimes encountered in the implementation of those decisions, the members of the executive bodies of those agencies should spare no effort to increase the scope and effectiveness of such assistance to the peoples under colonial and foreign domination and to the liberation movements.

37. Mr. AL-QAYSI (Iraq) said that the progress of the right of self-determination had not been easy because the imperialists had sought to prevent the liberation movements from gaining their countries' independence. The efforts of the developing countries, to deepen the roots of political independence and to complete their economic independence in terms of achieving a dignified life without external interference, and the struggle of the peoples still under imperialist rule, to achieve independence and the economic level already attained by other countries, were both cases with scope for the exercise of self-determination. In the first case, the State was preserved from foreign interests in every area and was able to ensure the security of its system and, in the second, the exercise of the right of self-determination would gain for those peoples their international status. Both types of effort were defined within the legal framework of duties and obligations without which the international system would fail. The Committee was dealing with the subject under consideration within a specific framework, which his delegation had defined during the twenty-eighth session at the 2017th meeting of the Third Committee. There were two main targets, namely, the recognition of the legitimacy of the right of self-determination and the exercise of the right as a means to obtain fundamental human rights. For people still under foreign domination, the right of self-determination was in accordance with the Charter of the United Nations.

38. Imperialism needed political and economic exploitation in order to exist and such exploitation could not continue without oppression and inequality. Therefore imperialists did not respect the human rights of those they exploited.

39. One recent negative example had been the veto exercised by three members of the Security Council regarding the decision endorsed by the majority of Member States to expel South Africa from the United Nations. The familiar pretexts for that action were unacceptable. As long as the conditions for the implementation of Article 6 of the Charter existed, then that Article should be implemented. The right of veto was a privilege accorded to five States which were permanent members of the Security Council and were thereby particularly responsible for preserving international peace and security and for protecting the obligations conferred by the Charter. By their misuse of the veto, the three States in question had not fulfilled their obligations under the Charter but had served illegitimate interests. Similarly, the pretext that Member States once outside the United Nations could not be affected by the pressure of the international community was unacceptable, since under the terms of Article 6 of the Charter there was nothing to prevent subsequent action to compel the Member State expelled to respect legality. The

pretexts offered for the veto were merely the excuses of the friends of the *apartheid* system. He quoted Article 1, paragraph 3, of the Charter, and reminded the Committee of the theory of dialogue propagated after the meeting of the Security Council at Addis Ababa in 1972, namely that there were indications of change within the *apartheid* system itself. He doubted the usefulness of waiting any longer for such change.

40. There had been positive developments in that Guinea-Bissau had achieved its independence and was now a Member of the United Nations, where it would soon be joined by Mozambique and Angola. He expressed appreciation and respect for the Government of Portugal for its recognition of the historical fact that victory was always on the side of the people struggling for their freedom. Another positive development had been the adoption of General Assembly resolution 3210 (XXIX) whereby the Palestine Liberation Organization, as the true representatives of the Palestinian people, had been invited to participate in the General Assembly discussion at plenary meetings on the question of Palestine. The Palestinian people was a people like any other with the right to self-determination after the deprivation it had suffered as the victim of imperialism and Zionism. That right would soon be strengthened by other measures.

41. His Government supported the liberation movements on the basis of its humanist policies and according to its principle that the Arab national revolutionary movements were part of the international revolutionary movement which should unite to eradicate racial discrimination and promote peace. Solidarity was required to eliminate all old and new forms of imperialism in order to achieve progress in all countries and readjust the balance of the international community, thereby strengthening international peace. His Government would spare no effort to see that all countries enjoyed basic human rights.

42. At the previous meeting of the Committee, the representative of Israel had offered some platitudes on the question of the self-determination of peoples. It had also alleged that the Iraqi Kurds were deprived of self-determination and that a policy of genocide was practised against them. The Kurds did not live only in Iraq, but also in four other States Members of the United Nations. With regard to the human rights aspect, the Kurds were a national minority in his country and Iraq reported on their rights to the competent bodies of the United Nations. Those bodies had never found that his Government had violated its obligations concerning human rights. Proof of that was to be found in the section of the report of the Committee on the Elimination of Racial Discrimination dealing with the examination of the second periodic report submitted by Iraq⁴ and in the summary record of the Committee meeting during which it was considered.⁵ Furthermore, the Working Group of the Sub-Commission on Prevention of Discrimination and Protection of Minorities had not found the communications relating to the alleged violations of the human rights of the Iraqi Kurds to be admissible. He asked the representative of Israel how her

⁴ See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 18*, paras. 104-107.

⁵ See CERD/C/SR.182.

Government accounted for its practices concerning the occupied Arab lands under discussion in the Special Political Committee or for the fact that her Government stood condemned by the United Nations. He asked her what her Government had done for the liberation movements in Africa or what she could say concerning the poor position of the oriental Jews in Israel. Only by extreme bias could the representative of Israel have dismissed at the previous meeting of the Committee the question of the rights of the Palestinian people as a political matter more appropriate for discussion in other forums of the United Nations. The enclave of Israel had been established through a violation of the rights of the Palestinian people. Israel was condemned by enlightened public opinion for its persistent violations of the Charter, and its allegations were merely an attempt to divert the attention of the world community from the problems caused by imperialism and colonialism whose concealed partner was zionism. However, the progress of the third world would not be stopped and the countries in Africa, Asia and Latin America, with whom his Government particularly identified, would no longer be swindled but would gain victory despite imperialism, colonialism, neo-colonialism and zionism. He wished in passing to assure the representative of the United Kingdom that he was not addicted to those terms, but that they had definite meaning.

43. In closing he offered the Committee a proverb: "People who live in glass houses should not throw stones."

44. The CHAIRMAN said that the general debate on item 55 had now ended.

45. Miss NURU (United Republic of Tanzania) apologized to the representative of the Upper Volta who had been one of the original sponsors of draft resolution A/C.3/L.2128, but whose name had been inadvertently omitted from the list.

46. She revised operative paragraph 4 by inserting the words "calls for" between the words "independence and" and "their immediate release", and revised operative paragraph 6 by replacing the final three words of that paragraph, "without undue delay", by the words "as soon as possible".

47. Mr. BAL (Mauritania) said that he was sure that the position adopted by the representative of Liberia at the previous meeting had been the result of a misunderstanding, since that country's attitude toward the liberation of African peoples, including the use of armed struggle, was well known. Moreover, at a meeting of the African Liberation Committee of the Organization of African Unity at Mogadiscio in January 1974, the representative of Liberia had made a large financial contribution to the liberation movements.

48. While he understood the concern of the United Kingdom representative with regard to her country's relations with Southern Rhodesia, he thought that she might also have mentioned countries still under United Kingdom rule in Oceania and the Pacific. As far as Southern Rhodesia was concerned, the United Kingdom had never condemned the Smith régime outright. If ever such a motion of censure were to be brought, his delegation would be on the side of reason.

49. Mr. THOMAS (Liberia) expressed his appreciation of the statement made by the representative of Mauritania concerning Liberia's position. It was his Government's policy to support complete freedom for all peoples and to oppose any violation of human rights. Since the previous meeting, he had reviewed General Assembly resolutions adopted at the twenty-eighth session and had found that operative paragraph 3 of draft resolution A/C.3/L.2128, to which his comment had related, was almost a replica of a paragraph in a resolution already adopted. He therefore withdrew his statement made at the previous meeting and said he would support the draft resolution.

50. Mr. HSING Sung-yi (China) said that his delegation would vote in favour of draft resolution A/C.3/L.2128. The Chinese people had realized from their own experience that moribund colonialism relied on armed force to wage a last-ditch struggle and that without the victory of the armed struggle of the colonial peoples, colonialism would not disappear. Armed struggle was therefore the basic means that colonial peoples used in their fight for the right to genuine independence and national self-determination. The use of other forms of struggle was not, of course, ruled out. The draft resolution manifested the just demand and strong determination of the third world countries and peoples to fight against oppression and enslavement by imperialism, colonialism, neo-colonialism, racism and zionism and for self-determination and independence.

51. His delegation was pleased to note that historic progress had been made recently in the national independence movement in southern Africa. Through prolonged armed struggle, the people of Guinea-Bissau had attained independence, and, under pressure of the people, the Portuguese Government had recognized the right to independence of the peoples in its colonies. However, the decolonization process in the Portuguese colonies was far from complete, the vigilance must be maintained at a high level against the disruptive activities and deceptive tricks of imperialism, colonialism, neo-colonialism and hegemonism. Vice-President Santos of Frente de Libertação de Moçambique (FRELIMO) had recently reaffirmed the importance of armed struggle. China believed that so long as the colonial peoples strengthened their unity and maintained vigilance, they would surely surmount all difficulties and win final victory.

52. Mr. CRESPO (Portugal) reaffirmed the belief of his Government that the principle of self-determination was an inalienable right of all countries and peoples. Accordingly, Portugal was doing its best to speed the process of self-determination and independence of the African peoples of Mozambique, Angola, São Tomé and Príncipe and Cape Verde. It supported the drive for self-determination of other peoples under colonial and foreign domination.

53. His delegation supported most of the contents of draft resolution A/C.3/L.2128. It took note with satisfaction of the paragraphs which recognized what had been achieved in Portugal. However, in the light of that recognition, his delegation felt that operative paragraph 6 was not very appropriate. He therefore wished to inform the Committee about some of the more recent developments in the Territories under Portuguese administration.

54. In Angola, a complete cease-fire had been reached with the three liberation movements, and they had opened offices and were freely pursuing their political activities. The Portuguese Government was actively negotiating with them with a view to the formation of a transitional government that would lead the country to independence. In São Tomé and Príncipe, talks had taken place between the Government of Portugal and the Movimento de Liberdade de São Tomé and Príncipe, and another meeting would take place in the near future to make the final arrangements for the constitution of a provisional Government that would lead to independence there. In Cape Verde representatives of Partido Africano da Independência da Guiné e Cabo Verde (PAIGC) were establishing party offices, and the process of self-determination and independence would take place in complete accordance with the Algiers agreement between Portugal and PAIGC signed on 26 August 1974.

55. The main objective of the Government of Portugal was to reach the goal it had set itself of granting self-determination and independence to the peoples under its administration as soon as possible. In doing so it considered that the process of decolonization must be pursued in conditions of peace and in such a way that lasting peace and well-being would be firmly established.

56. His delegation therefore considered that operative paragraph 6 of draft resolution A/C.3/L.2128 was very harsh towards the Government of Portugal and it called for a separate vote on that paragraph. With regard to operative paragraph 8, he pointed out that NATO as such had no relations with the racist régimes of southern Africa.

57. Mrs. SHAHANI (Philippines) said that her delegation would support draft resolution A/C.3/L.2128, the terms of which were in keeping with her Government's policy in respect of the territories of southern Africa and the right of the Palestinian people to self-determination. She welcomed the change that had taken place in Portugal's colonial policies. Her Government's position with regard to *apartheid* was well known and in the Credentials Committee her delegation had voted against recognition of the credentials of the South African delegation in voting in favour of the draft resolution before that Committee.⁶

58. Mr. SHUKE (Albania) said that the people of Albania had followed closely the struggle of oppressed peoples for self-determination, national liberation and independence. His Government pursued a policy of principle in that regard: it had always supported and would continue to support the just struggle of such peoples to throw off the yoke of colonial domination. Consistent with that policy, his delegation would vote in favour of draft resolution A/C.3/L.2128.

59. He emphasized that the colonialists would not renounce their policies voluntarily. The oppressed people had therefore rightly chosen the path of armed struggle as the only means of achieving national liberation. Referring to the fourth preambular paragraph and operative paragraphs 5 and 6, he pointed out that the essential prerequisite for the

realization of self-determination in the Portuguese Territories was the resolute struggle of the peoples of those Territories. In that connexion, he welcomed the successes achieved by the people of Guinea-Bissau.

60. Mr. ARIZAGA (Ecuador) said that his delegation would vote in favour of draft resolution A/C.3/L.2128 as a whole. However, it had certain reservations with regard to two of the operative paragraphs. It felt that the phrase "including armed struggle" in paragraph 3 should be deleted, since the use of the words "by all available means" was sufficiently explicit. Similarly, in paragraph 7, the phrase "notably the peoples of Africa and the Palestinian people" should be deleted. If a vote was taken paragraph by paragraph, his delegation would abstain on the two paragraphs to which he had referred.

61. Mr. RICHARD (United Kingdom) observed that the amendment proposed by the representative of the United Republic of Tanzania to operative paragraph 6 hardened rather than softened the terms of that paragraph. He suggested that the word "*Urges*" should be replaced by "*Calls upon*" and the phrase "without undue delay" by "with all appropriate speed". He felt that those amendments might solve some of the difficulties of the Portuguese delegation.

62. Mr. SPEEKENBRINK (Netherlands) recalled that the Netherlands Government, in its commentary on General Assembly resolution 3070 (XXVIII) in the Report of the Secretary-General (A/9667), had drawn attention to the close relationship between the right of peoples to self-determination and the promotion and protection of human rights and fundamental freedoms. By virtue of the right of self-determination, which was reaffirmed in the Charter of the United Nations and the International Human Rights Covenants, all peoples should be able freely to determine their political status and pursue their economic, social and cultural development.

63. His delegation considered draft resolution A/C.3/L.2128 to be lacking as far as recognition of the essential connexion between the right of self-determination and the protection of human rights and fundamental freedoms was concerned. Some of the operative paragraphs of the draft contained elements which his delegation could not support. If a vote were taken by paragraph on the operative part, his delegation's vote would be based on the merits of each paragraph. His delegation could, however, support the preamble, although it would have to abstain if a separate vote were taken on the first preambular paragraph because it referred to General Assembly resolution 2621 (XXV), on which his delegation had abstained.

64. His delegation was unable to support operative paragraph 2, since it contained no stipulation that the forms of assistance called for should be given in conformity with the Charter. The terms of operative paragraph 3, which endorsed the legitimacy of the struggle for liberation by all available means, including armed struggle, were equally unacceptable, being at variance with the Charter. His delegation would vote for the deletion of the phrase "including armed struggle" if a separate vote were taken.

⁶ See *Official Records of the General Assembly, Twenty-ninth Session, Annexes, agenda item 3, document A/9779.*

65. His delegation considered that operative paragraph 7 contained elements on which the Committee was not qualified to pass judgement and which would have to be decided upon in the forthcoming debate in the plenary General Assembly. The fact that his delegation would abstain if a separate vote were taken on that paragraph should not be interpreted as indicating a position on the substance of the problem with which it dealt. Operative paragraph 8 contained the implication that NATO maintained a variety of contacts with the racist régimes of southern Africa. The implication must be rejected. Similarly, the suggestion that the maintenance of political relations with the racist régimes of southern Africa encouraged those régimes to persist in their policies was unfounded. On the contrary, his delegation was convinced that the improvement of the situation in southern Africa would be best served by the maintenance of such political relations. His delegation could not endorse the selective tone of operative paragraphs 8 and 9. Its position with regard to the question of the severance of links with the racist régimes of South Africa and Southern Rhodesia had been clearly stated in the Special Political Committee and the Fourth Committee.

66. As a result of the above-mentioned considerations, his delegation would have to abstain in the vote on the operative part of the draft resolution.

67. Mrs. WARZAZI (Morocco) suggested that the Committee should proceed to a vote on the draft resolution.

68. Miss NURU (United Republic of Tanzania) said that she had consulted some of the sponsors of the draft resolution and none had expressed any objection to the amendment to operative paragraph 6 proposed by the representative of the United Kingdom.

69. Mrs. FAKOTOFIRINGA (Madagascar), speaking on a point of order, pointed out that the representative of the United Republic of Tanzania had not spoken on behalf of all the sponsors of the draft resolution. Her own delegation, for one, preferred not to amend paragraph 6 as currently worded.

70. Miss NURU (United Republic of Tanzania) said that in the time available she had been unable to consult all the sponsors of the draft resolution. She hoped that the representative of Madagascar would be able to accept the amendment proposed by the United Kingdom.

71. Mrs. RAKOTOFIRINGA (Madagascar) said that she would have to consult the head of her delegation before accepting any amendment to operative paragraph 6, since her instructions had been to maintain the original wording.

72. Mrs. WARZAZI (Morocco) suggested that the representative of Portugal should be asked if the amendment was acceptable to him; if it was not, then her delegation would support the retention of the original wording.

73. Mr. MADDY (Guinea) said that the original wording of operative paragraph 6 should be retained.

74. Mr. CRESPO (Portugal) said that he would be obliged to abstain in a vote on operative paragraph 6 as originally

worded, but if it was amended in accordance with the United Kingdom's proposal, he would vote in favour of it.

75. Mr. RIOS (Panama) said that he understood the desire of some members to take a vote on the draft resolution at the current meeting but, while not wishing to make a formal proposal, his delegation would be pleased if the voting could be deferred until the following meeting so that the sponsors could have time to consult.

76. Mr. EVANS (Australia) endorsed the suggestion of the representative of Panama.

77. Miss DUBRA (Uruguay) said her delegation would request a separate vote on operative paragraphs 3, 8 and 9 of the draft resolution.

78. Mrs. WARZAZI (Morocco) was pleased to note that the representative of Portugal would be able to vote for operative paragraph 6 if it was amended, but she also appreciated the position of the representative of Madagascar. If the latter was unable to proceed without further instructions, perhaps the vote should be postponed.

79. Mr. TRAVERT (France) agreed with the Moroccan representative's suggestion. The amendment put forward by the representative of the United Kingdom had been a compromise which he was sure the sponsors would understand.

80. Mr. GHAUSSY (Afghanistan), supported by Mr. LEHTIHET (Algeria), said that in view of the many separate votes which would be requested on different paragraphs, he too thought the voting should be deferred until the following meeting.

81. The CHAIRMAN said it appeared to be the feeling of the Committee that the vote should be taken at the following meeting.

82. Miss HARELI (Israel), speaking in exercise of the right of reply, said that the statement by the representative of Iraq had simply been a repetition of the distortion of truth and history which had been put forward in former years and which was responsible for the conflict in the Middle East. With reference to the Iraqi Kurds, the persistent reports which her Government had received gave the lie to the statement made by the representative of Iraq. As for the "Israeli practices" currently being discussed in the United Nations, the so-called findings of the so-called Tripartite Committee⁷ were based on fabrications and unreliable witnesses. The Tripartite Committee was in fact made up of three individuals who were all on the same side.

83. Her Government had helped many countries both before and after their accession to independence. It had set an example of international co-operation and would continue to do so. It had voted for the admission to the United Nations of the African countries, even those of the Arab League which it had known would rank among its enemies.

84. The Jews were one people, no matter what part of the world they came from and national unity was stronger than

⁷ Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

ever. It followed that the oriental Jews had an equal place in her country.

85. Her Government's view on the Middle East conflict could be found in the statement made by Israel's Minister for Foreign Affairs at the 2255th plenary meeting of the General Assembly on 3 October 1974.

86. Miss NURU (United Republic of Tanzania) said with reference to the statement by the representative of the United Kingdom that the practices of colonialism, imperialism, neo-colonialism and racism were condemnable by any standards and no people could enjoy human rights under any of those régimes. They must be condemned until they had been eliminated.

87. The Government of the United Kingdom had told the world that the rebels of Southern Rhodesia would be brought to their knees in weeks, yet 10 years had passed since it had made that statement. If the United Kingdom had been sincere in its efforts to find a solution to the problem of Southern Rhodesia, it could have done so by now. After all, it had wasted no time in crushing the rebels of Anguilla, and she failed to see why it had treated the Smith régime differently. She reiterated her delegation's disappointment at the United Kingdom's handling of the Southern Rhodesia question, which had had the effect of denying the indigenous people their fundamental rights and freedoms.

88. Mrs. WARZAZI (Morocco) expressed regret at the television interview broadcast the previous day on an American television channel in which certain individuals had publicly declared their intention to assassinate the head of the Palestinian delegation, who was scheduled to address the General Assembly according to the majority decision of that body. In any other country, such a threat of assassination would lead to arrest. She doubted that Members of the United Nations could be sure of their lives in New York when a recognized delegation was thus openly threatened. If the principles of democracy were invoked in defence of that declaration of intent to commit an assassination, she would refer the Committee to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106A (XX), annex); she hoped the United States Government would make the appropriate distinction between democracy and a violation of the principles laid down in such international instruments. She further hoped that there would be no repetition of the unpleasant incident to which she had referred.

89. Mr. AL-QAYSI (Iraq), speaking in exercise of the right of reply, said that it was not the Arabs but the Zionists who had distorted the history of Palestine. Zionism had become entrenched in Palestine through the distortion of history but the Zionists would not admit that fact. The representative of Israel had stated that she did not wish to discuss the problem of the Kurds but it was she who had introduced the subject. Israel might co-operate with African countries which had gained independence, but it had never

assisted the liberation movements or voted in favour of granting them observer status at the United Nations. As to the question of the oriental Jews in Israel, quotations from articles which had appeared in *The New York Times* on 15 June 1971, 16 August 1972 and 12 November 1974 all pointed to the disunity of the Jewish population. The Israeli representative had made allegations about Arab terrorism, but terrorism had been unknown in the Arab countries until it had been introduced by the Zionists. He wished to remind the Israeli delegation that the first acts of terror had been perpetrated by Zionist organizations. That could be proved by an Israeli source; the article "That can happen only in Israel" concerning terrorization and discrimination against Iraqi Jews, which had appeared in the weekly *Holam Hazeh* in Tel Aviv on 27 April 1966. Other examples of Zionist terrorism could be cited. However, the tide of history could not be reversed and despite Zionist propaganda, zionism would perish.

90. Mr. ALFONSO (Cuba), speaking in exercise of the right of reply, said that he wished to make it clear to the representative of Israel that the remarks he had made in his earlier statement concerning Israeli policies in the occupied Arab territories had been based on an official statement made by the Israeli Minister of Defence, Mr. Shimon Peres, on 4 August 1974.

91. Referring to the statement made by the representative of the United Kingdom, he pointed out that his delegation had not invented the terms "colonialism", neo-colonialism", "imperialism" and "racism". As long as those practices continued to exist, it was necessary to call them by their proper names.

92. Miss HARELI (Israel) said that she questioned the credentials of any country which could publicly hang Jews in the central square of its capital, as Iraq had done.

93. Mr. AR-QAYSI (Iraq) said that the representative of Israel had made the same remark to the Committee three years earlier and his answer was on record. He questioned the credentials of her delegation, since she as a Zionist claimed to speak on behalf of the Jews of the world. Some Jews did not accept the Zionists as their representatives: in that connexion he quoted excerpts from a publication by the United States branch of the Guardians of the Holy City and other publications in which the writers gave examples of Zionist treachery during the Nazi holocaust. Furthermore, Zionist terrorist groups had undermined the position of Jews in many countries in order to uproot them and thus encourage their immigration into Israel. The Zionists had not been elected or appointed by the majority of Jews to represent all Jews. According to the Bible and to Jewish belief, the Jews had been chosen by the creator of the universe to serve him in a special way and thereby to serve all mankind. They had not been chosen to rule over other peoples. He asked how far Israel had served the people of Palestine.

The meeting rose at 1.50 p.m.

2089th meeting

Wednesday, 13 November 1974, at 10.35 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2089

AGENDA ITEM 55

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (*continued*) (A/9638 and Add.1, Add.1/Corr.1 and Add.2-5, A/9667 and Add.1, A/9830, A/C.3/L.2128/Rev.1)

1. The CHAIRMAN suggested that, as delegations would wish to attend the plenary meeting of the General Assembly (2282nd plenary meeting) in order to hear the statement by the leader of the Palestine Liberation Organization, the vote on the draft resolution (A/C.3/L.2128/Rev.1) before the Committee should be postponed, since the present meeting of the Committee would be very short. Representatives who wished to explain their votes before the vote might do so.

It was so decided.

2. Mrs. RAKOTOFIRINGA (Madagascar) said that she had received instructions from her Government with regard to the oral amendment to operative paragraph 6 of the draft resolution proposed by the representative of the United Kingdom at the previous meeting. The original wording of the paragraph had been accepted by all the sponsoring delegations until one delegation had said that since it was unable to accept it, it must request a separate vote and abstain on that paragraph. To make the wording acceptable

to that delegation, the representative of the United Kingdom had proposed the deletion of the word "*instamment*". according to the French interpretation. In the view of the Malagasy delegation and that of Guinea, the deletion of that word from the original text would detract from the purport of the paragraph, the wording of which had been carefully drafted in order to be both as moderate as possible and in line with reality. She therefore wished to retain the original wording.

3. The CHAIRMAN suggested that the meeting might be suspended until the leader of the Palestine Liberation Organization had made his statement in the plenary meeting of the General Assembly.

4. After some discussion, in which Lady GAITSKELL (United Kingdom), Mr. GHAUSSY (Afghanistan), Mrs. HEANEY (Ireland), Mr. RAZA (Pakistan), Mr. CHEOK (Singapore) and Mr. EVANS (Australia) took part, Mrs. WARZAZI (Morocco) proposed the adjournment of the meeting.

5. Under rule 76 of the rules of procedure of the General Assembly, the CHAIRMAN put the motion of adjournment to the vote.

The motion of adjournment was adopted by 56 votes to none, with 2 abstentions.

The meeting rose at 10.50 a.m.

2090th meeting

Thursday, 14 November 1974, at 3.25 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2090

AGENDA ITEM 55

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (*concluded*) (A/9638 and Add.1, Add.1/Corr.1 and Add.2-5, A/9667 and Add.1, A/9830, A/C.3/L.2128/Rev.1)

1. The CHAIRMAN announced that Bangladesh, Liberia and Congo had joined in sponsoring draft resolution A/C.3/L.2128/Rev.1. At the request of one delegation, a

separate vote would first be taken on operative paragraphs 3, 8 and 9 of that text.

2. Mr. BADAWI (Egypt) said that it would be wiser to defer the vote since the sponsors were still engaged in consultations on possible changes to be made in the draft.

3. Mr. MACRAE (United Kingdom) reminded the Committee that a separate vote had also been requested on operative paragraph 6. He understood that the sponsors had produced results in their consultations, and those results should be communicated to the Committee.

4. Miss NURU (United Republic of Tanzania) suggested that the Committee proceed immediately to consider the question of the protection of journalists engaged in dangerous missions in areas of armed conflict while waiting for the sponsors to terminate their consultations.

5. Mrs. WARZAZI (Morocco) did not think it advisable to go from one item to another in that way and moved that the meeting be suspended to enable the sponsors to complete their consultations.

The meeting was suspended at 3.35 p.m. and resumed at 3.45 p.m.

6. Miss NURU (United Republic of Tanzania) said that as a result of their consultations, the sponsors had decided to amend operative paragraph 6 to read as follows:

“6. *Urges* the Government of Portugal to continue to ensure that the process of decolonization which will enable peoples still under its colonial administration to achieve self-determination and independence be accomplished without delay;”.

7. The CHAIRMAN requested the members of the Committee to vote on operative paragraphs 3, 8 and 9 of draft resolution A/C.3/L.2128/Rev.1.

Paragraph 3 was adopted by 73 votes to 10, with 18 abstentions.

Paragraph 8 was adopted by 73 votes to 9, with 20 abstentions.

Paragraph 9 was adopted by 76 votes to 8, with 21 abstentions.

At the request of the representative of Cuba, a vote was taken by roll-call on draft resolution A/C.3/L.2128/Rev.1 as a whole as orally amended.

The German Democratic Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Argentina, Australia, Bahrain, Bangladesh, Barbados, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia.

Against: Israel.

Abstaining: Germany (Federal Republic of), Iceland, Ireland, Italy, Japan, Malawi, Netherlands, Norway, Swaziland, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Austria, Belgium, Canada, Denmark, El Salvador, Finland, France.

Draft resolution A/C.3/L.2128/Rev.1 as a whole, as orally amended, was adopted by 104 votes to 1, with 19 abstentions.

8. Mr. BADAWI (Egypt) said that if he had been present during the separate votes on paragraphs 3, 8 and 9 of the draft resolution he would have voted for them.

9. Mr. DURAN (Chile) said that his votes in favour of the draft resolution reflected the desire of his Government and people to align themselves with the peoples fighting for their freedom and independence. It seemed incredible that there were still countries today subjected to colonial and foreign domination. National independence and sovereignty were essential prerequisites for the exercise of human rights. The countries which had voted for the draft resolution had obviously not all been motivated by the same considerations, but their objective was the same, namely, to condemn the inhuman and degrading treatment inflicted on peoples still under colonial and foreign domination and alien subjugation, because of their struggle for self-determination and independence, and to reaffirm the legitimacy of their struggle to liberate themselves from that domination and subjugation. Many oppressed peoples, for instance those of Hungary, Czechoslovakia and the Baltic countries had often raised their voices in the United Nations, and the Organization, despite the opposition of certain Powers, had taken steps to remedy the situation of a number of countries under foreign domination. Chile would continue to assist all those struggling to regain their sovereignty. That was why he had voted for the draft resolution as a whole. However, he had abstained on operative paragraphs 8 and 9 because he considered that they jeopardized the principle of national sovereignty guaranteed to all States under the Charter.

10. Mr. SUNDBERG (Sweden), explaining the votes of Sweden, Norway, Denmark, Iceland and Finland, said that although some of the questions dealt with in the draft resolution were primarily covered by other committees and would shortly be considered by the General Assembly in the plenary, they had become so urgent that the Nordic countries had not wished to refrain from dealing with their substance in the Third Committee as well. The Nordic countries had always had a keen interest in the realization of the right of peoples to self-determination and independence and agreed with the aspirations expressed in the draft resolution. However, they had certain reservations on some of its provisions. With regard to the sixth preambular paragraph, they considered it important to leave open all possibilities which might lead to a formula which would be acceptable to the majority of the people of Southern Rhodesia. They further considered that the United Nations should not legitimize the use of violence, which was advocated in operative paragraph 3 and was contrary to the provisions and spirit of the Charter.

11. If a separate vote had been taken on operative paragraph 7, the Nordic delegations—with the exception of Finland, which would have voted for the paragraph—would have abstained, because the question of Palestine was currently being discussed by the General Assembly. They had abstained on operative paragraph 8 for the same reason, and on operative paragraph 9 because they considered its provisions to go beyond the competence of the Third Committee. The delegations of the Nordic countries had therefore abstained on the resolution as a whole, but that in no way altered their policy with regard to the granting of self-determination and independence to colonial countries and peoples, as repeatedly expressed by the Foreign Ministers of the Nordic countries, and most recently at their meeting in Reykjavik in August 1974.
12. Mr. FIRN (New Zealand) said that his delegation had voted in favour of draft resolution A/C.3/L.2128/Rev.1 although it had strong reservations concerning some sections of the text, particularly operative paragraph 3. His country had consistently opposed resort to violence and armed force for the purposes outlined in the resolution. By referring to the complex problem of Palestine in operative paragraph 7, the Committee was prejudging the result of the discussions on the question of Palestine which were currently taking place in the General Assembly. His Government also had reservations about operative paragraphs 8 and 9 for reasons that were well known. With regard to the sixth preambular paragraph, his Government believed that as matters stood, the possibility of the Smith régime participating in a constitutional conference of the kind regularly recommended by the General Assembly should not be altogether excluded. Furthermore, with regard to operative paragraph 4, it supported the call for the release of persons detained as a result of their struggle for self-determination and independence only inasmuch as it applied to persons detained solely for such reasons.
13. Mr. MACRAE (United Kingdom) said that his country's position on the question of self-determination had been clearly explained in his delegation's statement at the 2088th meeting. His delegation had abstained on the draft resolution because it entertained serious reservations about it, including the sixth preambular paragraph: the illegal régime should participate in the negotiations on the independence of Southern Rhodesia. His delegation had voted against paragraph 3 and against paragraph 8 because it considered that the activities of the North Atlantic Treaty Organization (NATO) were not within the competence of the Committee. It had voted against paragraph 9 because it did not believe isolation and boycott would achieve the desired results, and would have abstained on paragraph 7 had a separate vote been taken, because the matter to which it referred was currently under consideration by the General Assembly in plenary meetings.
14. Mr. SIGWANE (Swaziland) said that his delegation had abstained in the vote on the draft resolution as a whole, but wished to change its vote in order to express its sympathy with peoples subjected to colonial domination. His delegation therefore voted for the draft resolution as a whole, although it had serious reservations regarding operative paragraph 3, since it had always been opposed to violence.
15. Miss CAO-PINNA (Italy) said that the draft resolution which had just been approved (A/C.3/L.2128/Rev.1) gave her an opportunity to reiterate her country's firm attachment to the principle of the right of peoples to self-determination, as set forth in Article 1 of the Charter. She hoped that the adoption of the resolution would help to accelerate the process of decolonization. However, her delegation had been unable to vote in favour of operative paragraph 3, which, in its view, departed from the fundamental principle on which the Organization was based, namely, the rejection of the use of force. It had voted against operative paragraph 8 because it felt bound to reject, as it had often done in the past, the accusations made against members of NATO, a defensive organization the aims of which had no connexion with the struggle that colonial peoples were waging in their territories. Her delegation had been unable to vote in favour of operative paragraph 9 because it referred to action which clearly fell under Chapter VII of the Charter.
16. In view of its reservations concerning those paragraphs, her delegation had abstained in the vote on the draft resolution as a whole.
17. Mr. EVANS (Australia) said that his delegation had voted in favour of the draft resolution as a whole because his country attached great importance to the granting of independence to colonial countries and peoples. It had abstained, however, on operative paragraph 3 because, while understanding that peoples struggling for freedom were sometimes tempted to resort to violence, it could not agree that the United Nations should encourage them to do so. It had also abstained on operative paragraphs 8 and 9 in the belief that the NATO countries should not be singled out for condemnation and that the measures which were advocated did not fall within the competence of the Committee. If a separate vote had been taken on operative paragraph 7, his delegation would have abstained, since the question of Palestine was currently under consideration in other bodies, namely, in the Security Council and in plenary meetings of the General Assembly, and it was not the business of the Committee to prejudge the result of those discussions.
18. Mrs. DE BARISH (Costa Rica) observed that her delegation had voted for draft resolution A/C.3/L.2128/Rev.1 as a whole, despite a number of reservations, in order to express its support for the right of all peoples still subjected to colonial domination to self-determination and sovereignty. In conformity with operative paragraph 2 of the draft resolution, her country would offer such peoples food and medical, technical and cultural assistance, but not military aid, thus acting in the spirit of the purposes of the Charter. Her delegation had been unable to vote in favour of operative paragraph 3, because of the reservations it had earlier expressed concerning the words "by all available means, including armed struggle". If a separate vote had been taken on operative paragraph 7, her delegation would have abstained, because that paragraph was selective, whereas General Assembly resolution 1514 (XV) applied to all colonial peoples. Furthermore, that paragraph raised a question which did not fall within the competence of the Committee and was currently being considered by the General Assembly in plenary meetings. Her delegation had abstained in the vote on operative paragraphs 8 and 9 for reasons which it had already explained.

19. Mr. VELA (Guatemala) said that he had voted in favour of the draft resolution because he supported its spirit. He had none the less abstained in the vote on operative paragraph 3 because he would have preferred to delete from it the phrase "including armed struggle", since the United Nations should not directly or indirectly encourage actions which were contrary to the spirit of the Charter. He had also been obliged to abstain on operative paragraphs 8 and 9, because they condemned activities, particularly sporting activities, which in his opinion contributed to understanding and solidarity among peoples. His delegation would have abstained, for the same reasons as other delegations, if a separate vote had been taken on operative paragraph 7. Those reservations, however, in no way altered his Government's deep convictions.

20. Mr. TRAVERT (France) said that his delegation had abstained on the draft resolution as a whole, which did not mean that it disapproved of all its parts. It had voted against operative paragraph 3, the wording of which seemed to condone, if not to sanction, actions which it could not support, since the end did not justify all means. His delegation could likewise not support operative paragraph 8, which contained tendentious judgements on certain NATO countries and took no account of their total opposition to the policy of *apartheid*. Operative paragraph 9 manifestly constituted interference in the conduct of States' internal affairs. His delegation was of the opinion that to ostracize South Africa would be a spectacular gesture, but one of questionable value from the point of view of the interests of the population subject to *apartheid*, and could only serve to strengthen the supporters of *apartheid*.

21. Mrs. HEANEY (Ireland) said that her country, itself a historic victim of colonialism, had always supported the inalienable right of all peoples to self-determination and full independence for their national territories. She therefore fully understood the concern of the sponsors of draft resolution A/C.3/L.2128/Rev.1, which contained many constructive elements. She had, however, found it necessary to abstain in the vote on operative paragraphs 3, 8 and 9, and since those paragraphs dealt with questions of fundamental importance, she had abstained on the draft resolution as a whole. Her delegation would have preferred the words "by all available means, including armed struggle" in paragraph 3 to have been deleted, since they were incompatible with the principles of the Charter of the United Nations which advocated the use of "peaceful means". Paragraphs 8 and 9 seemed to call for the total isolation of South Africa and Southern Rhodesia, without taking into account the differences which existed between the two régimes on the juridical plane and within the United Nations system, and to prejudice the results of such action. Ireland was not a member of NATO nor did it have diplomatic relations with South Africa; it strictly observed the sanctions against Southern Rhodesia and had even made its official disapproval felt in certain spheres usually reserved to private groups in a free society, in the interest, for example, of upholding the Olympic principle in sport. In any event, her delegation considered that the issues raised in paragraphs 8 and 9 did not fall within the competence of the Committee.

22. Miss VOLLMAR (Federal Republic of Germany) said that if a separate vote had been taken on operative paragraph 2 of the draft resolution, her delegation would have abstained: that paragraph should have indicated that the moral, material and other forms of assistance to be offered to peoples still subject to foreign domination should be granted in conformity with the provisions of the Charter of the United Nations. In accordance with the principles of the Charter, the Federal Republic of Germany had renounced the use of force, and could therefore not lend its support to it; for that reason it had voted against operative paragraph 3. It supported operative paragraph 4, and moreover had publicly urged the South African Government to free all political prisoners, but that paragraph should not be construed as calling for the release of persons who had committed acts of violence against innocent people. If a separate vote had been taken on operative paragraph 7, her delegation would have abstained since it endorsed the right to self-determination and independence of all peoples without distinction. It had voted against operative paragraph 8 for the reasons adduced at the 2071st meeting during the explanation of vote on the draft resolution entitled "Human rights and fundamental freedoms", later adopted by the General Assembly as resolution 3222 (XXIX). It had also voted against operative paragraph 9, since the proposals it contained might have adverse consequences for the South African people as a whole.

23. In spite of those reservations, her delegation was in agreement with the aims of the draft resolution, which were to assist peoples who were struggling for independence and self-determination, but it did not believe that any and every means could be used to that end. It had therefore abstained on the draft resolution as a whole.

24. Miss HARELI (Israel) pointed out that, in its statement at the 2087th meeting, her delegation had clearly expressed its support for the right of peoples to self-determination. It had voted against the draft resolution because operative paragraph 7 and some other phrases referred to problems which had no place in a draft resolution dealing, as its title indicated, with "colonial countries and peoples".

25. Mr. NOTHOMB (Belgium) said that his country fully appreciated the aspirations of peoples who were struggling against foreign domination, but categorically rejected the use of force, which was contrary to the Charter. It was therefore unable to accept operative paragraph 3 and had reservations regarding operative paragraph 2, in so far as it did not exclude military assistance. Moreover, it had reservations with respect to operative paragraph 7 which made mention of the Palestinian people. His delegation could not express a political opinion in a Committee which dealt with social and humanitarian questions and could not prejudice the outcome of the discussions which had just opened in the General Assembly. It objected to the reference to NATO in operative paragraph 8, since that organization had nothing to do with the tragic situation in southern Africa. Despite its utter abhorrence of *apartheid*, his delegation had voted against operative paragraph 9, since the complete severance of relations with South Africa would not induce it to change its policy. His delegation had abstained in the vote on the draft resolution as a whole; it would have voted against operative paragraphs 3 and 8 had

it been present when they were put to the vote and would have abstained if separate votes had been taken on operative paragraphs 2 and 7.

26. Miss DUBRA (Uruguay) said that she subscribed to operative paragraph 2 of the draft resolution on the understanding that the assistance to which it referred would be granted in conformity with the Charter. She had abstained in the vote on operative paragraph 3, because armed struggle was unacceptable to Uruguay with its long tradition of pacifism. Moreover, operative paragraphs 8 and 9 were incompatible with the principles of non-intervention in the domestic affairs of States.

27. Mr. CEDE (Austria) said that his Government had consistently supported the right of peoples to self-determination and subscribed to the objectives of the draft resolution. However, it had been obliged to abstain in the vote on the resolution as a whole, since it had reservations on it. For reasons of principle, it could not endorse operative paragraph 3 and had therefore abstained on it; with regard to operative paragraphs 8 and 9, his Government did not believe that a complete break with South Africa was the best way of achieving the goals sought.

28. Mrs. MASSON (Canada) said that she appreciated and supported the spirit of the draft resolution, namely, the idea of the attainment of the right of all peoples to self-determination and independence. She had, however, abstained in the vote because she had serious reservations about the text. Operative paragraph 3, which mentioned armed struggle, ran counter to the spirit of the Charter. As it had already done at the 2070th meeting in the vote on the draft resolution which was later adopted by the General Assembly as resolution 3222 (XXIX) and which had contained a similar paragraph, her delegation had voted against operative paragraph 8, which it considered inappropriate; it objected to the reference to NATO, a defensive organization in no way connected with South Africa. It had abstained on operative paragraph 9, since it did not believe that severing all relations with South Africa would lead the Government of that country to abandon its policy of *apartheid* and oppression; continued contacts, on the other hand, would allow pressure to be exerted on it. If a separate vote had been taken on operative paragraph 7, she would have been unable to vote in favour of it, since it prejudged the outcome of the deliberations taking place in the General Assembly.

29. Mr. KANKA (Czechoslovakia) said that he had voted in favour of draft resolution A/C.3/L.2128/Rev.1 because Czechoslovakia always stood with oppressed peoples and gave active support to the struggle of peoples for independence.

30. Exercising his right of reply, he rejected the slanderous allegations of the representative of the Chilean régime; bearing in mind the resolution relating to violations of human rights in Chile recently adopted by the General Assembly (resolution 3219 (XXIX)), the representative in question would do better to consider the situation in his own country.

31. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that he had voted without reservation in favour of the

draft resolution as a whole and of all the paragraphs on which a separate vote had been taken. The document which had just been approved confirmed the inalienable right of all peoples still under the colonial yoke to self-determination and independence, in accordance with the Declaration in General Assembly resolution 1514 (XV). His delegation gave its full support to those peoples in all areas. It had voted in favour of operative paragraphs 8 and 9 which condemned the policies of the members of NATO which encouraged racist régimes and called upon them to sever all links with South Africa and Southern Rhodesia.

32. His delegation considered itself in duty bound to reject categorically the slanderous attacks by the agent of the Chilean *junta*, who had abstained in the vote on the main paragraphs of the draft resolution. It denounced the hypocrisy of those attacks, made as they were at a time when in Chile itself the *junta* was depriving the Chilean people of the right to have the government of their choice.

33. Mr. IGUCHI (Japan) said that he had abstained in the vote. He could have subscribed to some of the paragraphs, since Japan favoured the speedy granting of independence to colonial countries and peoples, but on condition that it was achieved through peaceful means, in accordance with the Charter. Having said that, the Fourth Committee would be a more appropriate body than the Third Committee to decide on the methods to be used. His delegation had abstained in the vote on operative paragraphs 3, 8 and 9, which contained elements which did not fall within the competence of the Committee.

34. Miss DIAROU MEYE (Niger) said that if it had been present when the vote was taken, her delegation, which was one of the sponsors of draft resolution A/C.3/L.2128/Rev.1, would have voted in favour of the draft resolution as a whole and of all the paragraphs on which a separate vote had been taken.

35. The CHAIRMAN announced that the Committee had completed its consideration of item 55.

36. Mr. VARGA (Hungary), speaking in exercise of the right of reply, categorically rejected the statements of the representative of the Chilean *junta* who had attacked Hungary with an animosity which was deplorably reminiscent of the practices of the cold war.

37. Mr. DURAN (Chile) said that the members of the Committee had been subjected, during the explanations of vote on a draft resolution which sought to ensure effective guarantees and respect for human rights, to vehement and offensive invective and insulting allusions on the part of the representative of those hypocritical iconoclasts who set themselves up in the United Nations as teachers and tried to give lessons to others. He failed to see what cause the representative of Hungary had to be so bold and to interfere in such a manner in the affairs of others. The Chilean delegation had voted for the draft resolution which had just been adopted and at the same time had pointed out that it was general in scope and that therefore the delegations which had voted in its favour could, while expressing their commitment to a fundamental principle, have been motivated by different considerations. Chile, for its part, had expressed reservations with regard to operative

paragraphs 8 and 9 in its desire to protect the sovereignty of States against any attack. It had welcomed the adoption of a resolution which reaffirmed the legitimate right of colonized peoples to self-determination and independence. It would be interesting to hear the representative of Hungary explain the fate of the Czech, Baltic and Hungarian populations, considering that General Assembly resolutions 1004 (ES-II), 1005 (ES-II), 1006 (ES-II) and 1007 (ES-II), adopted in November 1956, condemning the foreign intervention in Hungary, had been deliberately trampled underfoot. Whatever slanderous remarks the lackeys of the USSR might contrive to spread about his country, he was proud to belong to a nation which had been able, without the help of anyone, to free itself from the totalitarian threat.

AGENDA ITEM 52

Human rights in armed conflicts: protection of journalists engaged in dangerous missions in areas of armed conflict (A/9643, A/C.3/L.2129)

38. Mr. SCHREIBER (Director, Division of Human Rights) gave a brief chronological account of the General Assembly's consideration of the question of the protection of journalists engaged in dangerous missions in areas of armed conflict. The Committee had before it a note by the Secretary-General (A/9643) which contained, in annex I, the text of the revised draft articles submitted at the twenty-seventh session, which the Committee had amended after considering it article by article, and, in annex II, the amendments to the text.

39. In resolution 3058 (XXVIII), the General Assembly had expressed the opinion that it would be desirable to adopt a convention ensuring the protection of journalists engaged in dangerous missions in areas of armed conflict. As he had been requested to do in that resolution, the Secretary-General had transmitted the draft articles and amendments, together with the observations and suggestions made on them, to the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which had been held in Geneva from 20 February to 29 March 1974, and had invited it to submit its comments and advice on those texts. Unfortunately, the Conference had had to report that the progress in its work had not permitted it to give proper consideration at its first session to the question submitted to it by the General Assembly. It had asked to be given more time for that purpose and had decided to make the question a priority item in the agenda for its second session, to be held in 1975.

40. Mr. FEIT (France) said that he wondered why the draft convention proposed to the Third Committee for the fifth consecutive year had not yet been adopted even though there seemed to be agreement on the desirability and importance of protecting journalists and on the type of action required to achieve that purpose.

41. Recalling the circumstances in which his delegation had proposed that the United Nations should take action to ensure that journalists engaged in dangerous missions enjoyed appropriate legal protection, he noted that as far

back as May 1968 the International Congress of Journalists held at Montecatini had expressed the wish that the United Nations should devote attention to their protection when they were engaged in dangerous missions, and had unanimously adopted a preliminary draft convention providing for the establishment of an international office under United Nations auspices. The draft articles before the Committee had many points in common with that preliminary draft. Secretary-General U Thant had also expressed his deep concern about the disappearance of journalists, and noted that it was in the interest of the world community to ensure that press correspondents could perform their sometimes dangerous tasks in complete freedom, since that would contribute directly to the exercise of the right of freedom of information. The right "to seek, receive and impart information and ideas through any media and regardless of frontiers", as set forth in article 19 of the Universal Declaration of Human Rights, could hardly be exercised if journalists were not granted special protection in those situations in which ascertaining the facts was most difficult and involved the greatest dangers. He stressed the special nature of the situation of journalists: placed in the same category as other civilians, they were not regarded as duly accredited war correspondents attached to armies, and were therefore not protected as such by the relevant provisions of the Geneva Conventions of 1949;¹ however, having special responsibilities, they must often, in order to perform their professional duties normally, expose themselves to dangers which other civilians could avoid or attempt to avoid.

42. Although of late there had not been as many tragic deaths as in 1970, journalists had nevertheless continued to pay a heavy toll to the hazards of war and the dangers of their profession, particularly in the eastern Mediterranean and the Indo-Chinese peninsula. Following appeals by the International Committee for the Protection of Journalists and the International Press Institute, the French Government was more determined than ever to achieve results. In any case, the importance of a humanitarian problem could not be measured by the number of victims. The urgency of the question was as great as ever. Hence the progress achieved since the twenty-fifth session should be commended; that progress had been made possible, in particular, thanks to the work carried out by the Commission on Human Rights at its twenty-eighth session, which had been able to work out a difficult compromise between the texts submitted for its consideration. The text drawn up by the Commission on that occasion had since then served as a basis for further work. At the twenty-eighth session of the General Assembly the draft had been considered article by article and it appeared that most delegations had a clear understanding of the reasons for and purposes of the proposed convention and no longer had any misgivings in that connexion. Moreover, in order to make the situation perfectly clear and to maintain a unified approach to humanitarian law, the authors of the text, which included France, had agreed that the draft and the amendments not incorporated in the text, as well as the observations and suggestions made during that session, should be referred for comment to the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts; resolution 3058 (XXVIII),

¹ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

which contained that decision, gave high priority to the consideration of that question at the current session.

43. The text of the draft convention now under consideration, the result of a long process of reflection and negotiation, was delicately balanced and met the four following guiding principles: respect for the competence of the Red Cross, provision for the support and participation of the profession, realistic character of the protection envisaged and respect for State sovereignty. With reference to the Red Cross, the draft convention provided in article 3 that it should be associated with the operation of the system, since the International Committee of the Red Cross (ICRC) would be invited to participate as an observer in the work of the international professional committee established in that article. Moreover, article 10 proposed that the information communicated concerning journalists who were killed, wounded, ill, arrested or missing should preferably be sent through ICRC or the United Nations. It also proposed that in case of internment, journalists should be granted identical treatment to that provided for in articles 79 to 135 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.²

44. With reference to the second principle, it seemed essential that journalists should participate in the implementation of a convention which chiefly concerned them. The establishment of an international professional committee met that purpose. That group would be responsible for establishing a code of ethics for journalists, and the sponsors of the draft convention would have preferred it to have the additional role of issuing cards, but, in a spirit of compromise, they had agreed that the competent authorities of the States parties should assume that responsibility.

45. On the subject of the third principle, it should be noted that the measures of protection envisaged did not exceed what a country could or should normally grant out of humanitarian considerations and did not impose any exceptional obligation on States. In the case of parties to a conflict which did not have the status of a State, although they could not be required to undertake legal commitments in the strict sense of the term, they could be requested to conduct themselves in accordance with the draft convention, which referred to "all the parties" and armed conflicts "whether or not international".

46. Precise suggestions from the profession on the choice of measures to secure effective protection had been taken into account. The purpose of the card was to provide true journalists, who were by definition non-combatant civilians, with a unanimously recognized and guaranteed identification document. A number of procedures had also been suggested with respect to the communication of information should difficulties arise during the mission of the bearer of a card, but no measures had been ruled out *a priori*.

47. The fourth and last principle, that of State sovereignty, was clearly reaffirmed in the new version of article 1, according to which "... This Convention shall not affect the sovereignty of States". It provided that possession of the card did not confer any new right on journalists; in particular, it imposed no obligation on States to grant them

visas. The requirement printed on the back of the card (art. 5, para. 2) that journalists should not interfere in the domestic affairs of the receiving country was also designed to protect State sovereignty.

48. The question which had to be decided at that point was whether the Committee was now prepared to adopt the draft convention. In that connexion his delegation wished to stress that the text before the Committee had been carefully studied, that it was consistent with the humanitarian concerns of the United Nations, and that it could be incorporated harmoniously into international positive law. Its very imperfections reflected the spirit of compromise in which it had been drawn up. Furthermore, most delegations seemed to recognize the progress made and the fact that the main ideas and principles governing the convention enjoyed wide support. His delegation wished to draw attention to the vital importance of unanimity among Member States in the adoption of international conventions in the field of humanitarian law: a convention relating to journalists which was ratified by only a few dozen States would have limited effectiveness and would therefore not serve the purposes which the sponsors had had in mind.

49. Invoking the legitimate concern not to undertake anything which might be prejudicial to the principles of unity and universality of humanitarian law, some delegations had proposed that the question should be referred to the Sixth Committee, while others had proposed that it should be submitted to the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts.

50. His delegation naturally considered that the Sixth Committee had competence to deal with legal matters; it thought, however, that questions already studied in detail by another Committee which was itself competent in so far as the substance was concerned need not be referred to it. That would be tantamount to a repudiation of the Commission on Human Rights, the Economic and Social Council and the Third Committee itself, whose competence to prepare international instruments was, after all, demonstrated by the number of conventions and agreements which had emerged from it. On the other hand, it seemed desirable for the text to be examined by the Geneva Diplomatic Conference; that proposal had, moreover, been the subject of a consensus at the twenty-eighth session of the General Assembly. It was to be regretted that the Conference had not been able to study the draft convention; it had decided, by a resolution adopted by consensus, to include the examination of the question as a matter of priority in the agenda of its next session.³ While many delegations thought that nothing would be lost by waiting one year to obtain the undoubtedly valuable observations and suggestions of the Diplomatic Conference, his delegation, in spite of its desire to see the Convention quickly adopted, would limit itself at the current stage of the debate to expressing the wish that all delegations should make their views known, reserving its right to speak at a subsequent stage in order to draw the conclusions which in its opinion had emerged from the exchanges of views.

51. The Uruguayan delegation had just submitted, in document A/C.3/L.2129, a draft resolution which sought,

² *Ibid.*, No. 973.

³ See A/9669, chap. VIII, sect. B.

on the one hand, to renew the request already made to the Diplomatic Conference to submit its observations and suggestions on the text of the draft convention and, on the other, to provide for the inclusion of the question in the agenda of the thirtieth session of the General Assembly. It was, of course, too early to take a position on that proposal. His delegation would reserve the right to suggest a few minor modifications to the text later, if the solution put forward in that proposal proved to be that which was most in keeping with the wishes of the Committee.

52. Mr. SÖYLEMEZ (Turkey) recalled that the General Assembly had been considering the question of the protection of journalists engaged in dangerous missions in areas of armed conflict since its twenty-fifth session, in 1970. The previous year, the Committee had examined the draft convention article by article and, in its resolution 3058 (XXVIII), the General Assembly had expressed the opinion that it would be desirable to adopt a convention ensuring the protection of journalists engaged in dangerous missions in areas of armed conflict. The revised form of the draft convention was sponsored by Australia, Austria, Denmark, Ecuador, Finland, France, Iran, Lebanon, Morocco and Turkey.

53. The protection of journalists engaged in dangerous missions was only part of the wider problem of the development of humanitarian international law. The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which had held its first session at Geneva from 20 February to 29 March 1974, had been unable to examine the question and had decided to include it in the agenda of its next session, at which its discussion would undoubtedly benefit from the work done by the United Nations. His delegation considered that the draft convention was practical in its approach and established a balance between the rights of States and the interests of journalists. It also believed that the draft convention was juridically compatible with the Fourth Geneva Convention of 1949 and did not pose any political problems. The draft convention was perhaps not perfect and could be improved in certain respects. However, much progress had been made the previous year during the first reading of the draft and it should be possible to adopt a number of articles at the current session.

54. The question of the protection of journalists engaged in dangerous missions was an urgent problem, since wars could not always be prevented, as evidenced by the events now taking place in the Middle East and Cyprus.

55. Quite recently, a 29-year-old Turkish journalist had died in Cyprus. The group of correspondents with which he was travelling to Nicosia had mistakenly entered the Greek lines; the young journalist had been fired upon twice by Greek soldiers with machine-guns, the second time after he had been taken prisoner and identified himself as a war correspondent. He had not been taken to hospital until three days later and had died of his wounds in Turkey,

where he had been repatriated at the request of the Turkish Government and with the help of the Secretary-General of the United Nations. Adem Yavuz had not been the first war correspondent to die while performing his duty, but he had been the first journalist to be killed after being taken prisoner. All civilized countries had denounced that barbaric act, which the International Press Institute had strongly condemned. The Cypriot Government had been requested by that Institute to issue an official statement describing the circumstances in which the journalist had been wounded, but it had not responded to that request. That sad story was a reminder of the need to ensure the protection of journalists engaged in dangerous missions.

56. Mr. IPSARIDES (Cyprus), speaking in exercise of the right of reply, said that the representative of Turkey had seen fit, during the introduction of the question of the protection of journalists engaged in dangerous missions in areas of armed conflict, to attack Cyprus with the utmost vehemence. He himself would point out that previously, during his own statements on the question of decolonization, he had described the hardships which his own country had suffered under foreign domination, without mentioning Turkey in any way whatever. However, the representative of that country had felt himself to be the target and had proved it at the current meeting by such violent attacks that Mr. Ipsarides considered it his duty to make a reply. With regard to the Adem Yavuz case, he reserved the right to revert to the question once all aspects of the affair had been brought out. He expressed the regrets of the Cypriot Government with regard to that unfortunate incident. It seemed to him, however, that the representative of Turkey had taken advantage of the occasion to cause confusion in order to make members forget the acts of his compatriots who were using napalm in Cyprus, plundering, raping and murdering, and shamelessly trampling fundamental human rights underfoot.

57. Mr. SÖYLEMEZ (Turkey), speaking on a point of order, pointed out that the statement of the representative of Greece had nothing to do with the question under consideration, which was the protection of journalists engaged in dangerous missions in areas of armed conflict.

58. Mr. THEODORACOPOULOS (Greece) wished to make it clear that Mr. Ipsarides was the representative of Cyprus and that he himself was the representative of Greece.

59. Mrs. WARZAZI (Morocco), speaking on a point of order, moved that, in view of the lateness of the hour, the Chairman should adjourn the meeting.

60. The CHAIRMAN put the Moroccan representative's motion to the vote.

The motion was adopted by 48 votes to 11, with 20 abstentions.

The meeting rose at 6.10 p.m.

2091st meeting

Friday, 15 November 1974, at 3.15 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2091

*Tribute to the memory of Mr. Al-Sayed Omar Sakkaf,
Minister of State for Foreign Affairs of Saudi Arabia*

1. The CHAIRMAN expressed, on behalf of the Committee, his condolences to the representative of Saudi Arabia on the sudden death of Mr. Al-Sayed Omar Sakkaf.

2. Mr. ALLEGANY (Saudi Arabia) thanked the Chairman and the members of the Committee and said that he would transmit their condolences to the Government and people of Saudi Arabia and to the family of the deceased.

AGENDA ITEM 52

Human rights in armed conflicts: protection of journalists engaged in dangerous missions in areas of armed conflict (concluded) (A/9643, A/C.3/L.2129)

3. Mr. BALOCH (Pakistan), recalling the history of the question of the protection of journalists engaged in dangerous missions in areas of armed conflict, reaffirmed Pakistan's general support for the noble and humanitarian idea of preparing a convention to ensure the protection of journalists engaged in dangerous missions. His delegation was one of the sponsors of the text of resolution 3058 (XXVIII) adopted without objection at the preceding session. In that resolution, the Assembly had expressed the opinion that it would be desirable to adopt a convention ensuring the protection of journalists in areas of armed conflict and had decided to continue the examination of that question at its twenty-ninth session, as a matter of priority, having regard to the deliberations and findings of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which had held its first session in Geneva from 20 February to 29 March 1974.

4. In keeping with its declared position at the twenty-eighth session, his delegation fully supported draft resolution A/C.3/L.2129, in particular the proposal to take up the question again at the thirtieth session after the Diplomatic Conference had submitted its suggestions following its second session; his delegation however reserved its right to make constructive proposals for the further improvement of the draft convention (A/9643, annex I).

5. Mr. ARIZAGA (Ecuador) said that his country attached the utmost importance to the question of human rights in armed conflicts, and particularly to the protection of journalists, who performed their duties under very dangerous conditions in order to inform world opinion. For that reason, Ecuador was one of the sponsors of the draft convention which had been before the Committee since the twenty-seventh session. Although it had been planned to devote only a few meetings to consideration of that

question, it nevertheless deserved the attention of the Committee because of its eminently humanitarian nature.

6. Two fundamental aspects of human rights were involved in armed conflicts: the right to information, which was recognized in article 19 of the Universal Declaration of Human Rights, under which "Everyone has the right to freedom of opinion and expression; this right includes freedom . . . to seek, receive and impart information and ideas through any media and regardless of frontiers" and the right of everyone to life, which was stated in article 3 of the Declaration.

7. Adoption of the draft convention would impose upon the international community the obligation to respect and apply certain rules aimed at ensuring the protection of journalists, who in turn would have the obligation to respect a code of conduct under which they would undertake, *inter alia*, to provide accurate and objective information, not to distort facts intentionally, in no case to interfere in the domestic affairs of the receiving State and not to furnish information which, in one way or another, could be used by the parties engaged in conflict.

8. Mr. FØNS BUHL (Denmark) said that the draft convention, of which Denmark was a sponsor, had purely humanitarian objectives. Since the public had a justified interest in receiving impartial information on events which occurred during armed conflicts, it was important to guarantee the security of journalists in the discharge of their duties. Moreover, their presence in areas of armed conflict could help to ensure that human rights were observed by the parties involved.

9. The special legal protection of journalists should be viewed in the context of the protection accorded to all civilians by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.¹ Accordingly, his delegation had favoured the adoption of resolution 3058 (XXVIII), in which the General Assembly had decided to transmit the draft articles and the amendments proposed in the Third Committee to the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts.

10. Without wishing to enter into the substance of the question, his delegation wished to state that his country, and particularly the Danish journalists' organizations, were deeply concerned at the wording of article 5, paragraph 2, which could be misinterpreted as an infringement of the freedom of expression of the press. His delegation therefore reiterated its proposal that the following sentence should be added at the end of the paragraph as currently worded:

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

“This will not prevent the journalist from reporting freely to his paper on the events in the receiving country and to express in his paper his opinion on such events.”

11. His delegation regretted that the Diplomatic Conference had been unable to submit its comments and suggestions, since it was important to draw up a suitable instrument as quickly as possible. Since the Conference had decided to accord priority to the consideration of the question at its second session, his delegation supported draft resolution A/C.3/L.2129. It proposed the addition of the words “as a matter of priority” after the words “thirtieth session” in paragraph 2. The decision adopted at the twenty-eighth session had been worded in similar terms.

12. Mr. EVANS (Australia) said that the question of the protection of journalists in areas of armed conflict was a very complicated one, which explained why progress had not been more rapid on it; the fact that no final agreement was yet in sight should not therefore give rise to discouragement. It was not always possible to achieve unanimity on subjects of concern to the entire international community, which did not mean that the questions or critical comments of some delegations concerning the need for conventions should delay or put an end to the consideration of such subjects. The question of the protection of journalists was one of the many humanitarian issues relating to armed conflicts with which the United Nations, and particularly the Third Committee, should be concerned. It was a fact of life that people wished to be informed about important international events and to be able to make their own judgements about those events, and that they were concerned at human sufferings inevitably brought on by armed conflicts. Journalists obviously had an important role to play in that regard, and they often risked their lives in the performance of their duties; it was therefore appropriate that the international community should attempt to establish rules for their protection in armed conflicts that would be acceptable to Governments. His delegation considered that the draft prepared by the Commission on Human Rights provided the basis for a very satisfactory agreement. The suggestions of the Diplomatic Conference, which had undertaken to consider the question early in 1975, could be of great value and it was to be hoped that a final agreement would be reached at the Conference. His delegation therefore supported the proposal put forward by the Uruguayan delegation in document A/C.3/L.2129, to the effect that the Diplomatic Conference should submit its observations and suggestions to the General Assembly at its thirtieth session.

13. Mr. SAARIO (Finland) said that his delegation was convinced of the usefulness of a convention or other international instrument for the legal protection of journalists engaged in dangerous missions in areas of armed conflict, since there was a gap in the international humanitarian law on that subject at the present time. His delegation had therefore been one of the sponsors of the draft articles submitted at the twenty-seventh session, which had been inspired by purely humanitarian considerations. Any step, no matter how limited, which was aimed at saving human lives in armed conflicts, deserved consideration, and was all the more justified in the case of journalists, since they were in effect risking their own lives in the cause of peace.

14. His delegation considered it advisable to defer consideration of the question to the thirtieth session so as to have the benefit of the observations and suggestions made at the second session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which would be dealing with questions relating to the improvement of international humanitarian law from a much wider point of view.

15. Mr. CZERNETZ (Austria) said that his delegation, which since the twenty-fifth session had actively participated in the preparation of a draft convention for the protection of journalists engaged in dangerous missions, regretted that the Diplomatic Conference had been unable to fulfil the mandate entrusted to it by the General Assembly. Because of the very nature of their profession, journalists were exposed to extreme situations and often risked their lives in order to provide the public with the kind of information it needed for an objective evaluation of facts and events. The most recent conflicts had shown that the need to ensure special protection to journalists had lost none of its urgency. The draft convention under consideration seemed to be the most viable attempt in that regard, and Austria would therefore continue to support it.

16. His Government considered that the convention in the making should be essentially humanitarian in character and should supplement the Geneva Conventions of 1949.² For that reason, the results of the second session of the Diplomatic Conference would have to be taken into account when a more detailed and technical discussion of the various draft articles would be undertaken. Since a discussion at the current stage would of necessity be rather limited and since substantial progress could not be made until the draft convention had been studied in depth by the Diplomatic Conference, his delegation thought that the draft resolution submitted by the representative of Uruguay was very reasonable and it would therefore vote for it.

17. No effort should be spared to make the convention universally acceptable. The draft seemed to include elements on which the positions of Governments differed greatly and it would be unrealistic to force the draft convention upon some countries simply because it met with the approval of certain other countries. For the sake of universality, therefore, a more profound study of the draft convention should be made. His delegation regarded the draft convention as embodying a very reasonable set of rules and it would support any efforts aiming at giving effective protection to journalists on dangerous missions.

18. Miss DUBRA (Uruguay) said that her delegation had submitted draft resolution A/C.3/L.2129 because it was convinced of the need to elaborate, after due consideration, an effective instrument to ensure the protection of journalists. A drafting change should be made in the second preambular paragraph, to include the full title of the Diplomatic Conference.

19. Mr. SAYAR (Iran) said that his delegation had always accorded the greatest interest to the question of the protection of journalists engaged in dangerous missions in

² *Ibid.*, Nos. 970-973.

areas of armed conflict from the time when the Commission on Human Rights had studied the item in 1970. It therefore greatly appreciated the initiative taken by the representative of France, since that initiative should make it possible to fill a gap in the international instruments on humanitarian law. The protection of journalists under the Geneva Conventions of 1949 covered only war correspondents and was extremely limited in scope. It was particularly urgent to remedy the situation in view of the non-international conflicts that unfortunately still occurred in various parts of the world, with journalists often on the front line providing valuable information to the whole world. It was therefore clearly in order that they should enjoy special protection. The idea of a convention, the credit for which was due mainly to the French delegation, had been considered not only by the Committee, which was the highest authority on humanitarian questions, but also by the International Committee of the Red Cross (ICRC) and the national and international associations of journalists. The matter had also been taken up at the two meetings of Government Experts convened by ICRC in Geneva in 1971 and 1972 for the purpose of considering adding two protocols to the Geneva Conventions of 1949. The Committee now had before it the draft convention which appeared as annex I to the note by the Secretary-General (A/9643), which had been drawn up taking into account the opinions expressed by many countries, including his own, concerning the guarantees to be included in the text. The purpose of such guarantees was to ensure that journalists did not interfere in the internal affairs of the country where they were sent on mission, that they would remain impartial towards the parties involved and, in general, that they would strictly observe the code of ethics of their profession. The issuance of a card bearing the details listed in the draft convention was, in his opinion, an additional guarantee which should allay the misgivings expressed by some delegations.

20. However, although the text submitted seemed acceptable as it stood, he agreed with those delegations which had said that the draft convention should not be considered before the next session of the General Assembly; that would enable the Geneva Diplomatic Conference, which was to meet in February 1975, to examine it and to make its conclusions available to the Committee. That was why his delegation would support draft resolution A/C.3/L.2129, submitted by the representative of Uruguay. Reverting to the subject of the draft convention, he wished to stress a point already dwelt on by other delegations, namely the importance of adopting the instrument concerning the protection of journalists, if not unanimously at least by a large majority, since that was essential if the instrument was to be really effective. Moreover, although the legal aspects of the draft had been repeatedly stressed by those who advocated its referral to the Sixth Committee, he considered that the humanitarian aspects overrode the legal aspects and that the Third Committee was the proper body to consider the matter. It should continue its study of the item until the final text had been adopted.

21. Mr. SCOTLAND (Guyana) said that the position of the French and Turkish delegations as set forth by the representatives of those countries at the previous meeting were quite similar, since both those delegations had requested the Committee to adopt the draft convention in

whole or in part. However, his delegation could not agree with that position; at the previous session, some of the provisions of the draft convention had presented substantial legal and practical problems which had not been resolved and the principle of the convention did not seem to have been accepted by all delegations. The dissenting delegations had not changed their view, contrary to what some people were saying. The beginning of operative paragraph 1 of the draft resolution subsequently adopted by the General Assembly as resolution 3058 (XXVIII) had originally been worded as follows: “*Expresses the opinion* that it would be necessary to adopt a convention...” but a noticeable majority of delegations had found the word “necessary” unacceptable and it had been replaced by the word “desirable”, which clearly showed that there was no unanimity of views among members of the Committee nor was there any absolute conviction regarding the need to adopt the proposed convention. Moreover, contrary to the view of the representative of Turkey, he did not consider that the Committee had been warned, at the twenty-eighth session, against prejudging the work of the Diplomatic Conference.

22. That Conference, which would consider the draft articles at its forthcoming session, had requested additional time to examine the question under appropriate conditions. His delegation believed that the comments and opinions of that group of experts would be an important element in such consideration.

23. It also thought that the draft convention did not answer a number of legal and practical questions, but it had no intention for the time being of discussing those in detail. In his opinion, the Committee should not currently consider the substance of the matter and should give the Diplomatic Conference the opportunity of examining the humanitarian and legal aspects of the subject in greater depth. In conclusion, draft resolution A/C.3/L.2129 seemed to coincide with the position which the Committee had adopted at the previous session and his delegation supported it.

24. Mr. KIYA (Japan) said that his Government attached great importance to the problem of the protection of journalists engaged in dangerous missions in areas of armed conflict. He hoped that an international instrument on that matter would be implemented as soon as possible. His delegation duly appreciated the initiative of the sponsors of the draft convention and welcomed the progress made since the twenty-fifth session of the General Assembly in terms of its formulation. It had already had the opportunity of expressing its views, according to which it was important that the provisions of the convention should not prejudice the sovereignty of States and should introduce no substantial change in the provisions of the Geneva Conventions of 1949. The very full statement by the representative of France had made those points sufficiently clear and his delegation would therefore in due time support the adoption of the text given in annex I of the note of the Secretary-General (A/9643).

25. None the less, he considered that it would be inopportune to adopt the draft convention now, since it would be appropriate to await the findings of the Diplomatic Conference at Geneva. Therefore, his delegation

supported draft resolution A/C.3/L.2129. It reserved the right, when the item was reconsidered at the next session of the General Assembly, to suggest some changes of detail which it would like to see incorporated in the text of the draft convention.

26. Mr. ALFONSO (Cuba) said that at the 1938th meeting during the twenty-seventh session of the General Assembly, his delegation had already entered the reservations it had concerning the very idea of a convention on the protection of journalists engaged in dangerous missions in areas of armed conflict. The adoption of an international instrument designed for a particular occupational category did not seem to him to be without danger. Although his delegation did not doubt the high intentions of the authors of the draft convention, his position had not changed. The noble task of an objective journalist was, of course, of capital importance and he fully shared the opinion of the representative of Finland when he said that it was the duty of the Committee to save lives. However, the views of his delegation differed on the methods used for that purpose. His delegation did not agree about the pressing need to adopt an instrument to protect journalists, because it did not seem to him that they were exactly deprived of protection under existing international humanitarian law. The Geneva Conventions of 1949, particularly that concerning the protection of civilian persons in time of war, were usually applied to journalists. Those Conventions could certainly be improved and broadened, and that was the aim of the work of the Geneva Diplomatic Conference.

27. Although, in his opinion, the protection of the civilian population should be strengthened, it would be dangerous to establish a special instrument for a particular case. The Geneva Diplomatic Conference had indeed, and quite legitimately, sought in its work to protect a particular category, that of medical personnel in armed conflicts, but the adoption of a convention protecting journalists alone would be liable to open the way to the adoption of an endless series of special instruments. There were very few people practising the profession of journalism and the number of major correspondents of press agencies or newspapers who were sent on dangerous missions was very small. Only certain rich countries and some very powerful press agencies or newspapers could in fact afford to send out correspondents in the circumstances which the Convention would cover. The protection which that instrument would provide would therefore be general in theory alone and would in fact only affect a very small number of people, as it was doubtful whether it would be possible for such a convention to apply in practice to journalists from developing countries. His delegation considered that great care should be exercised before adopting an instrument of such limited scope. It therefore found it difficult to agree that the question should be given priority.

28. It had no objection in principle to draft resolution A/C.3/L.2129, but at the same time it had some reservations about operative paragraph 2 thereof, which seemed in its view to prejudge the decisions of the Geneva Diplomatic Conference. It was not in fact certain that the Conference would be able to complete its consideration of the text of the draft convention at its next session and, in that case, the Committee would be unable to continue its work. Consequently, it seemed premature to set a precise date for

the resumption of work, unless it was intended forthwith to postpone consideration of the question until the thirty-first session of the General Assembly, which, in the opinion of his delegation, would be the wisest solution.

29. Lady GAITSKELL (United Kingdom) said that her delegation had consistently taken an active interest in the protection of human rights in armed conflicts, but at the same time it had some reservations with regard to the idea of adopting a convention on the protection of journalists in particular. That was not because her delegation underestimated the value of that profession and the risks that journalists had to take, particularly in situations involving armed conflict. But, in modern times, all civilians, even those who did not take part in fighting, were often subjected to dangers as great as those encountered by the combatants themselves. The risks that journalists had to take were part of their profession, and her delegation consequently considered that the question of the protection of journalists should not be treated in isolation but in the context of humanitarian law in armed conflict.

30. Her delegation was therefore glad that the General Assembly had decided at its twenty-eighth session to refer the question to the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts. It was unfortunate that the Conference had not been able to consider the draft text at its first session, but it would be out of place for the General Assembly to take any further action before the Conference had had a chance to comment. Moreover, it was difficult, outside the context of the Diplomatic Conference, to define exactly what was meant by an armed conflict. The draft convention in its existing form did not provide a satisfactory answer to that question, and moreover did not specify what would be the scope of the protection to be afforded according to whether an international conflict or a limited conflict was involved. Her delegation had no intention of going into the details of the draft Convention. It only wished to say that it still believed that any text which might be adopted should not place any geographical restriction on the validity of the card designating the journalist's status. That was the purpose of the amendment (see A/9643, annex II) it had submitted to article 5, paragraph 4, of the draft Convention. The imposition of a geographical limitation would amount to recognizing the competence of some authority to decide whether a given situation should be considered as an armed conflict, and that was a very difficult question indeed.

31. It was therefore clear that her delegation would whole-heartedly support draft resolution A/C.3/L.2129.

32. Mr. FEIT (France) said that it seemed from the statements which had just been made that draft resolution A/C.3/L.2129 corresponded to the views of the majority of members of the Third Committee. His delegation would therefore vote for that draft resolution. However, he wished to make a few minor changes to it. Although he did not wish to make a formal proposal, he would have preferred it if the preamble had mentioned the resolutions of previous years stressing the urgency of adopting a convention. With regard to operative paragraph 1, he formally proposed an amendment replacing the word "at" by the word "before". That should not cause any difficulty as the second session of

the Diplomatic Conference was to meet soon. He recalled that previous resolutions had referred to the priority accorded to the question; it would therefore be logical to add the words “, as a matter of priority”, after the word “question” in operative paragraph 2. The Committee was indeed, as had recently been recalled in the course of the discussion, in control of the distribution of items on its agenda, and it should therefore be possible to accept that change without difficulty. The final order of priority would of course be decided at the thirtieth session of the General Assembly at the meetings devoted to the organization of work, taking into account, with respect to the question under consideration, the stage reached in the work of the Geneva Diplomatic Conference. He hoped that it would be possible for the Committee to adopt the draft resolution, as amended, without a vote.

33. Miss DUBRA (Uruguay) noted with satisfaction that all delegations agreed that the Committee should await the conclusions of the Geneva Diplomatic Conference. With regard to the proposals of the representative of France, she had no objection to the addition of the words “as a matter of priority” in operative paragraph 2. With regard to that paragraph, she wished to explain for the benefit of the representative of Cuba that its wording was closely related to the preceding paragraph; there would therefore be no difficulty in referring to the question of priority, as it was understood that the examination in question would be made in the light of the observations and suggestions that the Conference would first have submitted to the General Assembly. With regard to the replacement of the expression “at” by the word “before”, she did not see the purpose of the amendment, as it did not seem in her view to improve or alter the text in any way, since the Geneva Diplomatic Conference would obviously submit its conclusions before the Committee resumed its work on the matter.

34. Mr. VELA (Guatemala), explaining his delegation's position on draft resolution A/C.3/L.2129 before the vote, said that the draft resolution, which appeared to be a procedural resolution, in fact raised substantive questions. Guatemala did not question the goodwill or the good intentions of the sponsors of the draft International Convention for the Protection of Journalists Engaged in Dangerous Missions in Areas of Armed Conflict, but it feared that such a convention might be ineffective. He himself was a journalist and he considered that the analysis made by the representative of Guyana was quite correct. It would be wiser for the Third Committee, before resuming consideration of the question, to wait for the conclusions and suggestions of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, to which the draft articles had been referred. Moreover, he did not see why a distinction should be made between journalists and members of other professions who faced the same risks in armed conflicts. Sufficient provision for the protection of journalists had already been made in the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949. By defining the profession of journalism too precisely and in particular by providing journalists with special cards for the execution of dangerous missions, the Convention was liable to prevent journalists from freely exercising their profession; the provision of such cards could also give rise to discrimination to the extent that Governments would issue them to certain

journalists only to the detriment of others. It would therefore be better to leave journalists to assume fully the risks of a profession which was a public service. They were already protected by the Geneva Convention he had mentioned and the Diplomatic Conference was currently studying ways of effectively applying the protective measures envisaged for civilians in armed conflicts. It would therefore be unwise to adopt an instrument such as the proposed draft Convention, which was liable to have unfavourable consequences and to prejudice the freedom of information recognized by the Universal Declaration of Human Rights. He fully appreciated the initiative taken by the French delegation, but considered that the members of the Committee should for the time being be content with the Fourth Geneva Convention and should await the results of the work of the Diplomatic Conference.

35. The CHAIRMAN said that, if she heard no objection, she would take it that draft resolution A/C.3/L.2129 was adopted.

Draft resolution A/C.3/L.2129, as orally amended, was adopted without objection.

AGENDA ITEM 54

Elimination of all forms of religious intolerance (A/9603, chapter I, chapter V, section C.2; A/9644, A/C.3/L.2130, 2131)

36. Mr. SCHREIBER (Director, Division of Human Rights) said that in 1962, in its resolution 1781 (XVII), the General Assembly had requested the Economic and Social Council to ask the Commission on Human Rights to prepare, with the assistance of the Sub-Commission on Prevention of Discrimination and the Protection of Minorities, a draft declaration and a draft international convention on the elimination of all forms of religious intolerance. At later sessions, the General Assembly had had submitted to it a preliminary draft declaration prepared by the Sub-Commission³ and a report of the Working Group set up by the Commission on Human Rights to prepare a draft declaration on the basis of that preliminary draft.⁴ The Assembly had also received a draft international convention consisting of a preamble and 12 articles, that had been adopted by the Commission on Human Rights at its twenty-first, twenty-second and twenty-third sessions, an additional draft article submitted by Jamaica to the Commission on Human Rights and a draft article XIII submitted by the Sub-Commission⁵ together with the preliminary draft of additional measures of implementation.

37. At the twenty-second session, in 1967, the Third Committee had adopted the preamble and article I of the draft international convention and had modified the title of the instrument that was being prepared.⁶ The General Assembly had taken note of these decisions of the Third Committee in its resolution 2295 (XXII). In its resolution

³ *Official Records of the Economic and Social Council, Thirty-second Session, Supplement No. 8, para. 294.*

⁴ *Ibid.*, para. 296.

⁵ See A/8330, annexes III to VI.

⁶ See *Official Records of the General Assembly, Twenty-second Session, Annexes*, agenda item 54, document A/6934, paras. 29, 72 and 90.

3027 (XXVII), the General Assembly decided to accord priority to the completion of the Declaration on the Elimination of All Forms of Religious Intolerance, which had been considered by the Third Committee during the twenty-eighth session.⁷

38. In its resolution 3069 (XXVIII), the General Assembly, having taken into account that decision, invited the Economic and Social Council to request the Commission on Human Rights at its thirtieth session to consider, as a matter of priority, the elaboration of a draft declaration and to submit to the Assembly, at its twenty-ninth session, through the Economic and Social Council, a single draft declaration.

39. At its thirtieth session, in February-March 1974, the Commission on Human Rights had established an informal working group, open to all its members, which had considered the first two preambular paragraphs of the draft declaration and had adopted the title of the future instrument.⁸ The Commission on Human Rights thus had been unable to complete its work on the draft declaration. At the request of the Commission, the Economic and Social Council had informed the General Assembly accordingly, by means of its decision 14 (LVI), and had informed it further that the Commission intended to give priority to the elaboration of the declaration at its thirty-first session. The Council had also recommended to the Assembly that it consider ways and means to expedite the completion of the draft declaration, without prejudice to General Assembly resolution 3069 (XXVIII).

40. The Secretary-General's note (A/9644) provided the information relating to that question.

41. Mr. SPEEKENBRINK (Netherlands) thanked the Director of the Division of Human Rights for his introduction of the item; his observations indicated that the General Assembly should at its current session give active consideration to the question of how the elaboration of the draft declaration on the elimination of all forms of religious intolerance could be expedited. In resolution 3069 (XXVIII) the General Assembly had decided to include the item in the agenda of the twenty-ninth session with a view to considering, completing and adopting, if possible, a Declaration on the Elimination of All Forms of Religious Intolerance. Unfortunately, the Commission on Human Rights, which was to have considered, as a matter of priority, the elaboration of a draft declaration at its thirtieth session, had been able to make only very limited progress. Certain delegations were currently of the opinion that the best way to expedite the work would be to set up a working group to study the many texts. His delegation did not agree with that opinion. The Third Committee should be able to make considerable progress in the six meetings that had been allotted to the item. Its starting-point should be a debate on a draft text which might serve as a basis for the Commission on Human Rights to draw up a final draft declaration, to be submitted through the Economic and Social Council to the General Assembly at its thirtieth session for formal approval. He proposed that the Com-

mittee should choose as a basis for discussion the text in document A/C.3/L.2131, which was a new version of the text which his delegation had submitted the year before and which contained, with some amendments, the preamble adopted during the twenty-second session by the Committee to serve as the preamble to the future draft international convention on the elimination of all forms of religious intolerance. He asked the Committee, on behalf of his own and of the Swedish delegation, to decide formally that the draft (A/C.3/L.2131) should serve as a basis for the deliberations on the preparation of a draft declaration, on the understanding that anything could be added to or removed from it. The sponsors of the draft, which was not an original text, had only sought to clarify the situation and would welcome any proposals for the improvement of the document. After taking a formal decision to that effect, the Committee could study the substance of the text, which would allow those delegations which did not participate in the work of the Commission on Human Rights to express their opinions on the subject.

42. His delegation wished to reiterate that it was neither aiming at securing a privileged position for certain religions or denominations, nor at encouraging a discussion on the relative merits of particular religious or other beliefs which would lead to the obligation to make value judgements. It wished to amplify the human rights and fundamental freedoms set forth in article 18 of the Universal Declaration of Human Rights and article 18 of the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI) annex). The right to religious freedom was fundamental, and the Commission should therefore focus its attention on the rights of individuals or groups of individuals rather than the rights of religions. Article I of the proposed text reflected his Government's concern that the expression "religion or belief" should also include non-religious beliefs. Furthermore, the efforts to eliminate intolerance should be directed to protecting freedom of religion, on the one hand, and on the other, to eliminating any form of discrimination on the ground of religion or belief: both of those elements were covered by the proposed text. Finally, emphasis should be laid on the role of public authorities in the struggle against religious intolerance, a role rightly stressed by the Special Rapporteur of the Sub-Commission in *Study of Discrimination in the Matter of Religious Rights and Practices*.⁹

43. Mr. JAYAWICKREMA (Sri Lanka) said that his delegation agreed in principle with the proposal contained in draft resolution A/C.3/L.2130, while hoping that the Commission on Human Rights and the Economic and Social Council would give priority to the matter, and that at its thirtieth session the General Assembly would have before it a final draft declaration.

44. He wished to refer to an aspect of religious intolerance which had not yet been dealt with and which had therefore not yet found a place in the draft declaration. Sixty-eight per cent of the population of Sri Lanka were Buddhists. Buddhism was not only a religion but also a philosophy which had guided peoples throughout South and South-East Asia for over 2,500 years. All expressions of piety and religious practices were directed towards Buddha, the

⁷ *Ibid.*, Twenty-eighth Session, Annexes, agenda item 55.

⁸ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5*, paras. 56 and 57.

⁹ United Nations publication, Sales No. 60.XIV.2.

founder of Buddhism. Buddhists all over the world must therefore be profoundly shocked by the use of an image of Buddha for advertising purposes. He gave the example of a New York magazine, *After Dark*, which contained an instance of extreme irreverence towards Buddha. Whenever his Government had found itself in a situation of that kind, it had requested the Governments of the countries in which such activities occurred to take steps to prevent their recurrence. Very often, however, the Governments concerned had appeared to be helpless, as their national laws did not prohibit the use of names, pictures or images of founders of religions or religious symbols for commercial purposes. In Sri Lanka, where Buddhists, Christians, Hindus and Moslems had lived together for centuries in harmony, the criminal law prohibited insulting a religion, wounding the religious feelings of an individual, or the defilement of a place or image held sacred by a person, whatever his religious beliefs might be.

45. His delegation would therefore like the expression "religious intolerance" in the future Declaration to include any act which had the effect of bringing into ridicule any religion or religious belief, founder of a religion, saint or other person or religious symbol respected or venerated by the followers of such a religion. It would also like the draft declaration to include a clause requiring States to take effective measures to prevent the occurrence of such acts.

Statements in exercise of the right of reply

46. Mr. SÖYLEMEZ (Turkey), speaking in exercise of the right of reply, said that until the two communities, Greek and Turkish, had reached a mutually agreed political and constitutional settlement, the representative of Cyprus would continue to represent only the Greek Cypriot community in the view of the Turkish delegation. The question of Cyprus had already been discussed in the Special Political Committee, and also in plenary meetings of the General Assembly, where all the interested parties had expounded their views and resolution 3212 (XXIX) had been unanimously adopted. That did not prevent the Greek side from reopening the debate on the question of Cyprus, not only in the Third Committee but in any of the Main Committees of the General Assembly, and trying to prevent the Turkish side from defending itself. The Turkish delegation had never had any intention of raising the question of Cyprus in the discussions in the Third Committee. However, under agenda item 52 on the protection of journalists engaged in dangerous missions in areas of armed conflict, it had seemed appropriate to his delegation to recall at the 2090th meeting the tragic fate of a Turkish journalist which proved the existence of a lacuna in international law, a lacuna which Turkey, as a sponsor of the draft articles of the convention,¹⁰ had judged fitting to emphasize. It was regrettable that the representative of Cyprus had taken advantage of the discussion on that item to divert the Committee's attention to other questions.

47. He associated himself with the condolences expressed by other delegations in connexion with the death of the Minister for Foreign Affairs of Saudi Arabia.

48. Mr. IPSARIDES (Cyprus) expressed his sympathy to the Saudi Arabian Government on the death of the Minister for Foreign Affairs of Saudi Arabia.

49. The Cypriot representative said that in view of the Turkish occupation of Cyprus, the representative of Turkey was the least qualified to accuse other countries. He was making a desperate effort to cover up his country's aggression against Cyprus and the gross violations of human rights perpetrated by the Turkish forces. The Cypriot representative recalled the exact circumstances in which the Turkish journalist mentioned by the Turkish representative had met his death in Cyprus. The journalist had been arrested by the Cyprus National Guard together with 11 other Turkish journalists, with a view to ascertaining their identity. As he had been injured at the time of his arrest, he had been taken to the Nicosia General Hospital, where he had received intensive treatment. Despite the objections of the doctors, the Cypriot authorities had given in to the Turkish authorities, which had insisted on having him transferred to the Turkish Hospital at Nicosia. But the Turkish authorities had sent him back to Turkey, and it was the journey back to Turkey which had aggravated his condition and caused his death. In the meanwhile, the Cypriot authorities had investigated the exact circumstances of the arrest and the guardsman who had injured the journalist had been placed under arrest and was now under treatment in a psychiatric hospital in Nicosia. The other Turkish journalists that had been arrested had been given appropriate medical treatment and then returned to the Turkish authorities through the Red Cross and the United Nations Peace-keeping Force in Cyprus, although they had obviously come to Cyprus with the Turkish invading forces, a fact which could not fail to raise questions. The representative of Cyprus hoped that the explanation he had given would show the Committee that the Turkish representative's allegations were entirely baseless. In a way, he was grateful to the Turkish representative for having mentioned the incident, since it was one in which the Cyprus Government had shown its respect for human rights and its impartiality. The arrested journalists had been immediately released, despite the fact that they had come to Cyprus with the Turkish invasion forces, thus violating article 1 and article 5, paragraph 2, of the draft articles of the international convention on the protection of journalists engaged on dangerous missions, of which Turkey was a sponsor.

50. Mr. MEGALOKONOMOS (Greece) said that the Turkish representative's remarks gave the impression that he was speaking to persons who had never read the reports on the Cyprus tragedy in the international press. Listening to him, one had the feeling that it was Cyprus which had invaded Turkey, destroyed its economy and bombed civilians and the United Nations Force, whereas it had been the other way round and everyone knew it. The death of the journalist mentioned by the Turkish representative was very regrettable, but not more so than that of the thousands of Cypriots who had perished unnecessarily. Wishing to facilitate the talks taking place in Nicosia and the discussions in the General Assembly, the Greek delegation had not raised the question of Cyprus during the debates in the Third Committee. Nevertheless, it was ready to expose in detail to the Committee everything that had happened and was still happening in Cyprus, on the basis of reports

¹⁰ A/9643, annex I.

and appeals from objective observers, including the International Organization of Journalists.

51. Mr. KANKA (Czechoslovakia) said that the accusations against his country made by the Chilean representative during the 2090th meeting during the consideration of the draft article in connexion with agenda item 55 on the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples,¹¹ subsequently adopted by the General Assembly on the recommendation of the Third Committee as resolution 3219 (XXIX), were entirely baseless. Chile was trying to pose as a protector of human rights, whereas the resolution adopted by the Third Committee on respect for human rights in Chile clearly proved that mass violations of human rights were being committed there. His delegation categorically rejected the accusations made by the representative of the Chilean *junta*, who, in an attempt to distract attention from violations in Chile, did not hesitate to slander other countries.

52. Mr. VARGA (Hungary) said it was not the first time that Chile had made accusations against the socialist countries, particularly Hungary. The Chilean representative was making himself ridiculous in holding up his country as a protector of human rights, when the whole world knew what the régime of the Chilean *junta* was really like. The Hungarian People's Republic was a respected Member of the United Nations which had always struggled to eradicate colonialism. The Hungarian delegation categorically rejected accusations made by the representative of a Government which, as everyone knew, was applying a policy of brutal repression.

53. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the representative of Chile was perfectly free to vaunt the countless crimes committed by the *junta*, the assassination of Allende and of Chilean patriots, the suffering inflicted on thousands of innocent persons and the violations of every human right. For its part, the USSR delegation considered that the agent of the Chilean *junta* represented the worst fascist régime now in existence. By slandering other countries, he was trying—in vain—to distract the attention of international public opinion and of the United Nations from the crimes of the *junta*.

54. Mr. SÖYLEMEZ (Turkey), speaking in exercise of the right of reply, said that the representative of the Turkish community in Cyprus had made a detailed statement at the twenty-ninth session of the General Assembly showing the way in which the Turkish Cypriots were treated; they lived under deplorable conditions and were the victims of political and social discrimination although they were the co-founders of the Republic of Cyprus on an equal footing with the Greek Cypriots, and they had become refugees in their own country, where they were subjected to degrading torture and arbitrary arrest. Every single one of the slanderous and thread-bare arguments advanced by the Greek representatives of Cyprus and Athens had been

refuted in the General Assembly and the Security Council; the records of the debates were there to prove it.

55. Mr. DURAN (Chile), speaking in exercise of the right of reply, said he was sorry to have to make still another reply to the representatives of Hungary and Czechoslovakia, whose puppet Governments were living permanently under the threat of the Soviet army massed on their frontiers. Their systematic insults of the Chilean Government were an attempt to intimidate and were totally lacking in courtesy. All he had done, as representative of Chile, had been to mention the clear-cut aggression of which Hungary, Czechoslovakia and the Baltic countries had been the victims. The facts were well known and were to be found in the records of the debates that had taken place at the time.

56. The Chilean *junta* had liberated the country from Marxist tyranny, but the professional criminals who were trying to extend their domination over all the peoples of the world alleged that Allende had been assassinated. And yet, the report of Allende's personal physicians, one of whom was a Marxist living unmolested in Santiago, proved the contrary. In any event, the Soviet Communists knew perfectly well that the Allende Government had been liquidated; they themselves had created the economic crisis which had brought Allende to power, and they had then abandoned him with typical coldness and cruelty.

57. Mr. IPSARIDES (Cyprus), speaking in exercise of the right of reply, said that the Turkish representative had alleged that the Turks in Cyprus were the victims of discrimination; but the Cypriots wanted a unified State without any discrimination, whereas the Turkish Government wished to partition the country. The Cyprus Government had proposed solutions to restore constitutional order, but Turkey had intervened to prevent its restoration. What was the Turkish army doing in Cyprus otherwise?

58. Mr. SMIRNOV (Union of Soviet Socialist Republics) said it was surprising to hear talk about a lack of courtesy from the representative of a Government which had shed rivers of blood in its own country and brazenly trampled on human rights. The Chilean delegation appeared to have forgotten that the General Assembly had recently discussed the crimes of the Chilean *junta*, and that in the course of that discussion Chile's isolation in the United Nations and in the international community had become obvious. No slander or pretence could wipe out what had been said in the General Assembly and was duly recorded in the resolutions it had adopted on the item.

59. Mr. DURAN (Chile) said that the Chilean delegation would not be frightened by the attitude of the USSR representative, who was still playing the same old sinister farce. The representative of the Soviet Union had once again refused to answer—and for good reasons—the questions the Chilean delegation had asked him, so as not to have to bring up facts which he would find difficult to justify and chose not to remember.

¹¹ See *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 55, document A/9866, para. 6.

2092nd meeting

Monday, 18 November 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2092

Tribute to the memory of Mr. Erskine Hamilton Childers, President of Ireland

1. The CHAIRMAN, speaking on behalf of the Committee and on her own behalf, expressed condolences to the delegation of Ireland in connexion with the death of the President of that country and requested it to transmit those condolences to the family of the deceased and to the Government and people of Ireland.

2. Mr. SMIRNOV (Union of Soviet Socialist Republics), Mr. FEIT (France), Mrs. WATANABE (Japan), Mrs. DE BARISH (Costa Rica) and Mrs. WARZAZI (Morocco) associated themselves with the expressions of sympathy in connexion with that very sorrowful occurrence.

3. Mrs. HEANEY (Ireland) expressed her sincere thanks for the sympathy expressed in connexion with the death of the President of Ireland, who had been a true patriot and an example of ecumenism, and promised to transmit the condolences to her country and to the family of the deceased.

AGENDA ITEM 54

Elimination of all forms of religious intolerance (*continued*) (A/9603, chapter I, chapter V, section C.2; A/9644, A/C.3/L.2130, 2131)

4. Mr. SMIRNOV (Union of Soviet Socialist Republics), in tracing the history of the consideration of the question of the elimination of religious intolerance by the United Nations, said that the Commission on Human Rights had been asked, through a request to the Economic and Social Council, to prepare a draft declaration on the elimination of all forms of religious intolerance (see General Assembly resolution 1781 (XVII)). That body had entrusted the task to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which had been able to draft only six articles. At its twentieth session, in its resolution 2020 (XX), the General Assembly had requested the Council to invite the Commission on Human Rights to complete the preparation of the draft declaration and the draft international convention so that they could be submitted to the Assembly at its twenty-first session.

5. At the same time, the Commission on Human Rights had been working on the preparation of a draft international convention on the elimination of all forms of intolerance and discrimination based on religious belief. At its twenty-first, twenty-second and twenty-third sessions, the Commissions had approved the preamble and 12 articles of a draft convention, which had been considered by the Third Committee at 29 of its meetings during the twenty-second session when it had been able to approve only the

preamble and the first article.¹ Surprisingly, the supporters of the convention had seemed to lose interest after that, because in his opinion, they had not been satisfied with the texts approved and had not wanted a binding legal instrument, but rather a vague declaration which would give them a foothold for interference in the internal affairs of other countries. The General Assembly had not considered the question again until its twenty-seventh session, when some countries had succeeded in changing the priorities given to the declaration and the convention.

6. At the twenty-eighth session of the General Assembly, the question of religious intolerance had been the subject of lively discussions, which had revealed the complexity of the subject and the differences between the proposed approaches. His delegation considered that, because the work had been based on three draft declarations, normal practice had not been followed and the Third Committee had found itself in a difficult situation. A great many amendments and proposals had been submitted and the lack of time had made it difficult to consider them. Those efforts had led to the adoption of General Assembly resolution 3069 (XXVIII), in which the Economic and Social Council was invited to request the Commission on Human Rights to consider, as a matter of priority, at its thirtieth session, the elaboration of a draft declaration and to submit, if possible, a single draft declaration on the elimination of all forms of religious intolerance to the twenty-ninth session of the General Assembly through the Economic and Social Council. It had also been considered that the draft articles² which had already been prepared and the suggestions, comments and amendments submitted by Member States³ constituted adequate guidelines. The Commission on Human Rights had been invited to take into account the suggestions and amendments submitted during the consideration of the question at the twenty-eighth session and Governments had been invited to submit any additional opinions and proposals which they might consider appropriate. Although some had regretted that it had been impossible to complete the final draft declaration, General Assembly resolution 3069 (XXVIII) had been adopted without objection.

7. At its thirtieth session, the Commission on Human Rights had devoted six meetings to the consideration of the item and had established a Working Group which had been able to draft only the title and the preamble of the Declaration.⁴ At its fifty-sixth session, the Economic and

¹ See *Official Records of the General Assembly, Twenty-second Session, Annexes, agenda item 54, document A/6934, paras. 29, 72 and 90.*

² See *Official Records of the Economic and Social Council, Thirty-seventh Session, Supplement No. 8, para. 296.*

³ A/9134 and Add.1 and 2.

⁴ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5, chap. V.*

Social Council, by its decision 14 (LVI), had decided to inform the General Assembly that the Commission on Human Rights had not been able to complete its work, but intended to give priority to the preparation of the declaration at its thirty-first session, and had recommended that the General Assembly should consider ways and means to expedite the completion of the draft Declaration, without prejudice to General Assembly resolution 3069 (XXVIII). Bearing those facts in mind, his delegation considered that the Committee was not justified in considering the draft declaration and was wasting time in a lengthy debate for which no time was available. The basic part of that resolution was paragraph 1, which provided that the Committee should receive, through the Economic and Social Council, a single draft declaration prepared by the Commission on Human Rights. Only then would the Committee be able to begin its discussion. Meanwhile, its task was simply to consider means of expediting completion of the draft declaration, without prejudice to resolution 3069 (XXVIII).

8. The Soviet Union considered that there was a group of countries which preferred to discuss the question rather than carry out serious work on the draft declaration. His country was not trying to hamper that work and had, on the contrary, made an active contribution to the preparation of a draft declaration.

9. Under the circumstances, his country considered that, for the time being, there should be no substantive debate on the draft declaration since the Commission on Human Rights would deal with the question in an appropriate manner at its thirty-first session. His delegation therefore supported the draft resolution submitted by Bulgaria and the Byelorussian Soviet Socialist Republic (A/C.3/L.2130), which should not give rise to any serious objections and would enable the Committee to have before it in future a single draft declaration which could be the subject of substantive discussions.

10. Mr. RAZA (Pakistan) said that his delegation fully supported the objectives of the draft declaration on the elimination of all forms of religious intolerance contained in the working paper, A/C.3/L.2131, and recalled that freedom of worship had been one of the most cherished freedoms throughout history. The framers of the recent Constitution of the Islamic Republic of Pakistan had recognized that Islam was not the only religion practised by the people of Pakistan and that there were also Hindus, Buddhists, Parsees, Christians and Jews in the country who were entitled to practise their faith in accordance with their beliefs. The relevant constitutional provisions, which ensured religious freedom and tolerance, reflected an attitude based on the teachings of Islam. Finally, he supported the suggestion made by the delegation of Sri Lanka, at the previous meeting, that religious names and statues should not be exploited for commercial purposes.

11. Mr. WIKSTRÖM (Sweden) said that his Government and Swedish public opinion felt that the United Nations must make it clear that the world community could not accept the persecution of religious minorities, restrictions imposed on manifestations of their religion or interference with the right of everyone to have a religion or belief, including a non-religious belief. It had been made clear

during the debate that many countries shared that view, but he stressed that the question was not fundamental to Governments alone, since many non-governmental organizations played an important role as creators of public opinion in that field.

12. In virtually every country, there was constitutional and legal recognition of the right to religious freedom. At the same time, however, in practically all cases there were limitations on various grounds such as public order, public safety, public morality and the like, which in some instances militated against essential elements of religious freedom. It was obvious and indeed recognized by the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex) that some limitations of the exercise of religious freedom were legitimate. The crucial question was which limitations should be considered abusive and which acceptable, because even those limitations which were in themselves acceptable might become unacceptable if imposed in an arbitrary or discriminatory manner. The analytical presentation of the observations received from Governments had been of great value in elucidating those problems. His delegation believed that a declaration on the elimination of all forms of religious intolerance could serve as a guideline to Governments in dealing with related problems.

13. The delegation of Sri Lanka had made a well-taken point in drawing attention to the misuse of religious names and symbols for various purposes, mainly commercial. That problem might be solved to some extent by legislation, but responsibility in that field remained largely with advisory boards, press councils and the like and of course with individuals and organizations trying to create and form public opinion.

14. The item under consideration had been included in the agenda of the General Assembly for several years, and his Government had noted with regret that it had been repeatedly deferred to the following session. The adoption of General Assembly resolution 3069 (XXVIII) in 1973 had been very important, but unfortunately the request to the Commission on Human Rights to consider, as a matter of priority, the elaboration of a draft declaration had not achieved very positive results and progress at the Commission's thirtieth session had been very modest.

15. His delegation considered it an important task for the General Assembly to make a new effort to adopt a declaration without delay. It had therefore sponsored working paper A/C.3/L.2131 with the Netherlands delegation. The paper had been drafted with due regard for the various views put forward by different Governments and non-governmental organizations. He realized that it was difficult to take a definite position on all the details of the draft declaration contained in the paper at the current stage of consideration. However, he believed that the text would constitute a base for further discussions and that the draft, together with the comments of delegations in the current debate and the observations received from Governments, would enable the Commission on Human Rights to elaborate a single draft declaration and submit it to the next session of the General Assembly through the Economic and Social Council.

16. Mr. FEIT (France) said that the item under consideration had been on the agenda of the General Assembly for 12 years; although it had originally been conceived as a complement to the elimination of all forms of racial discrimination, it had not been given the same importance. Various difficulties had arisen which had shown the diversity of ideas on the subject and the need, recognized by most delegations, to seek the necessary safeguards for the exercise of a right recognized in the Universal Declaration of Human Rights. The first stage had been completed with the adoption by the General Assembly of resolution 3027 (XXVII), in which it had been decided to accord priority to completion of the declaration before resuming consideration of the draft convention, which had departed from its original objectives of protecting and guaranteeing religious freedom.

17. Despite the creation of a special working group, the Commission on Human Rights had been unable to complete the task entrusted to it by the General Assembly in resolution 3069 (XXVIII), although it had not lacked material to work on. Nevertheless, its discussions had served to underline some points on which agreement must be reached if a final version of an international instrument such as that on racial discrimination was to be prepared. First, his delegation felt that the drafting of a declaration on the elimination of religious intolerance was certainly important, since it would mark the first step towards adoption of a convention on the principle of freedom of conscience and religion, embodied in article 18 of the Universal Declaration of Human Rights. Secondly, the main obstacle to be overcome seemed to be the compatibility of the declaration with domestic law. The principles governing relations between the State and religion and between citizens of different beliefs must be established. Another difficulty to be overcome was that of defining the exact scope of the declaration in order to avoid different interpretations. His delegation believed that the declaration should refer to both religious beliefs and non-religious beliefs, a term which would cover beliefs which could be said to fall in the same category as religious convictions; reference could thus be made to theistic, non-theistic or atheistic religions or beliefs. His delegation felt that it was possible to reconcile respect for special characteristics and the free exercise of a right recognized by the Universal Declaration of Human Rights. It should also be possible to define the limits within which that right could and should be exercised without prejudice to the integrity of public powers or the rights of citizens with different beliefs.

18. It should be realized that it would be difficult to understand a further deferment of consideration of the item in the Third Committee, since the Commission on Human Rights had been unable to make progress with the subject at its thirtieth session. A recurrence of that situation at its thirty-first session must be avoided. His delegation supported the draft declaration submitted by the Netherlands and Sweden (A/C.3/L.2131) and was ready to participate in all efforts to arrive at a text acceptable to all.

19. Mr. BASCIO (Grenada) said that the question of religious intolerance was full of difficulties, because religion was one of those areas of life in which prejudice in favour of personal beliefs was very strong. In the history of mankind, more wars had been caused by religious bickering

than by persecution of religious people by non-religious people. The question could not be settled by simply stating that the right of all peoples to religious freedom should be upheld. Complications arose from the interaction between peoples, their beliefs and their national goals and aspirations, which sometimes conflicted. It might happen, and had happened, that the church structure was so rigid and so entrenched in the *status quo* that it was unable to change with the times and might even challenge changes and attempt to undermine the authority of those who led the people. It could join vested interests, as had happened in the colonial Territories, and become an obstacle to the development of the people. In such a case, some Governments might react severely, not because they were intolerant of the religion but because they could not tolerate an archaic structure. That was a real distinction which should be given more attention. The problem of religious intolerance had arisen very often from the abuse of religion rather than from objections to religion itself. A religious structure was, after all, only as advanced as its members; but in that case the maintenance of an unchanged rigid attitude towards religious structures despite the manifestation of goodwill and reform by the religious community was outright suppression of the freedom of worship.

20. The social nature of man required that he give external expression to his internal religious beliefs; a violation of the human person was therefore perpetrated if the exercise of the right to freedom of worship was denied by the bureaucracy when the just requirements of public order did not so dictate. Man's desire for worship was primordial. Religious persecution merely suppressed for the time being the expression of his beliefs or channelled them towards the worship of a man or a State.

21. The solution of the problem of intolerance was therefore twofold: on the one hand, the religious structures must realize that their credibility depended on their use of their influence and resources, and, on the other, the anti-religious forces must understand that faith and worship lay deep in the heart of man. Lastly, it must be borne in mind that religious intolerance should not in any way imply the granting of privileges to religious institutions. For all those reasons, his delegation supported the draft declaration in document A/C.3/L.2131.

22. Mrs. WATANABE (Japan), after affirming that her delegation had no intention of departing from the procedure established in decision 14 (LVI) of the Economic and Social Council, drew attention to her Government's comments on the preliminary draft declaration on the elimination of all forms of religious intolerance,⁵ especially with regard to the right of parents or legal guardians to decide upon the religion or belief in which a child should be brought up, as provided in draft article V. Her Government had, in its reply⁶ to the Secretary-General on the implementation of General Assembly resolution 3069 (XXVIII), proposed that the content of article V be incorporated into article I, which proclaimed, *inter alia*, that everyone had the right to freedom of religion, and that if a child was to be mentioned, due regard should be given to the Declaration

⁵ *Ibid.*, *Thirty-seventh Session, Supplement No. 8*, para. 294.

⁶ See E/CN.4/1146/Add.3.

of the Rights of the Child, proclaimed in General Assembly resolution 1386 (XIV).

23. The Japanese Children's Charter made no mention of religion or belief and did not define the rights of parents or legal guardians in relation to religion or belief. Therefore, if the right of parents or legal guardians in relation to a child's religion was to be provided for in a separate article of the draft declaration on the elimination of all forms of religious intolerance, the most that could, in her delegation's view, be stated was the following: "Parents have a prior right to choose the religion or belief in which they wish their child to be brought up."

24. In conclusion, she referred to the Secretary-General's report entitled *Parental Rights and Duties, including Guardianship*,⁷ which, in a section which dealt with the right and obligation of parents to determine their child's religion, did not, in her view, state the parental right in question so decisively as did the draft article under discussion.

25. Mr. GRAEFRATH (German Democratic Republic) said that his Government had submitted its comments and concrete proposals concerning a draft declaration on the question under consideration in order to assist the Commission on Human Rights in its work and had presented its views on the item in the Third Committee.

26. In the German Democratic Republic, the differences between religious and atheistic convictions did not stand in the way of close co-operation among all citizens. The equality of rights and obligations for all, the separation of State and Church and the granting of equal rights to all religious communities made it possible to subordinate those differences to the fundamental common goals for the benefit of all citizens.

27. His delegation believed that the question of the elimination of all forms of religious intolerance should be approached with great care, and it had therefore voted in favour of General Assembly resolution 3069 (XXVIII). The complexity of those problems derived not merely from the diversity of theistic and non-theistic views but, above all, from the differing role played by religious beliefs and non-religious convictions in the social and political life of different States under certain historical conditions. Certain concepts, including concepts of a religious nature, stood in the way of social progress and the implementation of human rights. Particular care should therefore be taken to ensure that, in the drafting of a declaration or convention, the principle of tolerance should not be defined separately from the fundamental principles and purposes of the Charter. Similarly, in any discussion of the item, it was necessary to distinguish between those questions which covered the indispensable basic postulates inherent in the principle of tolerance and those which were linked with specific demands liable to spark unsolvable controversies, thus involving the risk that a declaration or convention might not receive the support of a majority of States Members of the United Nations.

28. With regard to the preparation of a declaration on the elimination of all forms of religious intolerance, his

delegation believed that there was a well-founded and unanimous view that the Third Committee could not function as a drafting committee. It had been generally felt that, by reason of its composition and its experience, the Commission on Human Rights was the appropriate body for that work, and it had therefore been assigned the task of preparing the draft declaration. His delegation saw no reason why that decision should be revised, and hence it supported draft resolution A/C.3/L.2130, which was designed to enable the Commission on Human Rights to complete the work it had begun.

29. It was therefore pointless for the Third Committee to begin a substantive discussion of the item. That did not mean that Governments wishing to do so might not transmit proposals and comments to the Commission on Human Rights. It was from that standpoint that document A/C.3/L.2131 should be regarded as a working paper. Articles I to IX represented a new presentation of proposals submitted at the twenty-eighth session. What was new in the document was its preamble; however, since it was customary not to consider the preamble of a document until agreement had been reached on the operative part, he saw no reason for the Committee to begin to study the preamble at the present time and felt that it would be preferable to await the outcome of the deliberations within the Commission on Human Rights.

30. His delegation believed that it would be best to encourage the Commission on Human Rights to continue its work, without intervening in substantive matters. As draft resolution A/C.3/L.2130 served that purpose, his delegation would vote in favour of it.

31. Mrs. DE BARISH (Costa Rica) said that her delegation had always viewed with special interest the item under consideration and had frequently expressed regret at the slow pace of the progress made on such an important matter. Costa Rica had been a sponsor of the texts which subsequently were adopted by the General Assembly as resolutions 3027 (XXVII) and 3069 (XXVIII). In view of the fact that the Working Group established by the Commission on Human Rights had been able to examine only the title and first two articles of the draft declaration and that the Economic and Social Council had recommended that the General Assembly should study means to accelerate the preparation of the draft declaration, without prejudice to resolution 3069 (XXVIII), her delegation thought that it would be useful if the basic working document submitted by the Netherlands and Sweden (A/C.3/L.2131) was taken into account in the preparation of the single draft declaration.

32. Mrs. WARZAZI (Morocco) referred to the undeniable reality of the problem of religious intolerance, which was manifested in certain parts of the world by repression and discrimination against persons practising a faith different from that of the majority and by the use of religion as a political instrument of exploitation. The United Nations had scored a great many outstanding successes of a humanitarian nature. After a long and difficult process, it had succeeded in destroying the barriers of misunderstanding and in establishing a dialogue in which the forces of justice and faith in the individual had effectively nullified the contradictions plaguing the world. Colonialism was on

⁷ United Nations publication, Sales No. E.68.IV.3.

the decline today and would soon be expelled from its last strongholds. Racial discrimination and racism had been denounced with such vigour that there was no doubt that they would be eliminated. With regard to *apartheid*, formally condemned and recognized as a crime against humanity, in spite of the intransigence of the régimes of Pretoria and Salisbury, the day would come when the peoples concerned would awaken from their lethargy and make the leaders of *apartheid* pay for their crimes.

33. However, there was an area in which the United Nations had not yet made its definitive and decisive mark: religious intolerance, which, throughout the centuries, had been the cause of so much suffering. In spite of changes in public attitudes, scientific and technological advances and the evolution of the Church and religions, the problem had not yet been resolved. Every year, thousands of persons died for their faith and their beliefs, and entire communities were violently torn asunder. And yet, intolerance towards a believer or non-believer constituted an offence to the fundamental freedoms of the individual.

34. For all those reasons, her delegation earnestly hoped that the Committee would deal with the problem in a definitive manner. Morocco, which adhered to a religion known for its great tolerance and which had given proof of its respect for all religions practised in its territory, could not accept a situation in which human beings died because of their religion. It was essential to defend once again one of the most fundamental rights of the individual. She regretted that the Commission on Human Rights had been unable to conclude the study of the draft declaration during the current year. She therefore felt that it would be useful for the Third Committee to urge that the problem should be accorded the highest priority. The entire world must be given the assurance that a person's belief or non-belief was a responsible act carried out in exercise of one of the essential rights of the individual. As that right had not yet been fully recognized and defended, there should be no more waiting, and action must be taken without further delay.

AGENDA ITEMS 62 AND 63

National experience in achieving far-reaching social and economic changes for the purpose of social progress (A/9603, chapter I, chapter V, section A.1; A/9794)

Unified approach to development analysis and planning (A/9793)

35. Miss WALTERS (Centre for Development Planning, Projections and Policies) recalled that consideration of a unified approach to development analysis and planning had been initiated with Economic and Social Council resolution 1494 (XLVIII), in which the Secretary-General was requested to undertake a study of the question in co-operation with other members of the United Nations family. At its fifty-seventh session, the Economic and Social Council had had before it the progress report of the Secretary-General⁸ on the subject. Currently, the United Nations Research Institute for Social Development, in consultation with the Secretariat and the Economic Commission for Latin America, was preparing a report on a unified approach to development analysis and planning, which would be submitted to the Commission for Social Development at its twenty-fourth session, in January 1975. Since that report was not yet ready for distribution, only a brief note by the Secretary-General on the subject (A/9793) had been set before the Committee.

36. With reference to the question of national experience in achieving far-reaching social and economic changes for the purpose of social progress, she introduced the report of the Secretary-General (A/9794), which also contained a brief interim report, submitted in accordance with Economic and Social Council resolution 1841 (LVI), since the study of current national and international activities in the field of social indicators to be submitted to the Commission for Social Development at its twenty-fourth session was not yet ready for distribution.

37. Mrs. WARZAZI (Morocco) requested a clarification concerning the reasons for the inclusion of those items in the agenda of the Third Committee and said that it would be useful if the countries which had advocated their inclusion would explain their position.

38. The CHAIRMAN said that since the Committee was behind in the consideration of the items on its agenda, draft resolutions on the matters in question should be submitted as soon as possible.

39. Mrs. WARZAZI (Morocco), supported by Mr. FALL (Senegal), insisted that the purpose of the inclusion of items 62 and 63 in the agenda should be clarified even before continuing the debate on religious intolerance.

The meeting rose at 12.50 p.m.

⁸ E/5523 and Corr.1.

2093rd meeting

Tuesday, 19 November 1974, at 3.10 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2093

AGENDA ITEM 54

Elimination of all forms of religious intolerance (*continued*)
(A/9603, chapter I, chapter V, section C.2; A/9644, A/C.3/L.2130, 2131)

1. Mrs. HEANEY (Ireland) said that the Constitution of Ireland provided for the free profession and practice of religion and for freedom of association, and guaranteed that no one religion should be endorsed by the State.

2. Modern communications and technology and the revolution of rising expectations led to increasing contacts between persons and groups of different persuasions. Consequent changes in traditional life-styles aggravated the problem of intolerance or outright discrimination. Such practices may result from ignorance, from conflict of interests, or from an unjust system, particularly in situations involving minority groups. A convention on the elimination of all forms of religious intolerance could make a positive contribution to the eradication of that problem.

3. It was regrettable that the Commission on Human Rights had been unable to fulfil the mandate entrusted to it by the General Assembly in resolution 3069 (XXVIII) and had thus far succeeded in adopting only the title and, provisionally, one preambular paragraph of a draft declaration on the subject.¹ However, the adoption of that resolution did not mean that the Third Committee had surrendered its right to pursue consideration of the item, if necessary, at the current and subsequent sessions. The Committee should continue to exercise its responsibilities in relation to the item, with a view—as urged by the representative of Morocco at the preceding meeting—to bringing the matter to a conclusion. Her delegation was prepared to consider document A/C.3/L.2131 as a working text, while reserving its position on specific paragraphs. Since the Committee had allocated only six meetings to the item, it was obvious that it would be unable to adopt a complete text, although it should be possible to consider the preamble which followed closely the preamble to the draft international convention considered at the twenty-second session of the General Assembly.² She found it difficult to understand the complaints of certain representatives that there was insufficient background material on the subject. There was, in fact, a wealth of material in documents produced by the Secretariat available to delegations. Many of the preambular paragraphs of the text in document A/C.3/L.2131 were of fundamental significance to the whole concept of the elimination of religious intolerance and could serve as guidelines for the elaboration of the operative part of the draft declaration.

¹ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5, para. 57.*

² See *Official Records of the General Assembly, Twenty-second Session, Annexes, agenda item 54, document A/6934, para. 72.*

4. Her delegation feared that the effect of draft resolution A/C.3/L.2130 would be to remove the item from the agenda of the Third Committee for years to come. The draft resolution, which took no account of the exceedingly heavy workload of the Commission on Human Rights, was unacceptable to her delegation. She wondered what grounds there were for considering that the Commission could make more progress at its thirty-first session than it had made at its thirtieth. She also wondered whether the language of the third preambular paragraph was factually accurate. It gave the impression that the Commission on Human Rights had received a continuing mandate to deal with the question of a draft declaration. Resolution 3069 (XXVIII) clearly laid down a time-table providing for action by the Third Committee at the current session.

5. Mr. NOTHOMB (Belgium) noted that the informal working group established by the Commission on Human Rights at its thirtieth session had made little progress in elaborating a draft declaration on the elimination of all forms of religious intolerance. Accordingly, the Economic and Social Council, in its decision 14 (LVI), had recommended to the General Assembly that it should consider ways and means to expedite the completion of the draft declaration. The Assembly could perform that duty by at least requesting the Commission on Human Rights to prepare at its next session, as a matter of priority, a single draft declaration to be submitted through the Council to the Assembly at its thirtieth session. The Assembly should also request the Commission to take account, in the elaboration of the draft declaration, of the excellent working paper submitted by the delegations of the Netherlands and Sweden (A/C.3/L.2131) and the various constructive suggestions made during the debate in the Third Committee.

6. His delegation joined with previous speakers in urging the speedy adoption of a draft declaration. The Belgian Government and people were firmly attached to the principle of religious tolerance. Everyone in Belgium was free to practise any religion or none at all. Freedom of religion was fully guaranteed under the Constitution, which also affirmed the principle of the separation of Church and State. However, the State paid a salary to the ministers of religions recognized by Belgian law, as a humanitarian means of fostering the free practice of religion. That measure did not place the Church in a subordinate position vis-à-vis the State. The Protestant, Catholic, Jewish and Islamic religions were recognized in Belgium, but other religions were practised freely there. Recognition of a religion implied only that the ministers of that religion received a salary from the State and that the State partially defrayed the cost of constructing its religious buildings. There was nothing to prevent other religions from being recognized by Belgian law in the future. The Islamic religion had been recognized since July 1973.

7. Turning to the draft declaration contained in the working paper submitted by the Netherlands and Sweden (A/C.3/L.2131), he noted that the word “belief” in the original English text had been translated into French as “conviction”. He felt that the French word “croyance” was a more accurate translation since the words “belief” and “conviction” represented different concepts. His delegation proposed that the last sentence of article I of the working paper should be amended to read: “The expression ‘religion or belief’ shall include theistic, non-theistic and atheistic concepts of life.” The original wording of that sentence was defective, since the definition of “religion or belief” contained one of the words to be defined.

8. Lastly, article VIII of the working paper should be amended to read: “Neither the establishment of a State religion or of a secular concept of life advocated by a State, nor the recognition of a religion or secular concept of life by a State, nor the separation of a religion or a secular concept of life from the State shall by itself be considered discrimination on the ground of religion or belief.” The proposed amendment would have the advantage of clarifying the position of atheists in their relations with the State.

9. Miss CAO-PINNA (Italy) expressed regret that little progress had been made since the item under consideration had first been taken up in 1962. Following the adoption of General Assembly resolution 3027 (XXVIII), however, there had recently been three positive developments. First, the work currently being done on the elimination of religious intolerance confirmed the importance of the rights and freedoms enunciated in article 18 of both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex). Secondly, efforts were currently being concentrated on the completion of a declaration on the subject before consideration of a legally binding instrument, on which it had been difficult to reach broad agreement in the past, was resumed. Thirdly, there had been no unproductive confrontations between believers and non-believers during the general debate on the item at the thirtieth session of the Commission on Human Rights.

10. In view of those positive developments, her delegation hoped that progress would now be made on the substance of the item both in the Committee and in the Commission on Human Rights, whose working group had thus far done little more than agree on the title of a draft declaration. Goodwill was required if the completion of the draft declaration was to be expedited pursuant to decision 14 (LVI) of the Economic and Social Council. A major step towards the achievement of the necessary unity of purpose had been taken at the twenty-second session of the General Assembly when delegations had voted in favour of a definition of the expression “religion or belief” which implied equal protection for persons and groups professing a religion and for non-believers or persons who held anti-religious beliefs.³ Those same delegations now supported the working paper submitted by the delegations of the Netherlands and Sweden (A/C.3/L.2131). A similar co-operative approach was now required on the part of those delegations which at the thirtieth session of the

Commission on Human Rights had expressed scepticism as to the advisability of preparing a draft declaration. The draft resolution submitted by Bulgaria and the Byelorussian SSR (A/C.3/L.2130) showed no signs of a co-operative approach, and her delegation hoped that its text would be improved.

11. As a means of promoting progress on the draft declaration at the current session, her delegation wished to make two concrete suggestions concerning the scope of the draft declaration and the method of work to be followed by the Third Committee. It had repeatedly been stated that the draft declaration should elaborate upon article 18 of both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. However, no mention of the scope of the draft declaration was made in the five resolutions thus far adopted by the General Assembly on the question of the elimination of religious intolerance. Her delegation felt that the scope of the draft declaration should be clearly stated, either by the Committee or by the plenary General Assembly, so as to serve as a constant guideline and point of reference in the further work of both the Commission on Human Rights and the Committee. Her delegation would consider making a formal proposal to that effect, if its concern was shared by other members of the Committee.

12. As far as the method of work was concerned, in view of the concern expressed by members at the slow pace of progress on the item in the past, the Committee might wish to recommend that the Commission on Human Rights should give high priority to the item in the future. The Committee and the General Assembly might also consider expediting their own work. For example, if the Commission was unable to conclude its work at the next session, the Economic and Social Council and the Committee might consider acting upon the work already done by the Commission, so as to avoid further delays in the completion of the draft declaration. A recommendation to that effect could be addressed to the Council and a decision could be taken by the Committee as far as its own work was concerned.

13. In her delegation’s opinion, draft resolution A/C.3/L.2130 did not reflect the wish of several delegations for the positive and speedy conclusion of United Nations action on the elimination of all forms of religious intolerance. On the other hand, her delegation appreciated the working paper submitted by the delegations of the Netherlands and Sweden as a positive contribution to further work on the subject. It would support any proposal aimed at transmitting the working paper to the Commission on Human Rights for use by the latter body as the basis for its work on a draft declaration.

14. Mr. DE AZAMBUJA (Brazil) observed that General Assembly resolution 3069 (XXVIII) represented a useful yardstick, from both the substantive and the procedural point of view for measuring the efforts to be made on the question of the elimination of all forms of religious intolerance at the current session. His delegation hoped that the search for a consensus would not be abandoned and that the Committee would not proceed to a hasty, divisive vote on the question.

³ *Ibid.*, paras. 73-77.

15. Although the progress made thus far by the Committee and the Commission on Human Rights was disappointing, there was reason to hope that the draft declaration would be completed at the next session of the Commission. The fact that the Commission had the task of preparing the draft declaration did not detract from the relevance of the Committee's current debates, the record of which should be forwarded to the Commission for use as a guide in its work. It appeared from the comments of previous speakers that the United Nations was basically committed to the completion of a draft declaration, although an arduous process of negotiation still lay ahead.

16. His delegation appreciated the working paper submitted by the delegations of the Netherlands and Sweden (A/C.3/L.2131) which should provide a valuable contribution to the work of the Commission on Human Rights. It hoped that draft resolution A/C.3/L.2130 would be open to constructive revision to bring it closer to the letter and spirit of General Assembly resolution 3069 (XXVIII). Governments which had not yet done so should be encouraged to submit their comments on the item to the Commission on Human Rights.

17. His delegation felt that the resolution that was adopted should specifically request the inclusion of the item in the Assembly's agenda at its thirtieth session, so as to reaffirm the Committee's continuing interest in the subject. The resolution should also express confidence that a declaration on the subject would be adopted at the thirtieth session.

18. As was well known, various religions coexisted peacefully in Brazil. However, the largely successful national experience in that regard was not a matter for complacency, since every new generation should be brought up in a spirit of tolerance and should be made aware of the dangers of bigotry and discrimination. His delegation hoped, therefore, that the declaration to be adopted would remain as a permanent source of inspiration for future generations. His delegation would press for the completion of the declaration, which would be a useful international instrument, but in doing so would remain mindful of the delicate considerations that had to be taken into account by other delegations, thus necessitating a cautious approach to the subject.

19. Mr. NOWORYTA (Poland) said that his delegation supported the efforts aimed at drafting international instruments on the elimination of all forms of intolerance and discrimination based on religion or belief. It had expressed its position on the substance of the item in the debate at the previous session, and would confine itself to a few comments on procedure at the current stage.

20. Past experience showed that the item was very complex and should not be dealt with in haste. It was essential that the documents to be adopted on the subject should embody the principle of the equality of the rights and duties of believers and non-believers and of persons of different beliefs, thereby contributing to the harmonious coexistence of peoples at the national and international levels and to the elimination of attempts to use religion as a means of sowing discord.

21. The Commission on Human Rights had not yet completed its work on the elaboration of a draft declaration on the subject and intended to give priority to that question at its next session. In the circumstances, it seemed logical that the General Assembly should await the outcome of the work of the Commission before continuing its own work on the basis of the draft declaration prepared by the latter body. His delegation therefore supported the proposal in draft resolution A/C.3/L.2130 that consideration of the item should be deferred until the Commission had completed its work.

22. Lady GAITSKELL (United Kingdom) observed that if article 18 of the Universal Declaration of Human Rights had included the words "this right shall include freedom to adhere or not to adhere to any religion or belief", which appeared in article I of the draft submitted by the Netherlands and Sweden (A/C.3/L.2131), it would have stood the test of time as a tablet against religious intolerance. However, declarations lacked binding force and it was accordingly the practice of the Committee to go on to the completion of international conventions after it had succeeded in adopting declarations.

23. The problems of religious intolerance were deeply rooted and pervasive and could not be compressed into any simple formula. Nevertheless, the United Nations had surely been remiss in not elaborating upon article 18 of the Universal Declaration of Human Rights in the more than 25 years that had elapsed since its adoption. Given the political will, there was no reason why that deficiency could not be remedied. However, the Committee could not proceed to the completion and adoption of a declaration when the Commission on Human Rights had made so little progress in preparing the single draft declaration called for in Assembly resolution 3069 (XXVIII). In the circumstances, her delegation hoped that the Assembly, at its current session, would make a serious effort to draft a text which could command full support. She disagreed with the view expressed by the representative of the German Democratic Republic at the previous meeting that the Committee could not act as a drafting group. The problem was no longer one of drafting, since there already existed a number of texts which could be used as a basis for preparing a widely acceptable instrument. The Committee had shown itself to be more than equal to such a task during the drafting of other international instruments.

24. Her delegation welcomed the working paper submitted by the Netherlands and Sweden, which combined the positive features of a number of texts considered in the past. Although there were certain aspects of the text with which her delegation was not in complete agreement, she considered that it was the duty of the Committee to proceed, without vacillation, to draw up a text that could be adopted by the Assembly at the current session. She agreed with the representative of Belgium that "belief" and "conviction" were two different concepts.

25. Miss VOLLMAR (Federal Republic of Germany) expressed the view that the principles of tolerance and non-discrimination, including the free exercise of religion, belief or conviction within the framework of the law and the interests of society as a whole, were the bases of democratic society. While recognizing the complexity of

the item under consideration, her delegation had supported General Assembly resolution 3069 (XXVIII) in the expectation that the Commission on Human Rights would tackle the issue in a serious manner at its thirtieth session. Her delegation had participated as an observer at that session and was disappointed at the results. The statement by one delegation at the Committee's previous meeting that constructive work had begun in the Commission was certainly an exaggeration. Even the Chairman of the Working Group had reported a lack of progress to the Commission, and a number of representatives had expressed disappointment at the lack of co-operation in the Group.

26. Any attempt by any delegation to help end the deadlock existing in the Commission on Human Rights would have the support of her delegation. Accordingly, it welcomed the working paper A/C.3/L.2131 as a useful basis for the Committee's work and expressed the hope that it would constitute a means of achieving progress in the Commission.

27. Referring to draft resolution A/C.3/L.2130, her delegation considered that the text of that document was not satisfactory in that it did not take account of the real situation which had prevailed at the thirtieth session of the Commission on Human Rights or Economic and Social Council decision 14 (LVI). It could be amended without prejudice to General Assembly resolution 3069 (XXVIII) to convey the desire of the General Assembly to see the work of the Commission on Human Rights accelerated. Her delegation considered that the General Assembly should remain seized of the item on an annual basis in order to enable it to review the work of the Commission.

28. Miss DUBRA (Uruguay) said that it had always been a guiding principle of her country's policy with regard to religion to outlaw discrimination against any of its nationals on the grounds of their religion or lack of religious belief. The Constitution provided for complete religious freedom as well as for the separation of Church and State. Article 18 of the Universal Declaration of Human Rights, which proclaimed the right to freedom of thought, conscience and religion, was fully respected in Uruguay, where there was no restriction on religious freedom, freedom to change one's religion or freedom to express one's beliefs, either in private or in public.

29. Since the beginning of the twentieth century there had been no official religion in Uruguay and all religious practices were tolerated. Uruguay had always understood that the increase in individual freedom represented a growing freedom of choice with regard to the norms of individual behaviour. All countries should follow a policy which recognized the right of the individual to choose his own religious belief. Such a policy could be enforced only if other fundamental human rights were respected and protected. At the same time, religious principles were losing their importance as a standard of social behaviour, particularly among the young, and the problem now existed of the elimination of all forms of intolerance, including intolerance towards non-believers. Accordingly, full freedom of conscience presupposed the separation of Church and State.

30. Her delegation considered that all forms of religious intolerance should be eliminated at the international level.

To that end, it was necessary, as a first step, to adopt a declaration containing general principles which States would undertake to observe, to be followed at a later stage by a legally binding international convention.

31. Mr. TUERK (Austria) said that religious freedom and tolerance were generally the result of a long historical process whereby people came to realize the futility of persecuting their fellow men or discriminating against them on account of their views on religion. That evolution usually found expression in legal instruments; however, legal or administrative measures were only the framework within which freedom of thought, conscience and religion and in particular religious tolerance could evolve further and really become part of everyday life.

32. In Austria freedom of religion was constitutionally guaranteed, and there was also an express provision in the law that no one could be compelled to practise a religion. There were no difficulties whatsoever with regard to the practical realization of those legal provisions.

33. The Austrian Government had always fully supported the efforts of the United Nations in preparing draft instruments on the elimination of all forms of religious intolerance and had favoured awarding a high degree of priority to the matter. It had therefore voted in favour of the text adopted by the General Assembly as resolution 3027 (XXVII) and had submitted detailed comments on the preliminary draft of a declaration prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and on the revised draft articles prepared by the Working Group of the Commission on Human Rights. His delegation approved of the approach which was being taken to the subject under consideration, as past experience had shown time and again that the successful completion of a declaration greatly facilitated the eventual elaboration of a legal instrument of a more binding character in the relevant field of law. It noted with deep regret that the Commission on Human Rights had not yet been able to progress very far with its work, but it whole-heartedly endorsed the Commission's intention to accord priority to the elaboration of a draft declaration at its thirty-first session and felt that the Committee should not enter into a discussion of the provisions of such a declaration at the present stage but should leave that task to the Commission. It thought that the working paper in document A/C.3/L.2131 should make the Commission's task easier.

34. He hoped that the sponsors of that working paper and of draft resolution A/C.3/L.2130 would be able to agree on a single draft resolution to be submitted to the Commission.

35. Mr. BATIBAY (Turkey) said that the lack of progress achieved by the United Nations with respect to religious intolerance was indicative of the complexity and sensitivity of the problem. Religious intolerance took different forms in different cultures, yet some of its aspects were common to all cultures. The prevalence of religious intolerance could be traced back to the era when religions had multiplied and confronted each other and some religious systems were used by States as means of discrimination against and oppression of certain social groups, as elements of internal

cohesion or as tools of expansionism. The contemporary manifestations of religious intolerance were to a large extent embedded in colonial policies; colonialism had exploited different systems of belief and, perhaps even more significantly, had created conflicts between the social groups belonging to different systems of belief for the purpose of dividing subjugated peoples in the areas it dominated.

36. His delegation believed that an extensive study should be made of religious intolerance; however, that did not justify inaction on the part of the United Nations. It regretted that the Commission on Human Rights had been unable to conclude its work on the issue, but nevertheless believed that it would be most appropriate for the work to be continued in that body.

37. Turkey was a predominantly Moslem country, yet it was a secular State where discrimination on religious grounds was a criminal offence. Historically it had been the meeting point of three religions, and the Turkish people had long tolerated different systems of belief.

38. His delegation supported draft resolution A/C.3/L.2130.

39. Mr. ARIZAGA (Ecuador) said that discrimination on religious grounds was the most obnoxious form of intolerance since it impinged on the basic right of human beings to observe the religion of their choice.

40. For many years, the General Assembly had been engaged in consideration of numerous aspects of the problem of the elimination of all forms of religious intolerance, which demonstrated the desire of the international community to formulate binding instruments that would ensure implementation of the principles enshrined in the Universal Declaration of Human Rights.

41. The Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Third Committee had devoted considerable, though not sufficient, time to the elaboration of two instruments, namely, a draft declaration and a draft international convention on the elimination of all forms of religious intolerance. As stated in General Assembly resolution 3069 (XXVIII) the proposals of Member States provided an adequate basis for the elaboration of a draft declaration.

42. His delegation attached great importance to the adoption of a declaration on the elimination of all forms of religious intolerance and agreed with most of the provisions in the preliminary draft prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities.⁴ Nevertheless, it wished to make some observations concerning certain articles in that draft. It considered that the term "effective reparation" would be more appropriate than the term "effective remedial relief" in paragraph 2 of article III, in view of the lack of competent tribunals in many countries. With regard to article V his delegation favoured inclusion of the final sentence of paragraph 1 of

article V of the draft declaration in document A/C.3/L.2131. The provision concerning the right to observe religious festivals and holidays contained in paragraph 8 of article VI might be interpreted as placing a certain obligation on the State. Accordingly, his delegation preferred the text submitted by the United States to the Working Group of the Commission on Human Rights and reproduced as a working paper to the thirtieth session of the Commission.⁵ His delegation agreed with the provisions of article VII but considered that it was essential to safeguard States' rights in order to ensure observance of State legislation on marriage. For that reason, his delegation proposed the following text: "Without prejudice to the requirements and formalities of the marriage laws of the State in question, all persons may also celebrate marriage in accordance with the precepts of their religious beliefs." His delegation considered that article X was superfluous except in the case of countries which might be considering preventive action in that respect.

43. Ecuador was a deeply religious, mainly Catholic country. Nevertheless, it respected other creeds and religious doctrines and considered that religious tolerance was essential in civilized society. His delegation regretted that the Committee had not devoted greater effort to the important item under consideration. Many resolutions had been adopted concerning other forms of discrimination and intolerance, but the problem of religious intolerance had been tackled with reluctance and proposals were passed from one committee to another. Even before the Committee had begun consideration of the item, a proposal had been submitted by the delegations of Bulgaria and the Byelorussian Soviet Socialist Republic aimed at deferring consideration of it.

44. Religion was undoubtedly one of the most important and controversial issues facing the world at the present time. Although the subject might appear somewhat irrelevant in the context of modern materialistic society, it was his view that religion and faith were the driving forces of human nature. Because of his firm belief that faith ennobled mankind, he felt that all who wished to profess their faith should be given the right to do so freely and without impediment.

45. Mr. BAROODY (Saudi Arabia) said that the elimination of all forms of religious intolerance might appear to be a laudable endeavour but there were many pitfalls on that path and the whole exercise might lead to trouble in the future. Article 18 of the Universal Declaration of Human Rights had been adopted by the General Assembly in spite of numerous objections. His delegation had abstained in the vote on that article because of the adamant stand of some delegations. The so-called religious article in the International Covenant on Civil and Political Rights had subsequently been adopted because many delegations were unaware of the dangers inherent in it. There had been general agreement concerning freedom of thought, conscience and religion but many delegations had objected to the freedom to change religion or belief, since some religions did not have missionaries. Tolerance was indivisible and a formulation which placed certain religions at a disadvantage was in itself discriminatory.

⁴ See *Official Records of the Economic and Social Council, Thirty-seventh Session, Supplement No. 8, para. 294.*

⁵ See E/CN.4/1145, annex II.

46. Religion was a personal and subjective issue. It consisted of ritual and ceremonial and a fundamental moral code and its form and substance were interdependent. It was not enough for man to pay lip service to religion while remaining greedy, ambitious and vainglorious. Tolerance could not be achieved by legislation; it was a question of training from an early age in the exercise of self-restraint in all matters and a constant endeavour to overcome greed.

47. Middle Eastern countries had long experience in religious matters and three major religions had been founded in the area. That experience led him to the conviction that freedom of religion could not be codified. The sponsors of document A/C.3/L.2131 came from homogeneous societies which did not have a similar experience. He therefore appealed to them to confine their efforts to the elimination of intolerance on other matters, such as education. Rules and regulations could be formulated for tangible things but not for religion. Their utopian initiatives would only result in an ineffective declaration which could never become an effective convention because of the divergence of conscience, norms, observance and even moral codes in different religions. Many religions already preached love, mercy, justice and humility but those principles were not observed and they could not be inculcated in people by means of declarations. He therefore appealed to the sponsors to reconsider the desirability of a draft declaration in order to avoid the burden on United Nations expenditure which its consideration and elaboration would entail.

48. Throughout the ages and even at the present time, violence had been fomented on religious grounds and the provision in the draft declaration that freedom of religion should not be used to kindle hatred could not solve that problem. Other provisions in the document could also give rise to difficulties and might be misinterpreted for evil ends. He appealed to delegations to give careful consideration to the dangers inherent in the proposed declaration and to be guided by common sense rather than solidarity on social issues such as the item under consideration.

49. Mr. EVANS (Australia) said that his Government attached great importance to the preparation of draft instruments on the elimination of all forms of intolerance and discrimination based on religion and belief. The issue was an integral part of the fundamental rights and freedoms which the signatories of the Charter of the United Nations and the Universal Declaration of Human Rights were committed to promote and protect. The right not to be subjected to discrimination on the grounds of religion or belief should be considered in the context of other human rights and fundamental freedoms. Ethics throughout the world derived from the expression of those freedoms and where they were denied, societies suffered accordingly.

50. For those reasons, his delegation considered it essential to endeavour to formulate a declaration which would protect those rights and provide a framework for action at the national level aimed at eliminating intolerance. As a nation, Australians were strongly committed to respect for other peoples' beliefs but no country was immune to intolerance and its unpleasant and disastrous repercussions. The statements in the Committee demonstrated a willingness to co-operate with a view to achieving agreement on

the texts of a declaration; in particular, the working paper submitted by the Netherlands and Sweden would provide a useful basis for discussion. His delegation wished to make some constructive proposals concerning that document. It considered that the words "religion or belief" in article I might be omitted; the expression was well understood in United Nations usage and there was no reason to delay the formulation of a declaration by attempting to define it at the present time. His delegation accepted articles II to IV and was attracted to the proposal by the representative of Japan at the previous meeting that the principle in article V should be incorporated in article I. It would also like to see included in that article a sentence reading "in the case of a child who has been deprived of his parents, their expressed or presumed wish was to be duly taken into account, the best interests of the child being the guiding principle". That sentence had been included in paragraph 1 of article V of the original draft⁶ prepared by the Working Group set up by the Commission on Human Rights at its twentieth session. His delegation considered that it constituted an important element in the aims which the declaration sought to achieve. It would also favour reinstatement of the original paragraph 2 of that article for the same reason. His delegation also accepted articles VI to IX and would support efforts to complete the text of the declaration.

51. In conclusion, he expressed the hope that delegations would demonstrate more flexibility in the future and engage in meaningful discussions with a view to reaching agreement during the coming year on legislation aimed at eliminating intolerance.

52. Mr. SAARIO (Finland) said that the United Nations had already endeavoured to combat religious intolerance and discrimination by means of specific provisions in several international conventions; the fact that such intolerance and discrimination still existed was proof of the great complexity of the problems involved. In most cases they were deeply rooted in history. It was therefore appropriate for the United Nations to continue its efforts to solve those problems and to create harmonious relations based on mutual tolerance and respect among peoples holding different religions or beliefs. History had shown that the insecurity of any religious, racial or cultural minority was a threat to the security of all and that human rights and fundamental freedoms were interdependent and indivisible.

53. However, the measures taken in that regard should be realistic and should recognize the fact that the role of religion or belief in the life of the State differed from one country to another, and also that the problems of the adherents of various religions or beliefs were different. For example, in order to be able to practise religion people needed special protection by the State, whereas the adherents of secular beliefs were protected by the general freedom of speech and freedom of association already guaranteed by most constitutions. Nevertheless, some needs were common to all people, such as the need to have complete freedom of religion or belief and the need not to be discriminated against in the enjoyment of human rights and fundamental freedoms because of adherence or non-adherence to a religion or belief.

⁶ See *Official Records of the Economic and Social Council, Thirty-seventh Session, Supplement No. 8*, para. 296.

54. His delegation hoped that working paper A/C.3/L.2131 would serve to expedite progress on the item. It clarified the essential elements to be included in the draft declaration and it deserved serious consideration.

55. Mr. VELESKO (Byelorussian Soviet Socialist Republic) said that, in the view of his delegation, the question of religious intolerance was more confused than complex, as could be seen from the history of its consideration at the United Nations. He recalled that initially, in accordance with General Assembly resolution 1781 (XVII), the Commission on Human Rights had worked on the elaboration of both a declaration and a convention on the elimination of all forms of religious intolerance. The initiative to accord priority to the elaboration of a convention had come from the Western countries and the Netherlands delegation had called for the adoption of such an instrument at the twenty-second session of the General Assembly. However, the very countries which had energetically supported the elaboration of a convention had then suddenly lost all interest in it and had turned their attention to the draft declaration, the text of which had not even been approved by the Commission on Human Rights. His delegation regretted that that manoeuvre by the Western countries, which had in effect constituted an attempt by a small group of countries to impose its position on the majority of Members of the United Nations, had cancelled out all the results which had been attained in the Third Committee. At the twenty-eighth session of the General Assembly, at the insistence of those same countries, the Committee had had before it three draft declarations, one of which, prepared by the Netherlands, had been withdrawn.⁷ Detailed discussion of the texts prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the working group of the Commission on Human Rights had shown that those two documents departed considerably from the correct conceptions, and from important international acts already adopted by the United Nations, and completely ignored the positions taken on the question by States Members of the United Nations. In those circumstances it had been clear that there was no possibility of preparing a draft declaration on such a delicate matter at that session and the Committee had rightly adopted the draft resolution which became General Assembly resolution 3069 (XXVIII) which had reaffirmed the equal importance of both a declaration and an international convention. His delegation was greatly surprised that, despite the clear provisions of that resolution, some delegations had wanted to raise the question again in the Third Committee. Those delegations were doing everything possible to undermine the agreed procedure for considering the draft articles of the working group and to draw the Committee into further useless discussion.

56. With regard to the working paper in document A/C.3/L.2131, he noted that the contents of the operative paragraphs were identical to the contents of the draft declaration which the Netherlands delegation had already introduced at the previous session and which had been withdrawn. Furthermore, since the question of preparing a draft declaration was being studied by the Commission on Human Rights, the working paper should have been submitted directly to that body.

⁷ See *Official Records of the General Assembly, Twenty-eighth Session, Annexes*, agenda item 55, document A/9322, para. 6.

57. In operative paragraph 4 of General Assembly resolution 3069 (XXVIII) it had indeed been decided to include the item under discussion in the agenda of the Assembly's twenty-ninth session, but it should not be forgotten that that paragraph was merely the logical conclusion of the preceding part of the resolution and could not be considered in isolation from the rest of the text. The Commission on Human Rights had made a detailed study of the question at its thirtieth session, and the Economic and Social Council in decision 14 (LVI) had confirmed the priority which the Commission on Human Rights intended to give to the elaboration of the declaration at its thirty-first session. It had therefore recommended to the General Assembly that it consider ways and means to expedite the completion of the draft declaration, without prejudice to General Assembly resolution 3069 (XXVIII). In the view of his delegation, it had been precisely on that basis that the General Assembly had placed the item under discussion on the agenda of its twenty-ninth session. Discussion of the draft declaration had not even been planned, because its elaboration had not been completed. There were decisions of the General Assembly and of the Economic and Social Council which clearly entrusted the Commission on Human Rights with the task of elaborating a declaration on the basis of documentation submitted by the Secretary-General. His delegation considered that it would be senseless to initiate discussions on a non-existent draft declaration in the Third Committee, as such discussion would clearly violate the decisions of United Nations bodies. It had therefore become a sponsor of draft resolution A/C.3/L.2130.

58. Mrs. BERTRAND DE BROMLEY (Honduras) regretted that the Committee had not taken the time to consider and adopt a universal declaration on the elimination of religious intolerance and that, in spite of numerous resolutions it had adopted over the years, little progress had been achieved. Despite the complexity of the issue, it was important to endeavour to provide legislation aimed at giving mankind maximum freedom. Although past experience with other forms of discrimination had shown that such measures were not completely effective, her delegation was convinced that the adoption of a declaration would be a positive step towards the elimination of the religious intolerance which still existed in various parts of the world.

59. In view of the lack of progress in the Commission on Human Rights she proposed that the excellent working paper submitted by the Netherlands and Sweden (A/C.3/L.2131) should be used as a working document by the Commission, and by the Committee at the next session of the General Assembly.

60. Ms. WHITE (United States of America) said it was deplorable that antagonisms arising from divergent religious beliefs, or from opposition to the holding of any religious belief, continued to bring misery and suffering to thousands in many areas of the world. Her delegation was not so sanguine as to believe that a United Nations declaration on the right of the individual to freedom of thought, conscience and religion would of itself put an end to religious discrimination and persecution, but it believed that such a declaration would focus the attention of Governments and public opinion on such practices and by so doing help to curb them.

61. It was unfortunate that, after more than a decade, the United Nations had not yet completed the task of drawing up a declaration on the elimination of all forms of religious intolerance. The delay had been caused partly by a shifting of attention from a draft declaration to a draft convention and back again to a draft declaration, and also from the fact that the Commission on Human Rights and the Sub-Commission on the Prevention of Discrimination and Protection of Minorities had considered the problem at different times. The preliminary draft declarations prepared by those two bodies had parallel and sometimes overlapping provisions, which prolonged discussion in the various bodies concerned.

62. The working paper (A/C.3/L.2131) was, in the view of her delegation, a sound basis on which to proceed; it reflected an understanding of the diversity of beliefs, cultures and political philosophies represented in the United Nations. Her delegation did not consider that the change in the title agreed on by the Working Group of the Commission on Human Rights was an improvement. Moreover, it was keenly disappointed in the Working Group's lack of progress. It was ironic that there should have been serious divergencies of opinion on the subject of religious intolerance, as the basic principles had been accepted in the Universal Declaration of Human Rights and the International Covenants on Human Rights, and were also set forth in the constitutions of most Member States.

63. Her own country's early experience had taught it the vital importance of preventing discrimination on grounds of religion or belief and of attempting to ensure religious tolerance through both custom and law. In that connexion, her delegation sympathized with the concern expressed by several delegations over the misuse of objects of religious veneration for commercial and publicity purposes. True tolerance was based on respect for other religions or beliefs.

64. Her delegation had been pleased by the evidence of continued interest in the subject under discussion as reflected by the large number of representatives who had spoken in the debate. The discussion had afforded delegations that did not participate in the work of the

Commission on Human Rights an opportunity to comment on the substance of the item and to present suggestions and amendments.

65. On the question of referring the subject to the Commission on Human Rights, draft resolution A/C.3/L.2130 was deficient in several vital ways. It provided no guidance to the Commission, and in the light of the Commission's inability to make significant progress at its previous session, such guidance was essential. If the Committee could agree that the draft declaration in document A/C.3/L.2131 should serve as the basis for the Commission's work and should so instruct the Commission, that would provide the kind of specific guidance that the resolution should contain if it was to be effective. The adoption of the working paper would not preclude additions or amendments. It would also be appropriate to include in the draft resolution some indication of disappointment that the Commission had not been able to make more significant progress, and it should call on the Commission to accord the highest priority to the drafting of a declaration. Draft resolution A/C.3/L.2130 also failed to provide any sort of time-limit for the Commission either to complete its work or to report on its progress; the Commission should be called upon to report on its progress through the Economic and Social Council to the thirtieth session of the General Assembly. Her delegation did not think it appropriate to defer further consideration of the item until a single draft declaration was submitted by the Commission on Human Rights; given the difficulties encountered by the Commission at its previous session, the wording of resolution A/C.3/L.2130 seemed to be a prescription for indefinite delay.

66. Her delegation believed that the broad principles of tolerance set forth in working paper A/C.3/L.2131 should be acceptable to men and women of goodwill throughout the world. Her Government hoped that the principles would serve as a basis for a draft declaration that would be referred to the Committee in the not too distant future.

The meeting rose at 6.05 p.m.

2094th meeting

Wednesday, 20 November 1974, at 3.30 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2094

AGENDA ITEM 54

Elimination of all forms of religious intolerance (*continued*)
(A/9603, chapter I, chapter V, section C.2; A/9644,
A/C.3/L.2130, 2131)

1. Mr. DIEZ (Chile) said that his country had never had any problems with regard to religious intolerance, not only because of its laws and legal system but also, and basically, because of its history and democratic traditions. For more

than 50 years the Catholic Church had been separate from the State, and people of all religions were able to worship in complete freedom.

2. At the same time Chile, as a member of the international community, had observed the consequences of religious intolerance throughout history and therefore understood that the problem was of great importance because of its philosophical and practical significance.

3. Three attitudes to the question under consideration had emerged during the Committee's discussion. At the previous meeting the representative of Saudi Arabia had expressed scepticism of the value of a declaration. Other representatives had been in favour of the elaboration of such a text. Still others had seemed insincere, perhaps for the first time expressing concern over the matter, in the belief that the General Assembly would never reach agreement on a declaration or convention. That applied particularly to the Soviet delegation, for the Soviet Union would have to adapt its entire political philosophy and adjust all its practice and legislation to comply with a draft declaration such as was envisaged.

4. His delegation, while recognizing that the United Nations had many shortcomings, did not share the scepticism of the representative of Saudi Arabia. No one could deny that over the decades the United Nations had had a favourable influence on some very important aspects of international life, such as the successful liberation of former colonies. He felt that resolutions and decisions adopted by the United Nations in the field of human rights were of value because he believed in the force of ideas as a prerequisite to action. The United Nations must discuss the ideas and the concern expressed about religious intolerance and arouse in Member States an awareness of the need to make serious efforts, both within and outside the United Nations, to overcome it. He agreed with the representative of Saudi Arabia that the elimination of religious intolerance was an educational matter, but in order for it to be part of the educational system, countries, peoples and Governments had to be in agreement. Thus there was a vicious circle which had to be broken. It was accordingly very important to adopt a draft declaration, even though the elimination of racial intolerance would be a long process. There would be no point in the existence of the United Nations if the world was perfect; indeed, its purpose was to participate in improving the world. Chile therefore approved of working paper A/C.3/L.2131 and would whole-heartedly support the amendments to draft resolution A/C.3/L.2130 offered by the delegations of the Netherlands and Sweden and distributed in provisional form which would bring the working paper to the attention of the Commission on Human Rights. His delegation believed that those countries which directly or indirectly had tried to deny the Committee its competence to deal with the question under discussion had not been arguing consistently, having regard to the other items which the Committee was taking up and the Committee's mandate. The debate on the question had not been futile, for it had reflected the concern and interest of countries in eliminating religious intolerance, which produced so much suffering in many parts of the world.

5. While the draft declaration was being discussed by the Commission on Human Rights, the Soviet Union would be able to begin to humanize its legislation and to annul the anti-religious enactments of the Communist Party, so that it could discuss the problem of religious intolerance without hypocrisy.

6. His delegation agreed that it was preferable to discuss a draft declaration before proceeding to consider a draft convention. In the case of a subject as difficult to deal with as religious intolerance, the working paper would make it

possible to achieve some progress. It was of the greatest importance that religion and politics should be kept separate. Religion, in itself, had nothing to do with politics and was only linked to politics by men. There was accordingly no reason why countries with different political systems should be unable to reach agreement on the elimination of religious intolerance. Starting from widely diverging viewpoints, it should be possible to agree at least on a minimum of respect for the right of men to worship God in whatever way they chose.

7. Mrs. TAKLA (Egypt) said that she would like to point out first of all that the very term "religious intolerance" embodied a certain contradiction, as all religions preached compassion for other men. It was thus clear that the problem was not one of religious intolerance but rather of the lack of religious tolerance due to the absence of correct understanding of religions. That fact should be taken into consideration by the Commission on Human Rights, and steps should be recommended to ensure better international understanding of the various religions. If people understood both their own religions and other beliefs correctly, more understanding would prevail in the international community.

8. Secondly, discrimination due to lack of religious tolerance existed in varying degrees and forms, the most apparent of which was actual torture or the infliction of physical suffering. Other forms included the deprivation of rights or equality before the law. One distasteful form of the lack of religious tolerance was the exploitation of religions to achieve political racist purposes, in complete contradiction to the teachings of such religions. Religion had been used, and was still being used, as a pretext to stir up citizens against their own countrymen and their own Governments, often to leave them homeless, and that form of religious exploitation must be condemned. In other instances, religions had been exploited in political campaigns as a means of soliciting votes, which was an insult to the persons practising those religions. Religious beliefs were sometimes used in an undignified way for the purposes of commercial publicity. The efforts of the United Nations must be directed to combating all forms of religious discrimination, whether open or disguised. Her delegation therefore preferred to consider the item in the broader context of the elimination of all forms of intolerance and discrimination inflicted due to religious beliefs.

9. Thirdly, religious discrimination could be manifested in either a negative or a positive way; discrimination could take the form of depriving some people of some rights or of according to some people special rights or a special status. In both cases religion was used as a pretext for preferential treatment.

10. Her delegation wished to affirm that there were no people chosen by religions; rather, there were religions chosen by people. To assert that God had chosen some people and given them a privileged status was tantamount to saying that the Creator himself was engaging in discriminatory practices. The chosen people, according to the noble teachings of Judaism, were those who chose to serve and assist, to enrich the human heritage and to eliminate human sufferings, rather than to conquer and usurp, kill and torture, and inflict on humanity more sufferings and

problems, all in the name of religion. Moreover, no one should lose any rights by choosing to change his religious belief, or by choosing to believe that there was nothing to believe.

11. Fourthly, religious intolerance existed in some areas as a policy adopted and encouraged by the Government in question, and in others as a problem and a challenge which the Government was trying and willing to eliminate. Different measures were needed to meet those very different situations.

12. Lack of religious tolerance, religious discrimination and the exploitation of religion for political purposes could be subtly manifested, cleverly disguised or eloquently justified, could operate unnoticed and could even be practised in the name of religion. Her delegation would therefore be in favour of any effort aimed at the elimination of the lack of religious tolerance, and fully supported draft resolution A/C.3/L.2130. It recommended that the draft declaration in document A/C.3/L.2131 should be transmitted to and carefully considered by the Commission on Human Rights.

13. Egypt's position on the question of religious intolerance had been explained in its reply to the Secretary-General, as shown in his report¹ to the General Assembly at its twenty-eighth session which transmitted the views of Governments on the texts that had already been prepared on this matter. Throughout history, Egypt, along with Palestine and other Arab countries, had been a haven to thousands of refugees who had fled from Europe during the various eras of religious discrimination and anti-Semitism; in Egypt, they had been welcomed by Jew, Christian and Moslem alike. Christians, Moslems and Jews continued to have equal rights.

14. Mr. PETROV (Bulgaria) said that informal consultations had been held that morning in an attempt to retain the consensus achieved in General Assembly resolution 3069 (XXVIII) and to meet the request of the Economic and Social Council in its decision 14 (LVI) to the effect that the General Assembly should find ways and means to expedite the completion of the draft declaration. Unfortunately, no positive results had been achieved. With regard to draft resolution A/C.3/L.2130, which was of a purely procedural character, the decision in the operative paragraph was logical and reasonable and if implemented would prevent a repetition at the Assembly's next session of the almost entirely procedural debate which had been taking place at the current session.

15. With regard to the working paper in document A/C.3/L.2131, his delegation appreciated the motives of the delegations of the Netherlands and Sweden, but considered that the text was incomplete, as it contained the views of only two delegations. It ran counter to the sixth preambular paragraph of General Assembly resolution 3069 (XXVIII), which had indicated the orientation suitable for the preparation of a draft declaration; furthermore, there was already a draft declaration² which had been

worked out by the Working Group of the Commission on Human Rights at its twentieth session. At the previous session of the General Assembly the delegation of the Netherlands had submitted a draft³ that was virtually the same as the one in document A/C.3/L.2131; only the preamble was new, and it was based on the draft convention considered by the Assembly at its twenty-second session, with some alterations which seemed unjustified inasmuch as the preamble had already been accepted by the Third Committee.⁴

16. All delegations in the Commission on Human Rights had worked in a constructive spirit on the elaboration of a draft declaration based on General Assembly resolution 3069 (XXVIII), but instead of proceeding on the basis of the available documentation, the Commission had embarked on a useless discussion of which documents to consider. The same thing had happened in the Commission's Working Group. That was why little progress had been achieved. There was no reason to accuse the socialist delegations of obstructionism because of their insistence that, despite their own preference for giving priority to a draft convention, the Committee should comply with General Assembly resolution 3069 (XXVIII). The unconstructive approach of the countries which apparently were most keen to expedite the completion of a draft declaration was in fact delaying work on the draft. There was no question that the matter should remain before the Commission on Human Rights, and there was no need to specify the session of the General Assembly to which the Commission should submit a draft declaration, for the Commission should not be under pressure of time. His delegation also believed that any further procedural discussion of the matter should take place in the Economic and Social Council. The idea that the Commission should submit a progress report to the Committee would also slow down work. He recalled that the developing countries had been among those which had wanted a single draft declaration for possible adoption by the General Assembly. His delegation was therefore unable to accept the amendments offered by the Netherlands and Sweden.

17. Mr. SPEEKENBRINK (Netherlands) welcomed the many useful comments that had been made concerning the working paper in document A/C.3/L.2131. In introducing that text, he had stressed that it was not his delegation's intention to ask the Committee to decide on the contents of the draft declaration at the current session. He had foreseen its transmittal to the Commission on Human Rights with the suggestion that it should serve as the basic document for further discussions there.

18. The working paper contained little original material, being based largely on work already accomplished in the United Nations. The preamble was almost identical to the preamble to the draft international convention on the elimination of all forms of religious intolerance adopted by the Committee during the twenty-second session. Six of the nine draft articles of the working paper corresponded closely to the six articles prepared by the informal Working Group of the Commission on Human Rights at its twentieth

¹ A/9134 and Add.1 and 2.

² See *Official Records of the Economic and Social Council, Thirty-seventh Session, Supplement No. 8*, para. 296.

³ A/C.3/L.2025.

⁴ See *Official Records of the General Assembly, Twenty-second Session, Annexes*, agenda item 54, document A/9634, para. 72.

session. The other three articles were based on the draft convention considered at the twenty-second session and the draft articles prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. His delegation therefore regretted any inference that the working paper was pretentious.

19. His delegation and that of Sweden understood the motives of those who wished the Commission on Human Rights to continue its work on the draft declaration and they had therefore been willing from the outset to agree that the Commission should proceed with all deliberate speed in that task. He recalled that General Assembly resolution 3069 (XXVIII), which had been adopted without opposition, constituted a compromise, the main elements of which were that work on the draft declaration should be actively pursued; that that work should be entrusted to the Commission on Human Rights; that all documents on the subject and the suggestions made in the course of the discussion of that question at the twenty-eighth session of the General Assembly should be referred to the Commission; and that the Commission should be requested to report, through the Economic and Social Council, to the twenty-ninth session of the General Assembly on the work it had done, so that the Assembly could complete and adopt a declaration if possible. It had proved impossible to fulfil the last part of the compromise because of lack of progress in the Commission. Without prejudice to the basic elements of the compromise, however, his delegation and that of Sweden had submitted the working paper as a basis for further consideration of the draft declaration in the Commission.

20. The above considerations had prompted his delegation and that of Sweden to submit certain amendments, in a provisional form, to draft resolution A/C.3/L.2130. Those amendments were entirely consistent with the consensus achieved at the twenty-eighth session. The fourth amendment, replacing the existing operative paragraph of the draft resolution, was an extrapolation of paragraph 4 of resolution 3069 (XXVIII). His delegation would be willing to delete from the paragraph proposed in the second amendment the passage from the words "working paper A/C.3/L.2131" to "as well as".

21. He thanked the representative of Brazil for the constructive role the latter had played in the consultations that had been held over the past few days with regard to the amendments.

22. Mr. ELHOFARI (Libyan Arab Republic) said that his delegation supported draft resolution A/C.3/L.2130 but proposed that, at the beginning of the third preambular paragraph, the word "Endorsing" should be replaced by the words "Taking note of". His delegation's support of the draft resolution was in accordance with General Assembly resolution 3069 (XXVIII), whereby the Commission on Human Rights was entrusted with the task of elaborating a draft declaration on the elimination of all forms of religious intolerance, taking into account the observations submitted by Governments. The draft declaration had not yet been produced by the Commission on Human Rights, and he could not understand the insistence of certain delegations on submitting a working paper which reflected only the opinions of two States. Moreover, certain provisions in the

working paper were in express conflict with certain spiritual values and the religious heritage of mankind, in particular, the principles of Islam, which was the official religion of the Libyan Arab Republic.

23. In his delegation's view, any declaration on the elimination of all forms of religious intolerance should safeguard the sacred nature of all religions so that no religion should be exposed to distortion by unwholesome influences which served only to suppress true freedom of the individual, even while purporting to enhance that freedom. The draft declaration should avoid anything that might be exploited politically or used as a pretext for intervention in the internal affairs of States. The attempts of certain elements, both within and outside the General Assembly, were designed to exploit religions for political and ideological ends that were contrary to the revealed religions of the world. Religion belonged to God, and countries to their lawful owners. The loftiest form of religion revealed to man was that which called for brotherhood and equality for all and did not make its adherents the prisoners of racism but rather urged them to co-operation and mutual tolerance.

24. His delegation believed that, as provided for in draft resolution A/C.3/L.2130, the Commission on Human Rights should be allowed sufficient time to prepare the document requested, so that it would be able to take into account all the relevant factors which he had mentioned. With regard to the amendments offered by the Netherlands and Sweden, his delegation did not believe that pressure should be placed on the Commission on Human Rights concerning timing or that the Committee should repeat what it had said in its corresponding draft resolution of the previous year. His delegation would therefore be unable to vote in favour of the amendments.

25. Mrs. BERTRAND DE BROMLEY (Honduras) supported the amendments of the Netherlands and Sweden. At the previous meeting her delegation had expressed the view that document A/C.3/L.2131 was an excellent working paper and should be transmitted to the Commission on Human Rights as a basis for further work on a draft declaration. Draft resolution A/C.3/L.2130 in its existing form did not meet the wishes of her delegation. In the light of the slow pace of progress on the item in the Commission on Human Rights, a postponement of further consideration of the item until the Commission had prepared a single draft declaration would be tantamount to an indefinite postponement.

26. Mr. BAL (Mauritania) expressed support for the amendment to the third preambular paragraph of draft resolution A/C.3/L.2130 proposed by the representative of the Libyan Arab Republic. With regard to the amendments of the Netherlands and Sweden he shared the feeling of the Bulgarian representative that the draft declaration should not be prepared hastily. He recalled that at the twenty-eighth session of the General Assembly the Secretary-General had been requested to transmit all the documentation on the subject to the Commission on Human Rights. It would therefore be inappropriate at the current stage to specify that a particular document (A/C.3/L.2131) should be given priority in the Commission's future work on a draft declaration.

27. He had some doubts as to the merits of the last amendment. The use of the word “finalize” implied that the Assembly at its thirtieth session would have no alternative but to adopt a declaration. He pointed out that the Commission on Human Rights would have a heavy workload at its next session and might not be able to complete a draft declaration for submission to the Assembly at its thirtieth session. He recalled that the terms of resolution 3069 (XXVIII) had been more flexible, calling for the completion and adoption, if possible, of a declaration at the twenty-ninth session. The words “if possible” were noticeably absent from the amendment.

28. His delegation would vote in favour of draft resolution A/C.3/L.2130, which was eminently sensible. If the Commission on Human Rights was able to complete a single draft declaration at its next session, it would transmit it to the General Assembly for consideration at the thirtieth session; if not, the matter would be left in abeyance until a single draft declaration was prepared.

29. Mrs. SELLAMI (Algeria) said it was regrettable that although the item under consideration had been on the agenda of the General Assembly for more than 10 years little progress had been made in preparing a draft declaration. She recalled that the Third Committee had devoted 29 meetings to the subject at the twenty-second session, but to no avail. The Commission on Human Rights at its thirtieth session had set up a Working Group which had been able to consider only the title and the first two preambular paragraphs of a draft declaration.

30. She felt the documentation on the subject required careful study and should be referred to the Commission’s Working Group so that the latter could submit a single draft declaration to the General Assembly.

31. Her delegation appreciated the altruistic motives of the delegations of the Netherlands and Sweden in submitting working paper A/C.3/L.2131. The working paper was not, however, entirely satisfactory. It was essential to give the Commission’s Working Group time to study the question and prepare a single draft declaration by the thirtieth session of the Assembly, if possible. If the Working Group was unable to complete its work by that time, there would be no point in placing the item on the agenda of the thirtieth session. Her delegation would therefore support draft resolution A/C.3/L.2130. It could also support the addition of the proposed new third preambular paragraph provided that the words “without delay” were replaced by “as soon as possible”.

32. Mr. DE AZAMBUJA (Brazil) said that the statements of previous speakers led him to believe that some accommodation could be reached with regard to the divergence of views concerning the amendments of the Netherlands and Sweden. To that end, he wished to propose certain subamendments to the amendments contained in that document. In the proposed new third preambular paragraph, the words “be accomplished without delay” should be replaced by “be actively pursued”. The paragraph would then reflect the continued interest of the General Assembly in the subject without appearing to place undue pressure on the Commission on Human Rights.

33. The proposed new operative paragraph 1 should be amended to read:

“Invites the Economic and Social Council to bring to the attention of the Commission on Human Rights all the opinions expressed and suggestions put forward in the course of the discussions of this question at the twenty-ninth session of the General Assembly.”

34. The text proposed by the Netherlands and Sweden as it stood conflicted to some extent with the guidelines given by the Assembly to the Commission on Human Rights in resolution 3069 (XXVIII). Under his delegation’s proposed subamendment, working paper A/C.3/L.2131 would be transmitted to the Commission, but would not be accorded undue priority.

35. The fourth amendment should be subamended to read:

“Decides to inscribe this item on the agenda of the thirtieth session of the General Assembly with a view to considering, completing, and adopting, if possible, a declaration on the elimination of all forms of intolerance and discrimination based on religion or belief.”

36. Mrs. DE BARISH (Costa Rica) welcomed the amendments offered by the Netherlands and Sweden, which would help to accelerate work on the draft declaration. Draft resolution A/C.3/L.2130 was deficient in so far as it set no time-limit for the completion of a draft declaration and instead proposed the postponement of the item until the Commission on Human Rights—which had made little progress in the matter thus far—submitted a single draft declaration to the General Assembly. Her delegation could accept the Brazilian subamendments, if the Netherlands and Sweden agreed to them, with a view to achieving the broadest possible consensus.

37. She noted that a number of delegations, particularly those of Japan and Italy, had put forward some extremely interesting suggestions with regard to the draft articles submitted by the Netherlands and Sweden in document A/C.3/L.2131. Those suggestions should be of value to the Commission on Human Rights in its further consideration of the question of a draft Declaration.

38. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that in its comments about the item under discussion, the Soviet Union had concentrated entirely on the procedural side of the question, in accordance with Economic and Social Council decision 14 (LVI). It considered that the discussion in the Committee had in no way contributed to the goal set in that decision; instead, delegations had been confronted by the new draft declaration contained in working paper A/C.3/L.2131. The working paper was virtually the same as the draft which had been introduced by the Netherlands delegation in the previous year, and the alterations to the preamble did not change its substance. He therefore considered that the Committee was not in a position to assist the Commission on Human Rights in any way in expediting the completion of the draft declaration, and believed that the most appropriate decision would be to adopt draft resolution A/C.3/L.2130—a procedural resolution which would enable the Commission on Human Rights and its Working Group to continue work on a single draft

declaration as envisaged in General Assembly resolution 3069 (XXVIII). His delegation understood that the item would remain on the agenda of the General Assembly, but that further consideration would be deferred until a single draft declaration was submitted to the General Assembly. It therefore supported draft resolution A/C.3/L.2130.

39. The representative of the Netherlands had stated that the amendments offered by his delegation and that of Sweden were essentially an extrapolation of provisions allegedly already contained in General Assembly resolution 3069 (XXVIII), but that was far from the case. The first amendment was contrary to the fifth and seventh preambular paragraphs of General Assembly resolution 3069 (XXVIII); the second amendment was inconsistent with operative paragraphs 1 and 2 of the same resolution, which specified which documents the Commission on Human Rights should use as a basis for its work. The third amendment departed significantly from what had been decided, and there was no need to put pressure on the Commission on Human Rights with regard to the timing of its work. Similarly, the fourth amendment departed considerably from the consensus which had been reached.

40. His delegation therefore could not accept those amendments in their existing form, and it endorsed the arguments put forward in that connexion by the representatives of Algeria, the Libyan Arab Republic and Mauritania.

41. Mr. MACRAE (United Kingdom) said that the Committee could best contribute to the work of the Commission on Human Rights on the item under consideration by embarking on an in-depth consideration of the text of a draft declaration. The Commission had a very poor record on the subject, having failed to fulfil the mandate entrusted to it as far back as the twentieth session of the General Assembly, when it had been invited to make every effort to complete, at its twenty-second session, the preparation of the draft declaration and the draft international convention on the elimination of all forms of religious intolerance. His delegation could therefore accept draft resolution A/C.3/L.2130 only if it contained the amendments proposed by the Netherlands and Sweden. It was not enough to entrust the preparation of a draft declaration to the Commission: its work should be supervised carefully.

42. Referring to the remarks made by the representative of the Soviet Union, he pointed out that working paper A/C.3/L.2131 did not reflect the views of only two delegations; rather, as the representative of the Netherlands had explained, it was based on work that had been accomplished previously, mainly in the Commission on Human Rights. It was therefore reasonable to invite the Commission to consider the working paper at its next session.

43. The representative of Algeria had referred to the fact that the Committee had devoted 29 meetings at the twenty-second session of the Assembly to discussion of the item under consideration. However, the Committee had at that time been concerned with preparing a draft international convention, a legally binding instrument. None of the legal difficulties inherent in such a task stood in the way of the preparation of a draft declaration.

44. Referring to the proposal that the word “*Endorsing*” in the third preambular paragraph of draft resolution A/C.3/L.2130 should be replaced by the words “*taking note of*”, he said that there were in fact good reasons for the use of the word “*endorsing*”. The General Assembly had in effect proposed in its resolution 3069 (XXVIII) that the Commission on Human Rights at its thirtieth session should consider, as a matter of priority, the elaboration of a draft declaration. The Assembly was therefore entitled to endorse the decision taken by the Commission to act on that proposal.

45. His delegation fully supported the amendments offered by the Netherlands and Sweden.

46. Mr. EVANS (Australia) endorsed the views expressed by the representative of the United Kingdom, but he disagreed that the discussion that had taken place in the Committee over the previous two days had been of no value. The suggestions, particularly those relating to document A/C.3/L.2131, would provide useful guidelines for the Commission on Human Rights. It was the understanding of his delegation that the General Assembly, being master of its own procedure, had both the right and the duty to express its views on the work being done by other United Nations bodies. It should therefore now urge the Commission on Human Rights to push ahead with its task as speedily as possible.

47. The argument that the text in A/C.3/L.2131 was not an acceptable basis for the Commission’s work merely because it was submitted by only two delegations was not very convincing. The draft resolution in document A/C.3/L.2130 had also been submitted by only two delegations. The latter draft resolution was a regression compared with resolution 3069 (XXVIII), paragraph 4 of which recorded the General Assembly’s decision to “include in the agenda of the twenty-ninth session the item entitled ‘Elimination of all forms of religious intolerance’ with a view to considering, completing and adopting, if possible, a Declaration on the Elimination of All Forms of Religious Intolerance”. The Soviet representative had been mistaken in supposing that the words “if possible” referred to the word “considering”; if the item was on the General Assembly’s agenda, it was there to be considered. So that the sense of urgency should not be lost, he supported the subamendment proposed by Brazil to the fourth amendment offered by the Netherlands and Sweden. He also supported the deletions to the second amendment, as had been proposed by Brazil and the Netherlands.

48. He was in sympathy with the main thrust of draft resolution A/C.3/L.2130, but he thought it would be more effective in emphasizing the urgency of completing the declaration with the amendments offered by the Netherlands and Sweden as orally subamended by Brazil.

49. Mr. BAL (Mauritania), speaking for his own delegation and the delegation of Morocco, proposed that the operative paragraph of A/C.3/L.2130 should be amended to read “*Decides to resume its consideration of the item . . . when a single draft declaration . . .*”. That would make it quite clear that the item was not to be shelved.

50. Mr. SPEEKENBRINK (Netherlands) said that after consultation on the amendments submitted by his own

delegation and that of Sweden and the helpful subamendments proposed by Brazil, he understood the difficulties encountered by some delegations. He would like to clarify the position. First, the Brazilian representative's proposal to replace the words "accomplished without delay" in the first amendment by the words "actively pursued" was acceptable to the sponsors. With regard to the second amendment, he agreed with the Brazilian representative that the deletion proposed by his own delegation, from the words "working paper A/C.3/L.2131" to the words "as well as", should be followed by the insertion of the word "all" before the words "the opinions expressed". The objections to confining the Commission's work to a single basic document would be met by deleting the words from "in order that the Commission . . ." to the end of the paragraph proposed in the second amendment. He would be willing to insert the word "single" before the words "draft of the Declaration" in the third amendment on the understanding that the single draft that would emerge from the Commission on Human Rights should not be a closed unit, that was to say, that it would contain possible alternatives on which the General Assembly would decide. As to the fourth amendment, he accepted the Brazilian representative's proposal to use the wording of General Assembly resolution 3069 (XXVIII), paragraph 4, the words "twenty-ninth session" being replaced by the words "thirtieth session" as a consequential amendment.

51. Mr. PETROV (Bulgaria) thanked the representatives of the Libyan Arab Republic and Mauritania for their suggestions regarding draft resolution A/C.3/L.2130. The replacement of the word "*Endorsing*" in the third preambular paragraph, by the words "*Taking note*" was acceptable to the sponsors. Secondly, the changes just proposed by the Mauritanian representative were acceptable; they were stylistic and did not affect the substance.

52. As to the Netherlands and Swedish amendments, the deletions to the paragraph in the second amendment mentioned by the Netherlands representative were acceptable to his delegation.

53. Mr. BADAWI (Egypt) said that all the changes accepted by the Netherlands representative were agreeable to him except for the new text in the fourth amendment. It would be contradictory for the General Assembly to decide both that the item should be taken up at the thirtieth session and that it should be taken up on the basis of a single draft, which might not be ready by that date. He therefore suggested that the paragraph involved in that amendment should be reworded to read: "*Decides to consider this item on the basis of the single draft Declaration on the Elimination of All Forms of Intolerance and Discrimination based on Religion and Belief submitted by the Commission on Human Rights to the General Assembly.*"

54. The CHAIRMAN suggested that the sponsors of the draft resolution and amendments should hold consultations with a view to producing a definitive text of the amendment offered by the Netherlands and Sweden.⁵

It was so decided.

⁵ Subsequently issued as A/C.3/L.2132.

55. Mr. ZENKYAVICHUS (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, observed that the representative of the Fascist *junta* of Chile had yet again been unable to refrain from making slanderous attacks on the Soviet Union, and had followed the usual tactic of the Fascists of always including anti-communist propaganda in their statements. The Chilean representative had tried to distract the Committee from its constructive discussion on a subject which had been under consideration for many years. The agents of the Chilean *junta* attacked the Soviet Union and other socialist countries because they were unable to justify themselves before the world community and to take responsibility for their actions. The General Assembly had condemned the gross violations of human rights in Chile. The Soviet Union and its citizens therefore had no need for advice from agents of the Fascist *junta*. The rights of Soviet citizens were protected in the Soviet Constitution and relevant legislation.

56. The Soviet Constitution guaranteed to citizens of the Soviet Union a number of social and political freedoms including freedom of conscience, of which freedom of religion was an integral part. The Soviet people were free to choose whether to believe in religion or not, as that was a private matter. Believers could worship freely, and atheists were free to express their views. The Soviet State did not interfere in the religious activities of the church, nor did the church interfere in political matters, as it existed only to meet the religious needs of believers. All religious bodies had the same rights, and no one religion had special privileges.

57. Mr. DIEZ (Chile), speaking in exercise of the right of reply, said that however much the representative of the USSR levelled accusations at other countries, the fact remained that his own house was not in order. According to him, freedom of conscience in the USSR was guaranteed by article 124 of the Constitution. That was not strictly true since that article guaranteed the freedom to disseminate anti-religious propaganda, not propaganda in favour of religion. Several laws based on that article seriously interfered with the freedom of religious communities. As an example, he quoted two decrees dating from 1918 and 1929 and still in force which prohibited religious instruction in schools. According to other reliable sources, which he quoted, religious organizations had to confine themselves to religious observances and were allowed only to meet the religious needs of their congregations; any other activity was considered to be religious propaganda and was prohibited. Furthermore, a wide range of activities were classified as religious propaganda: religious instruction, including Bible teaching, for instance. Religious education was confined to the family, but even there it was not guaranteed since the authorities responsible for family matters might decide that such education was an abuse of parental authority. Religious organizations were not allowed to carry on any cultural and social activities; they were forbidden to organize children's and women's clubs, literary meetings, excursions or children's playgrounds or to have public libraries.

58. Those were obvious violations of human rights. At the same time, the Marxist-Leninist socialist régime in the Soviet Union organized and disseminated an enormous

amount of discriminatory anti-religious propaganda through State bodies. According to the programme of the Communist Party of the Soviet Union adopted in 1961, which was considered by the communists to be the most important document of the twentieth century, the Soviet Communist Party considered the combating of bourgeois ideology and morality, of attitudes stemming from the ownership of private property and of all superstition and prejudice to be an integral part of communist education. The programme also stated that the Party aimed at instilling a materialistic concept of the world and eradicating religious prejudice, for which a broad programme of atheistic propaganda on a scientific basis was outlined.

59. In 1962, the Praesidium of the Supreme Soviet of the USSR had ratified the UNESCO Convention against Discrimination in Education.⁶ In 1962 it had also adopted a new Penal Code, some of the provisions of which conflicted with that Convention. For instance, article 125 of the Code provided for the special criminal responsibility of organizations and religious groups which engaged in activities that they were authorized to carry on in accordance with the Convention. That was clearly a violation of their rights. It was understandable that the USSR representative should try to convince the Committee that there was complete freedom of conscience in the USSR; it was also understandable that he should not mention the legal provisions and actual situations which disproved his thesis.

60. Mr. ZENKYAVICHUS (Union of Soviet Socialist Republics) said that the Chilean representative, instead of using propaganda methods learnt from Fascist Germany, should look to the situation in his own country. An article on the situation in Chile published in the *Manchester Guardian* in January 1974 stated that an ever-increasing

number of Catholic priests were witnesses to the totalitarian nature of the *junta*, which the paper qualified as "fascist". An article in *The New York Times* of 20 November 1974 reported a statement by the Secretary-General of the International Commission of Jurists to the effect that the military *junta* was considering the establishment of work camps for more than 600,000 juveniles whose parents had supported the late President Allende. According to the article, the plan proposed by the *junta* called for vast programmes for those juveniles judged to need "rehabilitation".

61. It was difficult to see how the representative of a country that had signed a pact with Hitler Germany dared to attack freedom of conscience in the Soviet Union. Hitler himself had posed as a defender of the faith, but his soldiers had attacked churches and synagogues and committed appalling atrocities on religious communities. The Soviet people did not need defenders that were tarred with the same brush.

62. Mr. DIEZ (Chile) said that, whatever his country's relations might have been with Hitler Germany, and however much propaganda was levelled against it, its conscience was free. Instead of making allegations against Chile, the representative of the USSR would do better to answer the questions about the situation in his own country; apparently he preferred not to do so. The representative of the USSR should read the letter written by Solzhenitzyn to the Patriarch of Moscow in 1972 and draw his own conclusions. The Soviet Union refused to recognize its mistakes and believed in the ineluctibility of historical development; but Chile believed that things could be changed for the better by adapting its legislation to the United Nations norms. It did not, as the Soviet Union did, negate all human values.

⁶ United Nations, *Treaty Series*, vol. 429, No. 6193.

The meeting rose at 6.15 p.m.

2095th meeting

Thursday, 21 November 1974, at 10.45 a.m..

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2095

AGENDA ITEMS 62 AND 63

National experience in achieving far-reaching social and economic changes for the purpose of social progress
(*continued**) (A/9603, chapter I, chapter V, section A.1; A/9794)

Unified approach to development analysis and planning
(*continued**) (A/9793)

1. Mr. KANKA (Czechoslovakia) said that his delegation attached exceptional importance to the item entitled "National experience in achieving far-reaching social and

economic changes for the purpose of social progress". In doing so it based itself on the premise that social justice and economic progress could be achieved only by carrying out fundamental social changes, overcoming class and group interests and doing away with the exploitation of man by man. It was necessary to secure the right to work and to free choice of one's profession and to integrate all members of society into a productive and socially useful process of work in the interest of development and social progress. The economic basis of the Czechoslovak Socialist Republic was constituted by the socialist economic system, which excluded all forms of exploitation of man by man. The basic changes that had occurred in the social structure of the population and in the economic structure had made it possible for the Czechoslovak Socialist Republic to become

* Resumed from the 2092nd meeting.

a State based on the principles of progress and social justice. The socialist economic system, in which the means of production had been nationalized and the national economy was based on planning, secured stable economic progress and a steady rise in the living standard of the population. Land reform had made it possible to transform small-scale agricultural production into large-scale production and to achieve a well-balanced development of urban and rural areas, eliminating in all spheres of life the disparities that had existed between them. In the Czechoslovak economy, national income steadily increased in harmony with economic growth and three fourths of the national income was allocated to meet the material and cultural needs of the population. It could be stated, therefore, that the carrying out of basic structural changes was a prerequisite for far-reaching and effective reforms both in the economy and in the social field, as well as for securing social justice and social development and a just division of income. Another result was the elimination of unemployment; the population was employed in large-scale economic activities and both its social income and its income resulting from employment increased, balancing the living standards of the social groups. Raising the living standard should not be viewed merely as an increase in income and consumption, but rather as a means of creating and strengthening the security of the population.

2. The questions covered by the item had already been discussed in United Nations bodies; in that connexion, he recalled the Declaration on Social Progress and Development (General Assembly resolution 2542 (XXIV)). The Economic and Social Council had also dealt with those questions, particularly at its fiftieth, fifty-second and fifty-fourth sessions. Nevertheless, his delegation felt that the United Nations bodies, particularly the regional economic commissions and the Commission for Social Development, should devote more attention to those questions. From that standpoint, his delegation regarded as exceptionally important the principles of the Declaration on the Establishment of a New International Economic Order (General Assembly resolution 3201 (S-VI)), which opened up possibilities for economic development, international economic co-operation and over-all social progress. The carrying out of structural changes was also a prerequisite to concentrating the means of production in State hands and to utilizing them rationally and in harmony with the needs of a planned development of the production base. A State could carry out an effective policy embracing all fields only on the basis of structural changes. Various partial measures to correct and ease social disparities eliminated social injustice to a certain degree but did not kill its roots.

3. The introduction of structural changes was a prerequisite for the democratization of all fields of economic, social and cultural life, as well as for the broad participation of the population in managing and directing policy and the economy in accordance with the principles proclaimed in various documents and resolutions adopted by the United Nations. The economic and political consequences of introducing structural changes played a very significant role in strengthening the national independence of States, thereby creating equal and just relations among them. Nevertheless, it was hard to imagine the effective introduction of structural changes when a State was denied the right to full sovereignty over its own natural resources and

wealth and when foreign monopolies, pursuing their own interests, intervened in a State's economy and in its political decision-making. His delegation had always defended at every international forum the right of States to exercise full control over their natural resources and wealth and it defended the right of all States to adopt a political and economic system based on the needs of their own economic development and social progress.

4. Mr. BYKOV (Union of Soviet Socialist Republics) said that the items before the Committee had been inscribed on the agenda of the General Assembly because of their importance and that they were frequently the subject of debates in the Economic and Social Council, the Commission for Social Development and other United Nations organs. Those countries that had freed themselves from colonialism were at different stages in their development and were trying to eliminate the consequences of colonialism, while the international monopolies were trying to continue exploitation and plunder of their national wealth, raising their own profits to the maximum. States that were trying to achieve independence needed to bring about democratic reforms, as had been stressed by the participants in the Fourth Conference of Heads of State or Government of Non-Aligned Countries held in Algiers in September 1973. Article 18 of the Declaration on Social Progress and Development called for the promotion of democratically based social and institutional reforms.

5. The Soviet Union had progressed from a backward condition to the point where it had become a great industrialized socialist State and it defended the inalienable right of all States to adopt the economic system that best suited their interests. The measures to be adopted depended on the conditions in the various countries and they could profit by the experiences of other countries that had made the changes necessary for achieving social progress. The task was not an easy one and would require colossal effort, time and a rational use of resources.

6. That was why it was interesting to learn of the experiences of other countries. It was no coincidence that the item had been dealt with in many United Nations documents. The Secretary-General had submitted an extensive report on the subject (E/CN.5/478 and Add.1 and Add.1/Corr.1 and 2, Add.2 and Add.2/Corr.1, Add.3 and Add.3/Corr.1, Add.4) containing the replies of States to the questionnaire that had been sent to them. Many developing countries that wished to achieve their economic independence had made great progress by introducing changes such as the nationalization of foreign enterprises, particularly monopolies, land reform and planning of the economy. The degree to which they had done so had, of course, varied greatly. In the case of the Soviet Union, such changes had been a fundamental factor in its transformation into an industrialized socialist country. Those changes had consisted, *inter alia*, in the elimination of private ownership of the means of production, the socialist reform of rural areas and the elimination of unemployment, which had contributed to recognition of the right to work, to rest and to education. Social transformations were more effective when they took place against a democratic background; such transformations included land reform, the nationalization of large enterprises and of the key sectors of the economy, the concentration of financial resources in the hands of the

State and the elimination of differences in income. Such changes made it possible quickly to achieve the objectives laid down in the Declaration on Social Progress and Development. The State should play a fundamental role in increasing the national income and redistributing it; such changes were inevitable if progress was to be made. He noted that the Declaration on the Establishment of a New International Economic Order referred to the need for regulating the activities of transnational enterprises; he also drew attention to Article 1, paragraph 3, of the Charter of the United Nations.

7. His delegation was in favour of adopting a draft resolution that would stress the sovereign rights of all States to introduce such reforms as they deemed advisable, including the nationalization of enterprises, and the need for holding regional and interregional seminars to exchange experiences on the subject. The report on the world social situation should also bear in mind such experiences.

8. Miss CAO-PINNA (Italy), replying to the request for clarification concerning the inclusion of items 62 and 63 in the agenda of the Assembly's current session, said that the first of these had originated in the Commission for Social Development in 1971 during consideration of the *1970 Report on the World Social Situation*.¹ The Third Committee was familiar with that report, which was included in the General Assembly's agenda every four years in accordance with established practice. However, it was less familiar with the question dealt with under item 62, which had emerged from the debate on the aforementioned report. The debate had led to the conclusion that far-reaching social and economic changes were one of the prerequisites for social progress. The Commission for Social Development had adopted a draft resolution at its twenty-second session providing that the Secretary-General should carry out a study, in co-operation with Member States, on the experience acquired by the various countries of the world in that respect. That draft resolution had eventually become Economic and Social Council resolution 1581 A (L). The Secretary-General had undertaken to carry out the study of those far-reaching economic and social changes and, in 1973, had submitted a report (E/CN.5/478 and Add.1 and Add.1/Corr.1 and 2, Add.2 and Add.2/Corr.1, Add.3 and Add.3/Corr.1) the main observations of which could be summarized as follows: variations in economic growth and differences in socio-economic structures had made necessary the adoption of a variety of social measures; Governments were seeking to effect changes in socio-economic structures; and different methods were being used to effect changes designed to achieve the objectives of social progress. After considering the report, the Economic and Social Council had adopted resolution 1746 (LIV) calling upon the Secretary-General to make a detailed analysis of the question in his reports on the world social situation. That report would be ready for the twenty-fourth session of the Commission for Social Development, to be held in January 1975.

9. In the light of those facts, her delegation had concluded, first, that there was no need to include the item under discussion either in the agenda of the Commission for Social Development or in that of the General Assembly,

and, secondly, that it should be considered as part of a single item entitled "World Social Situation".

10. As to the question which is the subject of item 63, that was one of the most important topics being considered by the Commission for Social Development. Development was not merely a process of economic growth, but a much more complex process of economic and social progress affecting society as a whole. That concept had already been adopted in the International Development Strategy for the Second United Nations Development Decade (General Assembly resolution 2626 (XXV)). The item had originated during the twenty-first session of the Commission for Social Development in 1970, as a result of a Meeting of Experts on Social Policy and Planning in National Development, held in Stockholm in September 1969. Since then, the Secretary-General had carried out an important study which would come before the Commission at its twenty-fourth session. Therefore it seemed advisable to postpone consideration of item 63 until the next year and to treat it as a separate item, since it had its own identity and had no element in common with item 62 which would justify the adoption of a single decision covering both items.

11. Mr. NOWORYTA (Poland) said that consideration of item 62 provided a good opportunity for an exchange of views and a review of progress made in other countries. In that connexion, his delegation would like to comment briefly on some aspects of the item in the light of Poland's experience. Since the Second World War, there had been drastic transformations in Poland's economic and social structures. The main basic reforms were the nationalization of industry, agrarian reform and centralized planning and a step-up in the pace of industrialization, all measures which had established the necessary basis for important changes in the socio-economic structure. During the post-war years, the country had proceeded from the agricultural to the industrial phase: before the war, the largest group of the population had been the peasants; now it was the workers. That change had been accompanied by the gradual growth of urbanization and industrialization. At the same time, technological advances had produced a growing demand for skilled workers, with the result that the educational structure of the country had had to be changed. With the elimination of unemployment and the change in the structure of the economy, the main source of income had become industry, with the result that Poland now ranked tenth in the world in total production. With all those changes, the country had established a strong economic base which would facilitate the transition from the industrial revolution to the scientific-technological revolution. Using that base as a foundation, a long-term strategy had been worked out, which gave even more impetus to Poland's economic and social development. The strategy called for a more active role for science in the productive process, introduction of the most modern technology and efficient methods of organizing work and production, and for specialization and selectivity in future industrial development. The primary objective of that policy was to raise the standard of living of the people. All other objectives were subordinated to that paramount consideration.

12. The long-term strategy had been worked out by the Sixth Congress of the Polish United Workers' Party and among its objectives were improvement of the housing

¹ United Nations publication, Sales No. E.71.IV.13.

situation, income, nutritional levels and education. During the war years, the shortage of housing, which was already acute, had become worse, and over 3 million housing units had been built between 1945 and 1970. However, much remained to be done and substantial improvement had to be made in the quality of existing housing. A complex programme had been prepared to correct the situation; it aimed at doubling the number of housing units in less than 20 years. It was a programme which very specifically combined social needs and motivations with those of an economic nature.

13. There had also been important changes in individual incomes and consumption. Note should be taken, *inter alia*, of the increase in minimum wages, the general increase in salaries, discontinuance of the system of mandatory contributions of farm products to the State and the increase in the allocations for social questions in the national budget. The increase in purchasing power had resulted in an increase in food consumption and in the sale of non-food products. With regard to food policy, the long-term solution to the problems associated with that basic need had required a drastic modernization and closer coordination between agricultural production, the food industry and the retail trade.

14. In conjunction with those changes, the development of education had been the cause and effect of the advances achieved in the other areas. Among the achievements in education were the eradication of illiteracy, free schooling for all and the extensive growth of secondary schools, particularly vocational training schools.

15. Mr. ELIAN (Romania) pointed out that his country attributed special importance to the promotion of social progress throughout the world and was actively participating in the co-operative efforts of the United Nations to achieve that end. The inclusion of the item under discussion in the agenda of the current session offered a good opportunity to deal with the whole complex of social problems in the broader context of the multifaceted development of all countries. In the debate, the Committee should bear in mind Economic and Social Council resolution 1746 (LIV), which called upon the Secretary-General, in consultation with the United Nations Research Institute for Social Development, to continue the study of national experience in carrying out fundamental social and economic changes for the purpose of social progress. Experience showed that social progress should be the result of radical economic, social and political structural transformations. According to the definition contained in the United Nations Declaration on Social Progress and Development, the basic elements of social progress were the elimination of all forms of discrimination and exploitation, including foreign economic exploitation, and the equitable distribution of income, the establishment of an adequate standard of living for all members of society, guarantee of the right to work and equality of economic and social opportunities. Without prejudice to the theoretical and practical significance of the study of national experience, his delegation wished to point out that the question had only very slowly become part of the social and economic concerns of the United Nations, which was probably due partly to the delay on the part of Governments in replying to the Secretary-General's questionnaires.

16. In the past three years, Romania had undergone fundamental changes in the political, economic and social spheres. Since its liberation from Fascist rule, the Romanian State, after enacting important reforms in the economy, industry and agriculture, education and the life of society and of the State, had focused its policy on the sustained improvement of the material well-being of all its people, and all its efforts towards economic and social development had been subordinated to that objective. That fact was most clearly reflected in the basic orientation of the future development of Romanian society. The Eleventh Congress of the Romanian Communist Party would be adopting a number of exceptionally important documents in the next week, namely the Draft Guidelines, which referred to the next five-year plan for the period 1976-1980 and the guidelines for Romania's economic and social development for the period 1981-1990, as well as the Romanian Communist Party's Plan for building a multilaterally developed socialist society. Those documents had been the subject of full public debate, which had demonstrated the general support of the people for the proposed objectives. In the past 30 years, the Romanian State had given special attention to industrialization, and had succeeded in increasing industrial production by a factor of 30. There had also been great achievements in agriculture where total production, following an intensive process of mechanization and technological improvement, was now twice what it had been in 1938. Moreover, in 1973, the national income had been 12 times higher than in 1947. As a result of all those advances, there had been a sustained rise in the material and spiritual standards of living of the people. The wages of workers and employees had risen by a factor of five in the past 25 years and the income of agricultural workers was 3.2 times higher. Social expenditure had continued to play an important part in meeting the general needs of the people, irrespective of income. Between 1945 and 1973, over 3.9 million apartments had been constructed in Romania, 1.6 million in cities and 2.3 million in rural areas. In the field of education, which was free at all levels, 10 years of schooling had become compulsory for everybody.

17. In the longer term perspective, the guidelines for economic and social development up to 1990 envisaged dynamic growth. National income should be between 3.5 and 3.8 times greater than in 1975 and *per capita* income should reach \$2,500-\$3,000. Similarly, the national income would continue to be judiciously distributed between the consumer fund (approximately 70 per cent) and the national economic and social development fund. The over-all policy of the Party and the State would focus on human beings—the essential factor in development—and the full realization of the aspirations of the individual and the unimpeded expression of the human personality.

18. His delegation considered that the Secretary-General's next report should be based on information and data supplied by Member States in their replies to questionnaires from the United Nations and the specialized agencies and in the studies and documents submitted to various United Nations bodies, and that it should concentrate on national experience in the introduction of certain structural reforms which had led to decisive progress in the social field. The Secretary-General, in co-operation with other specialized agencies and the United Nations Research Institute for Social Development, should produce periodic reports on

structural change and its effects on social progress, based on the replies of Governments and placing particular emphasis on the long-term effects of structural change. His delegation also considered it very important that the Secretary-General's report and other relevant United Nations documents should reflect the positive original experience of each country, so that there would be a logical basis for subsequent conclusions and generalizations and the primary elements constituting the source of generalization would be known and examined. In that connexion, he expressed the view that publication of replies from individual countries would be a simple, clear and effective source of documentation and means of exchanging experiences.

19. Mr. DAMMERT (Peru) said that his Government attached great importance to item 62 because of the economic and social changes it was introducing in order to destroy anachronistic structures based on capitalism and dependence on foreign countries and create a just society founded on full participation. Since it assumed power, the Revolutionary Government had initiated effective changes based on profound nationalism and involving the application of humanistic, just, liberal, socialist, Christian principles and doctrines. The primary objective of the Peruvian revolution was to eradicate under-development and dependence, in other words, poverty, ignorance, exploitation, inequality, social injustice and the country's subordination to foreign power. Consequently, the objective of the socio-economic changes aimed at achieving social and economic progress was to abolish the under-developed, capitalist, oligarchical society subject to imperialist interests. He proceeded to outline some of the most important actions which his Government had undertaken in the six years since it had come to power.

20. The expropriation of the oilfields belonging to the International Petroleum Company, which had monopolized the petroleum industry without any legal title, had been the first step towards ending the country's subordination to foreign economic power. In order to end the concentration of economic, social and political power in the hands of a minority group, the Government had decreed a series of reforms.

21. The main objective of agrarian reform was the redistribution of land ownership in order to permit just exploitation of the land and give a social character to ownership in that sector. Previously, 2 per cent of the population had owned 90 per cent of the arable land. Agrarian reform, based on the principle that the land should belong to those who worked it, had been implemented throughout the country by expropriating the large agro-industrial complexes and allocating them to the workers themselves, organized in co-operatives. The former owners had been compensated, partly in cash and partly in industrial bonds.

22. As a result of industrial reform, the activities of enterprises were regulated and priorities for the installation of new industries established by means of incentives. A law limited the participation of foreign capital, which could not exceed 75 per cent and, over a previously agreed reasonable period, must be reduced to 50 per cent. Enterprises formed exclusively with foreign capital were obliged to enter into contracts with the State and to transfer two thirds of the

equity to the State within a set period. One of the most socially significant provisions of that law stipulated that 10 per cent of the net earnings of the enterprise must be distributed among the workers and that the industrial community's participation in the ownership of the enterprise must be gradually increased, up to 50 per cent of the shares, by reinvesting 15 per cent of the net annual earnings on behalf of that community. The workers who were members of that community owned shares on an individual basis.

23. The Education Act recognized the dignity of the individual, but it was realized that that dignity could only be achieved if equality and solidarity prevailed in all sectors and activities of the community. For that reason, education had to be linked to work. The objective was an educational system which would serve the entire population and guarantee the over-all development of the individual.

24. In 1974, an act had been promulgated concerning enterprises with social ownership. Those enterprises were formed exclusively by workers and were based on the principle of solidarity with a view to engaging in economic activities. The characteristics of such enterprises were: full participation by all workers in the administration, management and profits of the enterprise by means of democratic management and the distribution of profits according to the work done and the worker's needs; and social ownership of the enterprise, which belonged to all the workers involved, none of whom had individual ownership rights.

25. The main objectives of the Press Statute and the allocation of the newspapers to the most important sectors of the population were to create a genuinely free press, which would guarantee all Peruvians a means of expressing their ideas, and to ensure that the press was under the exclusive control of organizations that were representative of society.

26. The National System for the Promotion of Social Mobilization was aimed at disseminating the process of change among the people, increasing the latter's awareness so that they would be able to undertake self-help action and recognize the nature of their problems, training the people to participate in the production process, and organizing the marginal sector of the population to direct its efforts in support of the process of change.

27. The declared aim of the Peruvian revolution was to find a national solution to national problems. The changes in the social and economic structures of the country, which were aimed at creating a social democracy based on full participation which would enable the people to participate in national decision-making, had made it possible to increase the levels of living and well-being of the people and to reaffirm national sovereignty and independence. In the process, it had been necessary to nationalize and appropriate the interests and property of transnational corporations which had not only exploited the natural resources and labour force of Peru but had interfered in the internal affairs of the country. His delegation reaffirmed its respect for the principle of non-intervention in the internal affairs of other States and the inadmissibility of any form of foreign interference, including the activities or interests of transnational corporations, which were often subversive.

28. Mrs. SHAHANI (Philippines) said that, over the previous two years, her country had been a virtual laboratory for far-reaching social and economic changes for the purpose of social progress. Prior to the establishment of the New Society, her country had faced formidable problems, namely an unwieldy political system, social disorder and unrest, unsettling international monetary realignments, slackening export demands, and the destruction caused by the floods in July 1972. The New Society, constituted to save the Republic and reform society, sought to release the country from its state of paralysis and to provide a viable framework for sustained growth. One of the first reforms undertaken by the Government had been the restoration of peace and order. The Integrated Reorganization Plan streamlined the structure of government and strengthened development planning and programme implementation. Agrarian reform had been implemented in the rice and maize lands without expropriations, by the establishment of co-operatives in a step-by-step process in order to ensure their economic viability and social acceptability. Furthermore, a series of financial and monetary reforms had been undertaken, in the realization that the social objectives of development could only be attained in a climate of strong economic expansion. The Reconstruction and Development Programme for Mindanao had been given support through the establishment of the Philippine Amanah Bank, the preparation of a regional development plan and the provision of a wide range of social services. Her Government would channel \$US 149 million to the development of the Mindanao region over the coming years.

29. Since her country wished to develop its agro-industrial economy to the fullest, it aimed to develop large manufacturing companies, as well as small and medium-scale industries and labour-intensive programmes to provide employment for a fast-growing population. Her Government considered that capital formation was only one of the keys to economic development. The other key was the development of human resources. Social development projects would contribute significantly to the success of the country's economic projects in the areas of population, health and nutrition, training and education. The primary objective of the four-year plan for 1974-1977 was the promotion of social development. Its other objectives were the expansion of employment opportunities, more equitable distribution of income and wealth, more rapid economic growth, regional development and industrialization, and maintenance of price stability.

30. The new Constitution of the Philippines contained an article on a bill of rights, and also an article on the duties and obligations of citizens. Despite its colonial and feudal past, her country believed that full enjoyment of economic and social rights in a developing country was compatible with the exercise of civil and political rights.

31. Her delegation attached the greatest importance to agenda items 62 and 63 and welcomed the initiative to develop social indicators which would give quantitative expression to the concept of welfare and the quality of life. For developing countries, lacking capital, but rich in labour, the concept of the overriding importance of the human and social dimension of development in relation to its purely economic aspects was immensely important. However, her delegation regretted that the documentation before the

Committee was still at a very preliminary stage and did not provide a sufficient basis for satisfactory discussion in the Committee. The proper stage for such discussion would be when the Commission for Social Development submitted its report on that matter to the Economic and Social Council. Furthermore, she considered that it would be better to consider those items in the context of the world social situation, of which they constituted an exceptionally important aspect. As her country's response to the Secretary-General's questionnaire had been submitted before the establishment of the New Society, she supported the proposal that the Secretary-General's next report should be based on the most recent developments.

AGENDA ITEM 54

Elimination of all forms of religious intolerance (*continued*) (A/9603, chapter I, chapter V, section C.2; A/9644, A/C.3/L.2130/Rev.1, 2131, 2132)

32. Mr. JAYAWICKREMA (Sri Lanka) said that his delegation supported the amendments of the Netherlands and Sweden (A/C.3/L.2132) which were still applicable to the revised draft resolution submitted by Bulgaria and the Byelorussian SSR (A/C.3/L.2130/Rev.1) because they set a time-limit for completion of the work.

33. Mrs. HEANEY (Ireland) said that, although the revised draft resolution, A/C.3/L.2130/Rev.1, incorporated some of the amendments submitted by the Netherlands and Sweden at the previous meeting, it did not include all of them. Her delegation supported the amendments contained in document A/C.3/L.2132 which had not already been incorporated, especially the fourth of them, since if that was not adopted the item might be removed from the agenda of the Committee and might not be reinstated for many years, which was unacceptable to her delegation. That amendment must be adopted if the item was to be maintained in the agenda. Consequently, her delegation would vote in favour of the amendments in document A/C.3/L.2132 and could also support revised draft resolution A/C.3/L.2130/Rev.1 if those amendments were adopted.

34. Mr. PETROV (Bulgaria) pointed out that most of the amendments contained in document A/C.3/L.2132 had been included in the revised draft resolution (A/C.3/L.2130/Rev.1) with the aim of reaching a consensus. On behalf of his own delegation and that of the Byelorussian SSR, and in the same spirit of compromise, he submitted a subamendment to the fourth amendment, namely that the phrase, "provided that a single draft has been completed by the Commission on Human Rights" should be added at the end of the sentence.

35. Mr. SPEEKENBRINK (Netherlands) said that revised draft resolution A/C.3/L.2130/Rev.1 was incomplete because it did not set a time-limit for submission of the draft declaration. The delegations of the Netherlands and Sweden wished their third and fourth amendments incorporated into the revised draft resolution in order that the Commission on Human Rights should be aware of the Committee's wishes.

36. The Commission on Human Rights might not be in a position to submit a single draft and his delegation

understood that expression to mean that the Commission would submit a draft which took account of the differences of opinion.

37. The delegations of the Netherlands and Sweden considered the Bulgarian subamendment unacceptable and pressed for the adoption of the text that they had proposed, which was very similar to the last paragraph of General Assembly resolution 3069 (XXVIII).

38. The CHAIRMAN inquired whether the delegation of Bulgaria, as one of the sponsors of draft resolution A/C.3/L.2130/Rev.1, was prepared to accept the third amendment in document A/C.3/L.2132.

39. Mr. PETROV (Bulgaria) said that he was ready to accept that amendment, except for the words “the thirtieth session of”.

40. Mr. BYKOV (Union of Soviet Socialist Republics) considered that the wishes of the delegations which wanted the Committee to adopt the draft resolution on the elimination of all forms of religious intolerance by consensus had been fulfilled. It had been suggested that, with the amendments submitted in document A/C.3/L.2132, the draft resolution would conform to the spirit of General Assembly resolution 3069 (XXVIII), adopted at the preceding session. However, the third amendment proposed that the Commission on Human Rights should submit a single draft to the General Assembly, whereas General Assembly resolution 3069 (XXVIII) contained the words “if possible”. The omission of that phrase was tantamount to bringing pressure to bear on the Commission, which had approached the draft declaration in a very responsible way and had made appreciable progress in its drafting. The Commission intended to give priority to that matter at its next session. It therefore did not appear necessary to bring greater pressure to bear and to insist that such a difficult task should be completed by the next session. Although the fourth amendment conformed to the spirit of the previous year’s resolution, his delegation could hardly endorse it. General Assembly resolution 3069 (XXVIII) called for the submission of a single draft declaration, carefully elaborated and adopted by the Commission on Human Rights. The General Assembly could amend that draft if it considered it necessary, but the Third Committee must base its work on an existing draft. It could not be otherwise. Consequently, the Committee should not consider the item again unless it had before it a single draft resolution. His delegation therefore supported the Bulgarian subamendment.

41. Mr. ALFONSO (Cuba) said that he had not taken part in the general discussion, because he considered it more appropriate to wait until the Commission on Human Rights had finished its work. The Bulgarian subamendment was a constructive effort to reach a compromise, which would enable the Committee to devote its time to consideration of the other items on its agenda. His delegation considered that draft resolution A/C.3/L.2130/Rev.1 conformed to the spirit of General Assembly resolution 3069 (XXVIII). Moreover, it was unnecessary for the Committee to become involved in a procedural discussion until it had before it the final result of the work of the Commission on Human Rights.

42. With regard to the comments made by the Netherlands representative, he did not agree that the Committee could not discuss the work of the Commission in a critical manner, because that could be done through the report of the Economic and Social Council. What the Committee could not do was insist that the Commission on Human Rights must complete such a difficult task. His delegation would therefore support the Bulgarian subamendment.

43. The CHAIRMAN requested representatives not to refer in their statements to matters of substance which had already been discussed and to confine their remarks to explanations of vote.

44. Mr. WIGGINS (United States of America) said that to recommend that the Commission on Human Rights should elaborate a draft without setting a time-limit for its completion was tantamount to postponing the declaration indefinitely. His delegation therefore supported the third and fourth amendments in document A/C.3/L.2132 since both of them set a definite time-limit. He also noted the statement by the representative of the Netherlands that a single draft declaration need not be unalterable. His delegation strongly supported the inclusion of the item in the agenda of the thirtieth session of the General Assembly and it would support and vote in favour of the third and fourth amendments in document A/C.3/L.2132 and would vote against the Bulgarian subamendments.

45. Mr. AL-QAYSI (Iraq) proposed that the word “completing” should be deleted from the text of the fourth amendment of the Netherlands and Sweden as modified by the Bulgarian subamendment. Its inclusion would be redundant, because the last sentence made the inclusion of the item in the agenda of the thirtieth session conditional upon completion of a draft by the Commission on Human Rights; moreover, United Nations experience had shown that it was not advisable to elaborate a draft of that scope in a body as large as the Third Committee. He also proposed that the word “urgently” should be inserted between “to submit” and “through the Economic and Social Council” in operative paragraph 2 of draft resolution A/C.3/L.2130/Rev.1. His delegation was sure that it would be possible to adopt a draft resolution by consensus.

46. Mr. BADAWI (Egypt) said that his delegation would like to see a carefully drafted declaration approved by consensus, and that would only be possible if the Commission on Human Rights submitted a single draft. His delegation was aware of the need to speed up the Committee’s work, and therefore supported the amendment proposed by the delegation of Iraq. It would also support the Bulgarian representative’s oral subamendment.

47. Mr. RAZA (Pakistan) proposed a subamendment to the fourth amendment in document A/C.3/L.2132, which might read as follows: “Decides to include this item in the agenda of its thirtieth session with a view to assessing progress on the elaboration of a declaration on the elimination of all forms of intolerance and discrimination based on religion or belief and to considering, completing and adopting, if possible, the declaration if the completion of a single draft has been accomplished by the Commission on Human Rights”.

48. Mr. PETROV (Bulgaria) said that he had no objection to the deletion of the word “completing”. What mattered

was that the delegations of the Netherlands and Sweden had said that the subamendment submitted by his delegation was completely unacceptable.

49. Mr. SPEEKENBRINK (Netherlands), speaking on behalf of his own delegation and that of Sweden, agreed to the wording proposed by the Pakistan representative.

50. Mrs. WARZAZI (Morocco) proposed that, in view of the late hour and the submission of additional subamendments in the hope of reaching a consensus, the voting should be postponed until the following meeting.

The meeting rose at 1.20 p.m.

2096th meeting

Thursday, 21 November 1974, at 3.50 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2096

AGENDA ITEM 54

Elimination of all forms of religious intolerance (concluded) (A/9603, chapter I, chapter V, section C.2; A/9644, A/C.3/L.2130/Rev.1, 2131, 2132)

1. The CHAIRMAN reminded the members of the Committee that the first and second of the amendments in document A/C.3/L.2131 were no longer before it as the sponsors of draft resolution A/C.3/L.2130/Rev.1 had taken account of them in their revised text. She invited the Committee to consider the third amendment. First, the subamendment of Bulgaria, which proposed the deletion of the words "the thirtieth session of", which the sponsors of the amendment wished to maintain, would be put to the vote.

The Bulgarian subamendment was rejected by 50 votes to 24, with 31 abstentions.

The third of the amendments in document A/C.3/L.2131 was adopted by 63 votes to 13, with 23 abstentions.

2. The CHAIRMAN noted that there were two subamendments to the fourth amendment offered by the Netherlands and Sweden (A/C.3/L.2132). The Pakistan subamendment would replace the end of the paragraph, after the words "with a view to", by the words "assessing progress on the elaboration of a declaration on the elimination of all forms of intolerance and discrimination based on religion or belief, and to considering, completing and adopting, if possible, the declaration, if completion of a single draft has been accomplished by the Commission on Human Rights".

3. The Bulgarian subamendment proposed the deletion of the word "completing" from the text of draft amendment and the addition of the words "provided that a single draft has been completed by the Commission on Human Rights" at the end of the paragraph.

4. Mr. SPEEKENBRINK (Netherlands) pointed out that the subamendment of Pakistan had been accepted by the sponsors of document A/C.3/L.2132 and there was therefore no need to vote on it.

5. Mr. RAZA (Pakistan) said that if a vote on his subamendment was necessary in order to clarify the situation, it should be voted on before the subamendment of Bulgaria.

6. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that there was really only one subamendment before the Committee, that proposed by Bulgaria. The Committee should therefore vote on that subamendment before proceeding to any other votes.

7. Mrs. WARZAZI (Morocco) said that if the Pakistan subamendment had been incorporated into the text and there was accordingly to be no vote on it, she wished to request a separate vote on that part of the fourth Netherlands and Swedish amendment which had been so subamended.

8. After some discussion in which Mr. ALFONSO (Cuba), Mr. GHAUSSY (Afghanistan), Mr. BAL (Mauritania), Mr. SPEEKENBRINK (Netherlands), Mr. SMIRNOV (Union of Soviet Socialist Republics), Mr. PETROV (Bulgaria), Mr. ELHOFARI (Libyan Arab Republic), Mr. WIGGINS (United States of America), Mr. EVANS (Australia), Mr. AL-QAYSI (Iraq) and Mr. FØNS BUHL (Denmark) took part, Mr. BAL (Mauritania) moved the closure of the debate under rule 117 of the rules of procedure.

The motion for closure was adopted by 58 votes to 1, with 21 abstentions.

9. The CHAIRMAN asked whether the Committee wished her to put the Bulgarian subamendment to the fourth of the amendments in document A/C.3/L.2132 to the vote first.

The Committee decided, by 48 votes to 29, with 22 abstentions, to vote first on the Bulgarian subamendment.

The first part of the Bulgarian subamendment, proposing the deletion of the word "completing", was rejected by 44 votes to 21, with 33 abstentions.

The second part of the Bulgarian subamendment, proposing the addition of the words "provided that a single

draft had been completed by the Commission on Human Rights" at the end of the paragraph was adopted by 40 votes to 32, with 23 abstentions.

10. At the request of Mrs. WARZAZI (Morocco), the CHAIRMAN read out the text of the fourth Netherlands and Swedish amendment as subamended by Bulgaria.

11. Mr. SPEEKENBRINK (Netherlands), speaking on a point of order, observed that that was not the text which had been accepted by his delegation, since it did not contain the Pakistan subamendment.

12. Mrs. WARZAZI (Morocco) recalled that she had requested a separate vote on the part of the fourth Netherlands and Swedish amendment that had been subamended by Pakistan.

13. Mr. AL-QAYSI (Iraq) said that there was no need to vote on that phrase, since the adoption of the Bulgarian subamendment had implied rejection of the Pakistan subamendment. The decision to vote first on the Bulgarian subamendment had been in accordance with rule 130 of the rules of procedure.

14. After a short procedural discussion, in which Mr. EVANS (Australia), Mr. AL-QAYSI (Iraq), Mr. SPEEKENBRINK (Netherlands), Miss DUBRA (Uruguay) and Mr. SMIRNOV (Union of Soviet Socialist Republics) took part, the CHAIRMAN ruled that, since the Committee had voted on the Bulgarian subamendments to the fourth Netherlands and Swedish amendment, it should now proceed to vote on the fourth Netherlands and Swedish amendment as a whole. The delegations of the Netherlands and Sweden would have the opportunity to submit additional amendments during discussion of the matter in the plenary Assembly.

The fourth of the amendments in document A/C.3/L.2132, as subamended, was adopted by 60 votes to 23, with 19 abstentions.

15. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.2130/Rev.1, as amended.

Draft resolution A/C.3/L.2130/Rev.1, as amended, was adopted by 67 votes to 1, with 29 abstentions.

16. Mr. SPEEKENBRINK (Netherlands), speaking in explanation of vote, said that he greatly regretted the manner in which the voting had been conducted. For that reason, his delegation had abstained on draft resolution A/C.3/L.2130/Rev.1. It did not understand why one subamendment to the fourth of the amendments in document A/C.3/L.2132 had not been taken into consideration in the vote and it reserved the right to introduce that subamendment at a later stage in the plenary Assembly.

17. Mrs. BAILOR (Sierra Leone) suggested that, whenever the Committee was required to vote on lengthy oral amendments in the future, it should be given the opportunity to see them in writing before proceeding to the vote.

18. Mr. EVANS (Australia) said that his delegation had abstained on the draft resolution itself to demonstrate the

importance which his Government attached to the continuation of work on the draft declaration at the next sessions of the Commission on Human Rights and the General Assembly. His delegation reserved its position on the draft resolution pending its consideration in the plenary Assembly.

19. Mr. BROAD (United Kingdom) said that his delegation had abstained on the draft resolution for the reasons given by the Netherlands and Australian delegations. He wished to place on record his understanding that the reference in the resolution to a single draft declaration should not be construed to mean a unanimously agreed text, but rather a single text containing, if necessary, portions on which full agreement had not been reached.

20. Miss DUBRA (Uruguay) said that her delegation's abstention in the vote had not been dictated by any lack of interest in the substance of the question, but represented an objection to the arbitrary manner in which the vote had been taken causing a proposal which had been accepted by the Netherlands delegation to be totally ignored. Her delegation reserved its position pending the discussion of the resolution in the plenary Assembly.

21. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation had voted in favour of the draft resolution on the understanding that the General Assembly, at its next session, or as soon as a single draft declaration was prepared, would proceed to a business-like discussion of that text. He noted that many delegations had worked constructively on the preparation of a draft resolution while certain others had tried by all means to prevent the discussion of amendments aimed at achieving unanimity and had departed from the consensus reached at the twenty-eighth session of the Assembly.

22. His delegation believed that the Commission on Human Rights would do everything in its power to prepare a single draft declaration. It was his understanding that such a text must be complete in itself, in accordance with the rules under which the Commission worked. His delegation regretted that the Committee had wasted much useful time in the debate on the item, especially at a time when it was behind in its work. He deplored the fact that the debate had been used as an excuse for launching attacks on certain countries.

23. Mr. WIGGINS (United States of America) said that his delegation's abstention in the vote did not reflect indifference to the item. He noted with satisfaction that, in the third amendment in document A/C.3/L.2132, which the Committee had adopted, the Commission on Human Rights was requested to submit a single draft declaration to the thirtieth session of the General Assembly. That wording was a considerable improvement over the original wording of the draft resolution. Since the phrase "single draft declaration" had been proposed by the Netherlands delegation, that delegation's explanation that a single draft was not an immutable one should be regarded as the correct interpretation of the phrase.

24. The Netherlands delegation having accepted the Pakistan subamendment to the fourth amendment in document A/C.3/L.2132, it was unfortunate that that

subamendment was not included in the final version of the text. His delegation would press for the adoption of the Pakistan subamendment in the plenary Assembly.

25. Mr. NOTHOMB (Belgium) said that his delegation's reasons for abstaining in the vote were the same as those given by the Netherlands delegation. The draft resolution as adopted by the Committee did not reflect the spirit of decision 14 (LVI) of the Economic and Social Council, which recommended to the General Assembly that it consider ways and means to expedite the completion of the draft declaration. He thanked the representative of Pakistan for his efforts to achieve a consensus.

26. Miss VOLMAR (Federal Republic of Germany) expressed regret that the Committee had had no opportunity to vote on the Pakistan subamendment which had been accepted by the sponsors of document A/C.3/L.2132. Because of its reservations in that regard, her delegation had been obliged to vote against the fourth amendment in document A/C.3/L.2132, as subamended by Bulgaria, and had abstained in the vote on the draft resolution itself, which represented a retrogression from General Assembly resolution 3069 (XXVIII).

27. Mrs. DE BARISH (Costa Rica) said that her delegation's abstention in the vote on the draft resolution did not indicate any lack of interest in the draft declaration, but had been dictated by reasons which she had explained at the preceding meeting.

28. Miss CAO-PINNA (Italy) said that, as she had mentioned during the general debate on the item, her delegation attached great importance to the elaboration of a draft declaration and regretted the lack of progress made in that regard by the Commission on Human Rights. Her delegation had abstained on the draft resolution because it made consideration of the draft declaration at the thirtieth session of the Assembly dependent on the submission of a single draft declaration by the Commission on Human Rights. She expressed regret that the Pakistan subamendment to the fourth amendment in document A/C.3/L.2132, which would have represented a valuable compromise, had not been put to the vote.

29. Mr. RAZA (Pakistan) said that the purpose of his subamendment had been to accelerate progress on the draft declaration in the Commission on Human Rights. He was surprised that that subamendment, which had been designed to facilitate the achievement of a consensus, had run into so many difficulties. Nevertheless, his delegation welcomed the resolution that had been adopted, which was a step in the right direction. It reserved its right to reintroduce its subamendment in the plenary Assembly.

30. Mrs. MASSON (Canada) said that her delegation had abstained on the draft resolution for the same reasons as those given by the Netherlands delegation. It was regrettable that the Committee had had no opportunity to vote on the Pakistan subamendment.

31. Mr. CABANAS (Spain) said that his delegation had abstained on the draft resolution because it met the wishes of neither the Economic and Social Council, as expressed in decision 14 (LVI), nor the Committee as a whole. Nevertheless, he hoped that the item would be included in the Assembly's agenda at the thirtieth session.

32. Mr. STÅHL (Sweden) said that his delegation had abstained in the vote for the procedural reasons mentioned by the representative of the Netherlands and others. Its abstention did not signify any lessening of its wish that the Commission on Human Rights should elaborate a draft declaration.

33. Mr. TUERK (Austria) said that his delegation had stressed the importance it attached to the item in the general discussion. It had abstained on the draft resolution because it had had no opportunity to vote on the Pakistan subamendment which had been accepted by the sponsors of document A/C.3/L.2132. It hoped that it would have that opportunity in the plenary Assembly when the report on this was presented. His delegation's abstention did not mean that Austria failed to recognize the importance of the elaboration of a draft declaration. It was regrettable that it had proved impossible to achieve a consensus on that subject, despite the last-ditch efforts of the Pakistan delegation.

The meeting rose at 5.55 p.m.

2097th meeting

Friday, 22 November 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2097

In the absence of the Chairman, Mr. Sayar (Iran), Vice-Chairman, took the Chair.

AGENDA ITEM 62

National experience in achieving far-reaching social and economic changes for the purpose of social progress (continued)* (A/9603, chapter I, chapter V, section A.1; A/9794, A/C.3/L.2134, 2135)

* Resumed from the 2095th meeting.

1. Mrs. SELLAMI (Algeria) said that while item 62 might not appear to be within the competence of the Third Committee, a study of it would show that it referred to questions that had always concerned the Committee, namely, social welfare and the factors which contributed to it. The item was therefore of considerable importance because, although specific models of the development process could not be exported, the method of socio-economic change was almost always the same: integrated development planning.

2. For the developing countries, industrial and economic progress had to be viewed as no more than a means for the social and cultural advancement of the mass of the people, and from that viewpoint the exchange of information on different models and methods of planning aimed at social well-being could be a valuable source of information and inspiration. To that end, the Committee could contribute to the comprehensive programme of the United Nations for seeking the best ways of eliminating under-development.

3. She said that in Algeria the four-year plan for the period 1970-1973 had given primary importance to productive investments in industry and agriculture but had not given the same priority to social investments. The second four-year plan, covering the period 1974-1977, on the other hand, was marked by an ambitious social policy for the improvement of living conditions and the success of the agricultural, industrial and cultural revolution. That plan provided for important improvements in housing, health and social security. It also included regional programming of investments with a view to eliminating regional inequality, one of the main concerns of the Algerian Government. Generally, the plan was designed to raise the level of living of the most disadvantaged sectors of the population. To that end, special emphasis was placed on the gradual improvement of urban and rural housing, medical services, including the development of industrial medicine, and social security reforms—already proposed in the first four-year plan—which would help to improve the workers' solidarity. With respect to the cultural revolution, efforts were concentrated on restoring the national language and culture through training supported by an extensive communications network.

4. Despite all those advances, there was still much to be done; projects had to yield in the face of limited means. For that reason the selection of priorities was of fundamental importance. In that connexion, her delegation was convinced that the discussions on the question would lead to a fruitful broadening of horizons.

5. Mr. WERNER (German Democratic Republic) said that the Government of his country attached special importance to the item under consideration and had sent a detailed report on it to the Secretary-General as its contribution to the preparation of the 1974 Report on the World Social Situation. His country shared the view that the safeguarding of international peace and security was a basic prerequisite for the social and economic progress of mankind.

6. In building the socialist system of society, the German Democratic Republic had acquired considerable experience in carrying out far-reaching social and economic changes. He stressed, among the changes made in his country, the elimination of the power of the monopolies and the establishment of control over key industries, on which the planned development of the economy was based. Similarly, the large land-holdings had been expropriated and the land given to thousands of farm labourers who had formed agricultural producers' co-operatives and had become the organizers of large-scale agricultural production on the lines of industrial production. Another important stage in the economic and social development of the German Democratic Republic had been the nationalization of industrial, commercial and transport enterprises. That had begun with

the expropriation, on the basis of a referendum, of the large enterprises owned by Nazis and war criminals. As a result, the workers of the German Democratic Republic had learned to run the country's industry, free of any exploitation.

7. The educational system had been reorganized, beginning with the abolition of the educational monopoly of the most reactionary classes. Since educational reform had required the construction of schools, the training of teachers and the preparation and editing of textbooks, all at great expense, that reform had been possible only in conjunction with economic change. Reforms had also been introduced into the judicial system. Equal rights for women had been established and the rights of youth redefined. The health system had been reorganized and old-age pensions had been guaranteed.

8. Those changes formed a set of interrelated measures whose success depended on observing the necessary proportion between the various measures. Socialist planning was the main instrument for ensuring that those proportions were observed. The plans focused on satisfying the material and intellectual needs of the people, including socialist economic integration with the USSR and the other member countries of the Council for Mutual Economic Assistance.

9. The specific measures necessary for social and economic changes within a country depended on the specific historical and material circumstances in which they were to be applied. Since those conditions varied from country to country, his delegation believed that it would be wrong to construct abstract indicators to govern development planning without taking into account the social system of the country concerned. As was established in the report of the Secretary-General on the subject (E/CN.5/478 and Add.1 and Add.1/Corr.1 and 2, Add.2 and Add.2/Corr.1, Add.3 and Add.3/Corr.1, Add.4), there was greater social progress in countries in which socio-economic changes had served the construction of a socialist system, whereas democratic changes had been impeded in countries in which economic life had been strongly influenced by corporations, whether national or transnational.

10. In view of the great importance of the problem, his delegation supported the current endeavour to analyse national experience in that field and to submit the results to the Economic and Social Council, at its fifty-eighth session. His delegation therefore proposed that at the fifty-eighth session of the Economic and Social Council, general conclusions should first be drawn concerning the experience of the various countries, and recommendations and proposals should be worked out thereafter on how the subject was to be considered at the thirtieth session of the General Assembly.

11. Mr. GAVRILUK (Byelorussian Soviet Socialist Republic) said that as was demonstrated in the report of the Secretary-General on the subject, there was an urgent need to adopt measures and establishment policies for carrying out the changes necessary to achieve social progress. Among those large-scale measures, the elimination of discrimination and exploitation, including foreign exploitation, was of special importance. Social progress implied the right to work and the elimination of unemployment, together with

access of the entire population to the fruits of socio-economic development. He believed that pragmatic solutions should be adopted to that end and that was a matter in which the socialist countries had great experience. There was no doubt that a study of that experience would assist Member States.

12. Social adjustments required large-scale changes. No one any longer supported the thesis that progress should be attained on the basis of existing structures. On the other hand, as the representative of Peru had argued at the 2095th meeting, necessary social changes should be democratic in nature and all workers should participate in them. It would be wrong to underestimate the difficulties that were encountered in attempting to achieve progress in that field. One of them was the resistance of certain conservative circles which were satisfied with the *status quo*. The campaign unleashed by international capital against countries which enacted nationalization or similar measures in order to establish their sovereignty over their own resources was one such example. Attempts to limit the scope of social change and to exclude the masses from its benefits was another difficulty.

13. He considered that a further detailed study should be made of the question under consideration and agreed with those delegations which had asked that it should be the subject of a separate agenda item. The study should be carried out scientifically, on the basis of the most advanced experience. In that connexion, he emphasized the responsibility of the developed countries and pointed out that the success of the operation was ensured by growing détente and international constructive decisions on the question, and believed that draft resolution A/C.3/L.2135 provided a solid foundation for that purpose because it reflected the profound interest of States in the compilation and study of national experience. Furthermore, the draft resolution incorporated all the specific proposals made in the Committee. His delegation therefore supported it and would vote in favour of it. He considered that the purpose of draft resolution A/C.3/L.2134 was to reduce the importance and significance of the item and prevent substantive consideration of it by raising procedural obstacles.

14. Mrs. MASSON (Canada) referred to Economic and Social Council resolution 1841 (LVI) on the use of social indicators for measuring social progress. Her country was aware of the need for, and advisability of, developing methods of analytical evaluation for the purpose of identifying the changes required and placing governmental decision-making in a suitable context. In her own country, although the Government had not yet taken a definite position on the systematic preparation of such indicators, a number of ministries and governmental bodies had undertaken research on the subject, and research had also been carried out at the provincial level. However, those studies were as yet purely theoretical. The Economic Council of Canada was working on studies to identify and measure the factors which affected social change. The purpose of social indicators was to observe and measure the results, without losing sight of all inputs through which they could be influenced. The Council's studies were of an extremely technical nature and were designed to evaluate and measure social change and the quality of life in an advanced and prosperous industrial society. In addition, the Council was

carrying out special sectoral studies, using social indicators, on education, urbanization, housing, health and air pollution.

15. Her Government would in due course submit its observations and comments on the Secretary-General's report and on the status of the studies in her country. Her delegation considered that the twenty-fourth session of the Commission for Social Development, to be held in January 1975, would provide a suitable framework for the substantive discussion of the item.

16. Mrs. GERÉB (Hungary) said that at the twenty-sixth session of the General Assembly, when the Committee had had before it the Secretary-General's *1970 Report on the World Social Situation*,¹ a number of delegations had emphasized the importance of learning about national experience in the matter. At the 1831st meeting her delegation had said that a mere description of the visible phenomena would not be sufficient, and that it was necessary to reveal their roots. In that connexion she was sure that it would be useful for all to gain a thorough knowledge of the experience of different countries. The General Assembly had prepared and adopted a series of very important international instruments on the subject. Nevertheless, her delegation considered that the co-operation of Members in encouraging ratification and implementation of those instruments had been less than whole-hearted, a fact which had probably contributed to shaping the existing situation, in which many instruments relating to human rights in the economic, political, social and cultural spheres had not entered into force or, if they had, were not implemented in many countries. Her country attempted to take into account the satisfactory experience of other countries, and believed that its own experience could be of use to them.

17. In her country, nationalization of the means of production had made possible equitable distribution of the national income, the development of industry and the creation of new employment, thus eliminating unemployment. Land reform and the creation of agricultural co-operatives had helped to raise agricultural production and productivity, to mechanize farming and to raise the standard of living of the rural population. Economic planning ensured the balanced development of the economy and guaranteed that economic growth was translated into a constant improvement in the living conditions of the population. Not only economic targets but also social and cultural objectives were laid down in the economic plans. The democratic system, at both the national and the local levels, had provided a great stimulus to the creative forces of the population and had contributed to the development of the human person. The population participated in the discussion of plans and in designing measures to improve the material, social and cultural conditions.

18. Her delegation supported draft resolution A/C.3/L.2135 in the belief that it dealt with the crucial problems mentioned in resolution 2771 (XXVI) and took account of the main ideas expressed by the developing countries during the sixth special session of the General Assembly. Furthermore, the draft resolution had been submitted at a very

¹ United Nations publication, Sales No. E.71.IV.13.

opportune time, and its adoption would have a valuable influence on the preparation of a further and more thorough and comprehensive report by the Secretary-General on the world social situation, which would take into account the actual experience of all countries. Her delegation was convinced that peace and the social and economic progress of peoples were interdependent, which enhanced the importance on the draft resolution, in which the fundamental social changes necessary for social progress were emphasized.

19. Mr. RAZA (Pakistan) supported the concept of using social indicators to assess the degree of progress and social changes in various countries. Such evaluations, however, were not an end in themselves but merely a means to determine the most effective way of dealing with social and economic problems. Without a substantial rate of economic growth, the developing countries could not improve the living standards of their populations.

20. The main occupation of the population of Pakistan was agriculture, from which 80 per cent earned their living. In 1972 the Government under Mr. Ali Bhutto, the Prime Minister, had reduced the holdings of landlords and distributed the lands thus made available among the peasants who had tilled it as tenants and thereby became proprietors without having to pay the price of land. Because of those reforms and the use of fertilizers and tractors, made available at subsidized prices, his country would become self-sufficient in food in the near future. At the same time, the underemployed in the rural sector of the economy were migrating to the large urban centres, where trading estates had been set up in order to expand production. The number of persons employed in industry and trade had been rising steadily, and currently stood at 10 per cent of the population. The economy had received a jolt as a result of the unfortunate events of 1970-1971. However, Mr. Ali Bhutto, acting with great speed to deal with the situation, had given the country a progressive democratic constitution and introduced a series of reforms in the administrative, educational, agricultural and industrial sectors, including the nationalization of banking and life insurance institutions, and of a number of industrial units which had not been working at their full capacity.

21. Mr. AHMED (Democratic Yemen) said that his delegation would take advantage of the opportunity provided by the item to mention the achievements of his country in its endeavour to overcome the legacy of imperialism. After a domination lasting 129 years, from which it had been able to free itself only through armed struggle and after suffering the partition of the territory by imperialism, his country had been faced with an empty treasury, monopolies engaged in exploiting its wealth, a shortage of schools, housing and hospitals, a high level of unemployment and fragmentation into over 20 districts which had been used like pieces on a chessboard. In addition, there had come the closure of the Suez Canal as a result of the aggression of June 1967, which had reduced traffic in the port of Aden, with consequent damage to the national economy. In those circumstances, his country had been faced with the dilemma of continuing with the capitalist régime which had failed or choosing a non-capitalist type of development towards socialism. It had chosen the second alternative, which was the surest path towards the prosperity of the people.

22. In 1969, Act No. 37 had been passed, which nationalized foreign companies and thus created the public sector, and in 1970 the first three-year economic plan had been put into effect. In 1974 the second economic plan had begun, which stressed the participation of the people in its implementation. The economy would be developed by setting up factories to utilize domestic resources. Agricultural production would increase as a result of the elimination of feudalism and the creation of State co-operatives and farms, in which 90,000 families had begun to enjoy the benefits of their own work. The workers played an active part in carrying out the economic plans, by supervising production and the work processes. The army and police force had been reorganized in such a way as to help to increase productive capacity in rural areas and to provide services in hospitals and in other places where their collaboration was required.

23. In the field of education, a five-year plan had been put into effect and school enrolment had risen to 250,000 students. There were also plans to establish universities and technical schools. On the cultural level, the feudal and reactionary ideas which had been left behind by imperialism were being eliminated. Cultural centres, libraries, sports centres and social services for young people were being established. In 1974 a plan had been prepared for the elimination of illiteracy within five years, under which 75,000 persons were already receiving instruction. The health services, which were free, had been strengthened. Air communications were also important, both from the economic point of view and also for the social services, and they were therefore being expanded and improved. The status of women had improved considerably, and they were playing an active part in political and social life. In 1972 an Act had been passed which nationalized housing, making cheap housing available to the population and increasing the construction of new housing units. A child welfare fund had been set up which ran kindergartens and day-care centres. The population participated actively in political affairs. A local government Act was under discussion, and it should be pointed out that his country's first Constitution had been adopted with the participation of the people, who had also ratified it. Importance was attached to popular initiative in the preparation of plans to achieve a socialist society.

24. His delegation would vote in favour of draft resolution A/C.3/L.2135 because it understood the importance, for the purposes of development, of studying the subject.

25. Miss TABATABAI (Iran) said that her Government had long regarded social development as an important component of economic development and that it had therefore adopted important measures to bring about major social transformations. One of the highest priorities had been accorded to land reform. Most developing countries needed to bring about land reform, for it constituted a major tool with which to combat existing social inequalities. Iran had initiated a multifaceted land reform programme more than a decade earlier, which had been implemented in three successive phases, so that now most Iranian peasants tilled their own land. The Ministry of Land Reform and Rural Co-operatives, established to implement the land reform programme, had promoted, in collaboration with other agencies, a programme of co-operative

production as well as increased consumption, rural integration, rural cultural activities, literacy and education and a better standard of living for the entire rural population.

26. Another important question was education, which in most developing countries had been available only to a part of the population. In fact, illiteracy was a serious problem facing all those countries. The Government of Iran, realizing its importance, had initiated a massive literacy campaign. During the current year, steps had been taken to provide free education to all children through the secondary level. Students who wished to continue their education through the university level but did not have sufficient financial means could do so free of charge under a royal decree, provided that they signed contracts to the effect that they would serve the Government or the private sector in Iran for two years for each year of university training. In order to ensure that there were sufficient teachers for that extensive educational programme, the teachers' training college was being transformed into a university with branches in various provincial centres. The university would train secondary-school teachers, school administrators and specialists in testing, counselling and educational technology. In spite of those transformations, it was believed that there would still be a shortage of teachers and, in order to ensure that all Iranians had an opportunity of becoming literate, a system was being established through which educational programmes would be broadcast by satellite throughout Iran. With regard to public health, the Government of Iran was establishing a national health system which would provide free medical care to all citizens whether they lived in rural or urban areas. The Iranian Government was making every effort to ensure an equitable living standard for all and would continue to introduce the necessary social and economic changes to improve the conditions of the entire population.

27. Mr. MACRAE (United Kingdom), introducing draft resolution A/C.3/L.2134, said that it seemed presumptuous on the part of the delegate of the Byelorussian SSR to have qualified the intentions of the text before it had been introduced. His own delegation thought that the item was an important one and that the exchange of experiences was valuable. But it was a fact that the Committee had before it no adequate documentation and was therefore not in a position to take substantive decisions at the current session. In any case, the General Assembly would examine the question in depth at its next session as part of the world social situation. In this connexion, General Assembly resolution 2771 (XXVI) called for a report on the world social situation to be discussed at its thirtieth session, and resolution 1746 (LIV) of the Economic and Social Council made it clear that account should be taken of the importance of national experience in achieving far-reaching social and economic changes for the purpose of social progress in the report of the Secretary-General on the world social situation. Furthermore, the question of social indicators and the world social situation would be studied in depth by the Commission for Social Development. For all these reasons, while he did not question the usefulness of the exchange of views on the subject which had already taken place during the current session, his delegation believed that it would be wrong to take substantive action at that time. The draft resolution, A/C.3/L.2134, made that clear and he himself wished to underline the meaning of the

draft resolution; if it were adopted further discussion of the item should forthwith cease, which meant consideration should not be given to any other resolutions on the subject.

28. Mr. KANKA (Czechoslovakia) introduced draft resolution A/C.3/L.2135, on behalf of his delegation and those of the German Democratic Republic and the Union of Soviet Socialist Republics. Some delegations had indicated in the debate that the United Nations had dealt with the item on numerous occasions, and that fact was noted in the first two preambular paragraphs of the draft resolution. The fourth preambular paragraph stressed the importance of peaceful coexistence and friendly co-operation among States for the promotion of conditions for economic and social progress. The fifth and sixth preambular paragraphs referred to the Declaration on Social Progress and Development (General Assembly resolution 2542 (XXIV)), stressing the importance of the implementation of its principles, aims and methods and recalling its recommendation that countries should promote democratically based social and structural reforms and changes. In the operative part, the General Assembly would stress the importance of introducing fundamental social and economic changes; reaffirm the right of each State to nationalization in order to carry out those changes; recommend the adoption of measures to ensure more active participation by the entire population in preparation and execution of economic and social development policies and programmes; and request the Secretary-General, the United Nations Development Programme, the regional economic commissions and the Economic and Social Council to make arrangements to study national experience in the matter.

29. Mrs. PICKER (United States of America) said that in accordance with the provisions of Economic and Social Council resolution 1746 (LIV), during its twenty-fourth session in 1975 the Commission for Social Development would examine the question of the analysis of national experience as an integral part of the Report on the World Social Situation. She therefore thought that that analysis was not one of the Third Committee's tasks and endorsed the United Kingdom representative's view in that respect. Her delegation likewise could not accept draft resolution A/C.3/L.2135: for one thing, operative paragraph 2 should be deleted and, for another, the Second Committee had examined the question, which was the subject of the draft, during its consideration of agenda item 12.

30. Mr. DE AZAMBUJA (Brazil) proposed that the penultimate preambular paragraph of draft resolution A/C.3/L.2135 should become operative paragraph 1, the remaining paragraphs being renumbered accordingly and that the word "fundamental" in the present operative paragraphs 1, 2, and 6 as well as the expression "far-reaching" in the present operative paragraphs 4 and 7 should be deleted. He also proposed the replacement of the present operative paragraph 2 by the following text:

"Reaffirms the right of each State to nationalization as one way to carry out social and economic changes for the purpose of social progress;"

The purpose of those amendments was to facilitate the acceptance of draft resolution A/C.3/L.2135, since the fact that conditions differed in various countries meant that

social and economic changes were not always fundamental or far-reaching. Thus, each country would be free to determine the scope of the measures to be taken for its economic and social development.

AGENDA ITEM 63

Unified approach to development analysis and planning (*concluded*)* (A/9793)

31. Mr. RAZA (Pakistan) expressed his delegation's support for the concept of a unified approach to development and said that the policies of the new Government of Pakistan were a concrete expression of that approach in that they accorded equal importance to economic and social factors and objectives in planning. His delegation would await with considerable interest the recommendations of the Commission for Social Development, which would examine that question in depth at its twenty-fourth session.

32. Mr. POZNYAKOV (Ukrainian Soviet Socialist Republic) reviewed the background of the question, which had been studied by the Commission for Social Development and the Economic and Social Council and had been included in the agenda of the General Assembly in compliance with resolution 1747 (LIV) of the Council. The Secretariat was currently preparing a report on the question which would be presented to the Commission for Social Development.

33. His delegation's position with regard to the unified approach to development analysis and planning arose from its conviction that progress was not possible without a combination of all the elements which could influence economic development. One of those elements was the unified approach to the national economy, which required the integration of all questions relating to development. In the economic field, the reality of interdependence was clear. The fragmentary economic approach of capitalist enterprises generated inflation and unemployment. The system imposed by capitalist enterprises had brought the world to the brink of a serious economic crisis. In that respect, the analysis of the question was fully justified. Both the Economic and Social Council and the Commission for Social Development agreed that the unified approach was the most suitable for economic and social development. National growth must be based on the means at the disposal of each country. The Ukrainian SSR considered that among the factors contributing to growth, the governmental sector played a particularly important role, and that view had been confirmed by Economic and Social Council resolution 1747 (LIV). As a result of economic development, the State could solve social problems and improve the condition of the working classes. That was the position of the Ukrainian SSR, as clearly reflected in its national development plans. In the Ukrainian SSR factories had been built but at the same time schools, hospitals and recreation areas had been built as well. In development planning, the Ukrainian SSR was guided by the ideas of Lenin, who had always been in favour of the unified economic approach.

34. Together with economic development there should be increased efforts in the social field. That was the path

which had been taken by the Ukrainian SSR, with the support of the socialist countries, and in that respect his delegation was fully convinced that it would increase understanding between countries and thus strengthen peace.

35. The item under consideration made it possible to appreciate the extraordinary importance of the unified approach to development analysis and planning. The Secretary-General's report on that question should therefore be prepared in such a way as to be useful to those responsible for economic and administrative management in the various countries.

36. Mr. STÅHL (Sweden), after expressing his Government's special interest in the item, said that in order to give a concrete content to its work, the United Nations should elaborate methods for measuring social as well as economic progress. During the fifty-seventh session of the Economic and Social Council and at the eighteenth session of the Statistical Commission, his delegation had drawn attention to the need for new indicators in connexion with the follow-up of the Second United Nations Development Decade. He considered that, before dealing with the subject, the General Assembly should await the report of the Secretary-General and the considerations of the Commission for Social Development. Moreover, since the crucial questions in connexion with the subject were part and parcel of the general development question and economic development efforts, consideration should also be given at the proper time to determining the Committee to which the item should be allocated.

37. Mr. NOWORYTA (Poland), referring to experiences in Poland relating to the unified approach to planning and social planning, said that at the outset the link between economic planning and social planning in the annual and five-year plans had been reflected in the concept that economic activities must contribute to the achievement of social objectives and in the distribution of the national income between accumulation and consumption, as determined by the plan. However, it was in the annual and five-year socio-economic development plans themselves that full integration of both aspects of planning took place, priority being given to activities which improved the living conditions of the population, on the basis of a methodology which was being continually improved. An important factor in the achievement of that goal was the programme of statistical studies on the living conditions of the population. With reference to planning properly so called, an effort was being made to take into account all the elements which had an effect on the extent to which the needs of the population could be met. Moreover, diagnostic and analytical studies were being carried out which would make it possible to take short- and long-term decisions on the basis of wider information, in addition to forecasting and research studies which had contributed to the preparation of specific programmes in the fields of health protection, development, social security, the modernization of the educational system, cultural development and the struggle against manifestations of social pathology. Poland's experience showed the importance of linking economic progress with social activities.

38. His delegation considered that it would be useful to undertake, under United Nations auspices, comparative

* Resumed from the 2095th meeting.

international research having applications in planning and social development programmes, and, to that end, to work out a system of indicators and definitions which would ensure an adequate basis of comparison of data on an international scale. That would facilitate analysis of the extent to which there was universal enjoyment of the benefits of economic and social progress and of the implementation of the principle of equality of opportunity for the various population groups. His delegation also considered it appropriate to carry out, under United Nations auspices, an exchange of experience in social development planning methods and the effectiveness of such planning. It would be useful to include the methodological successes which took into account the composition of society, and to undertake studies of the question of the real distribution of national income. In conclusion, he requested the inclusion of his proposals and suggestions in the Committee's report to the General Assembly on item 63 of its agenda.

39. Mr. WERNER (German Democratic Republic), after drawing attention to Economic and Social Council resolution 1747 (LIV), which noted that success in social development depended on a favourable international climate, said that the current international situation, which was marked by a process of détente and further efforts to safeguard peace and ensure security, afforded favourable conditions for successful work in the field of social and economic development planning. In the German Democratic Republic, with a rapidly developing public sector, planning had from the outset been designed to achieve far-reaching socio-economic and structural changes in society and in the economy, so as to raise the living standards of the people. With reference to the formulation of unified principles of planning and their implementation, the German Democratic Republic sought to ensure the full co-operation of all the working people in the preparation of plans. Targets were worked out through broad discussions

at the enterprises concerned, and formed the unified and binding basis for the work of all Government offices. That ensured a unified approach and guaranteed that the plans were integral parts of national goals for over-all social development. In that connexion, he pointed out one aspect which he felt had not been duly noted: the need for unified analysis and statistics.

40. The experience of the German Democratic Republic disproved the view that there could be a unified system irrespective of the concrete social and economic conditions prevailing in the country concerned. Therefore, further work on the item should start from the national experiences of the various countries. For that purpose, the results of those experiences must be brought together and studied with a view to drawing general conclusions on topics such as the connexion between international détente and socio-economic development; the unity of social and socio-economic changes on the one hand and economic development on the other; the role of working people in the process of planning socio-economic development; and the importance of a public sector for unified development planning and analysis. He suggested that work on the item should continue along those lines, and that the Secretary-General's report on the subject should be further elaborated and submitted to the fifty-eighth session of the Economic and Social Council, so that the latter could work out proposals concerning further consideration of the subject and submit them to the thirtieth session of the General Assembly.

41. The CHAIRMAN suggested that consideration of the item should be postponed until the thirtieth session.

It was so decided.

The meeting rose at 1 p.m.

2098th meeting

Monday, 25 November 1974, at 10.55 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2098

AGENDA ITEM 59

Report of the United Nations Commissioner for Refugees (A/9603, chapter I, chapter III, section F; A/9612 and Corr.1 and Add.1-3, A/C.3/L.2136)

1. Prince Sadruddin AGA KHAN (United Nations High Commissioner for Refugees) said that both the purposes and actions of his Office had adapted themselves to new situations in recent years. That was because Member States had acted in unison strengthening the capacity of his Office and of the United Nations to help the international community solve problems as they arose. The course taken had consolidated the legislative strands on which the work of the office should be based, namely the Statute and

numerous subsequent resolutions calling for its "good offices" and the participation of the Office in the essential humanitarian actions of the United Nations for which it had particular expertise and competence.

2. The problem of refugees arose from the most strenuous tensions, and only by allaying such tensions and extinguishing the fears and prejudices that fed them could the problem be eliminated. In those circumstances, the aim of his office was to promote lasting and just solutions and to attempt to reduce complex political questions into simple moral and humanitarian components, in the hope of facilitating the political decisions that went to the roots of the problems.

3. For over a decade, his Office had assisted hundreds of thousands of refugees from Angola, Mozambique and Guinea-Bissau. It had repeatedly stressed that refugees constituted a valuable human resource and that they had to be prepared for their return home. To that end, his Office had worked closely with the host countries, the Organization of African Unity and the competent liberation movements, and currently, when the exile of the refugees was ending and signifying for them the vindication of an ideal, it was proud that its actions had made their return possible as people trained and equipped to serve new nations. The principal duty of his Office was to promote voluntary repatriation. He was studying the modalities for the repatriation of the refugees and the support they would require to enable their resettlement in their countries of origin. Such repatriation must be based on the creation of a minimum infrastructure to which the refugees could return. In his opinion, it was reasonable to expect that in 1975 a considerable effort would be necessary in that regard. Needless to say, any step taken by the High Commissioner would be fully co-ordinated with the efforts of the United Nations system.

4. In Asia, where the Secretary-General had requested the Office to deal with the movement of stranded persons between Bangladesh and Pakistan, 241,300 had been carried by air (nearly 1,800 flights) and by sea. He reiterated his gratitude to those Governments that had contributed either multilaterally or bilaterally to that undertaking, which had been a model of co-ordinated international action the successful outcome of which had been an important factor in creating the conditions in which the Governments of the subcontinent could of themselves make major progress towards a new era of co-operation.

5. Also in Asia, guided by the Secretary-General's view that United Nations assistance should be made available to all parties in Indo-China on a purely humanitarian basis, he had instituted an important programme to assist displaced persons in Laos and Viet-Nam. The cost of the programme for 1974-1975 was estimated at \$12 million and the Office was urging Governments to make contributions. Of course, the measures envisaged had been co-ordinated with other international agencies and programmes so as to avoid any duplication.

6. The primary purpose of the United Nations humanitarian assistance programme for Cyprus was to provide emergency relief to the large number of persons currently displaced in the island. Clearly, that relief operation could not be a substitute for a settlement of underlying problems. It was critical that humanitarian operations should strengthen the political will of the parties to reach a swift and appropriate settlement. The figure of \$22 million requested by the Secretary-General on 6 September to meet emergency needs between 1 September and 31 December 1974 had been reached, and he thanked all those who had contributed to that joint effort which transcended political variance.

7. Those illustrations sketched a picture of the assistance activities of the office and included actions undertaken within the regular programme and special humanitarian tasks. All those activities were bound together by the

discipline of programme budgeting and, in that connexion, he welcomed the decision of the Executive Committee of the High Commissioner's Programme that, within the framework of programme budgeting, he should report to it on the special humanitarian tasks in the same manner as he reported on other activities financed from trust funds under the regular programme (see A/9612/Add.1, para. 38).

8. The regular programme of the Office for 1975, that was financed entirely from voluntary funds, had been approved in an amount of \$12,656,000 as against \$11,808,000 for 1974. Apart from the need to budget additional resources for refugees in Africa, one of the principal factors contributing to that increase had been the impact of events in Chile on the Office's work in Latin America. Even though approximately 3,000 foreign refugees in Chile had been resettled in some 30 countries, there still remained a few cases in Santiago together with the important problem of family reunion. Furthermore, there was a considerable number of Chileans who had crossed into Peru and an even larger number into Argentina. Another problem was that of the Kurdish refugees in Iran whose number was estimated by the Iranian Government at over 100,000. At the invitation of the Government of Iran, a representative of UNHCR had visited that country in August 1974 and had held discussions with the Prime Minister and other officials. He had visited the refugee camps and had been able to assess the efficient effort of Iran's Red Lion and Sun Society. As substantial funds had been made available by the Government to meet the emergency needs, no formal request for material assistance had yet been made to UNHCR. The Office was in touch with the parties concerned and its expertise and experience were available here as elsewhere, to contribute towards a humanitarian solution.

9. As regards the Emergency Fund, the Executive Committee had recommended that the General Assembly should authorize the High Commissioner to allocate up to \$2 million annually from that Fund, it being understood that the amount to be made available for any single emergency should, as formerly, not exceed \$500,000 in any one year (*ibid.*, para. 80). He wished to point out that the financing of those expenditures up to the level proposed was ensured through existing sources of income. There were therefore no new budgetary demands imposed on Governments.

10. With respect to the draft convention on territorial asylum (see A/9612/Add.3, annex), 91 States had made known their views, of which 76 had indicated that they were in favour of the elaboration of a convention within the framework of the United Nations. The Executive Committee felt (see A/9612/Add.1, para. 52) that a conference of plenipotentiaries should take place as soon as possible and be preceded by a meeting of a group of governmental experts to review the present text of the draft convention.

11. Turning to the protection function of UNHCR—the most central, though least understood and most difficult of its tasks—he referred to the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol relating to the Status of Refugees to which 65 and 58 States respectively were currently parties. He had individually

urged 73 Governments that were not parties to either of those instruments, to reconsider the question of accession. Furthermore, internal legislation must develop in consonance with those rules and be adequately implemented. His Office would never acquiesce in the violation of the rights of a refugee. Without mentioning individual violations that had occurred in widely differing circumstances, he reminded the Committee that the granting of asylum, being a peaceful humanitarian act, could not be regarded as unfriendly by any other State. He was deeply disturbed by evidence of the erosion of that concept and the tendency to treat refugees as eternal transients, undeserving of the opportunity to strike roots in countries that by culture and contiguity might be appropriate for them.

12. Finally, he observed that each year, by focusing its attention on the problems of refugees, the Third Committee exalted humanity and reaffirmed faith in the dignity of the human person.

13. Mr. SÖYLEMEZ (Turkey) said that the humanitarian work being carried out by the United Nations through UNHCR was benefiting millions of persons throughout the world and pointed out that the UNHCR report for the period from April 1973 to the end of March 1974 (A/9612 and Corr.1) also dealt with the provision of emergency assistance to a large number of refugees, particularly in Africa, Latin America and Asia.

14. The principles of asylum and *non-refoulement* were of primary importance, as pointed out by the High Commissioner in his report, in accordance with basic standards of humanitarian law and the Convention relating to the Status of Refugees of 1951. As a party to that Convention and the 1967 Protocol thereto, Turkey was fully aware of the problems involved in the refugee situation.

15. As stressed in the High Commissioner's report, the largest number of refugees within UNHCR's competence was in Africa, where approximately 1 million persons needed protection. The events which had occurred in Chile in September 1973, when an estimated 10,000 refugees were living in that country, had also given rise to major problems of protection, material assistance and resettlement, in connexion with which the High Commissioner and the Secretary-General had made appeals to the Chilean Government. It was also necessary to recall the work carried out by UNHCR in Pakistan and Bangladesh.

16. Like 36 other Member countries, Turkey had replied to the questionnaire sent out by UNHCR concerning the Convention of 1951 and the 1967 Protocol and hoped that the High Commissioner would be able to report on the legal situation of refugees in all countries parties to the Convention once States which had not yet done so had replied.

17. The Turkish Government was giving all possible support to the efforts and activities of UNHCR as a matter of principle. His Government had always co-operated with the UNHCR Office in Ankara, which was carrying out most useful and valuable work. Under UNHCR programmes and projects in Turkey in 1973, 57 persons had received assistance for resettlement, 143 refugees had been assisted in local settlement and 13 refugees had been given supplementary assistance. Although such aid was modest in

statistical terms, UNHCR assistance was important from the human point of view.

18. His delegation thanked UNHCR for the important contribution it had made in channelling humanitarian assistance to Cyprus, not only in its capacity as the Office of the High Commissioner, but also as co-ordinator of United Nations humanitarian assistance for Cyprus. His delegation agreed with the High Commissioner that there must be political will in order to find solutions to political problems and that the parties must make effective use of the time gained.

19. Mr. HOVEYDA (Iran) said that UNHCR's work had increased rather than decreased in the period covered by the report and that the problem of refugees—a word which should disappear from everyday vocabulary—arose again every year in greater magnitude and affected new regions of the planet. The High Commissioner and his Office deserved thanks for their admirable work, which was succinctly described in the official report, but could also be followed in detail in the press, on the radio and on television.

20. It was clear that the work of UNHCR should be limited to the provision of humanitarian assistance to refugees. Its task was to provide permanent solutions to the problem, where possible, but the real cause of the problem was beyond its competence because, in most cases, it lay in political matters. He recalled that, on 18 November 1974 at the 2289th plenary meeting during the debate on the question of Palestine, he had drawn the attention of the General Assembly to the fact that there was a tendency to forget the essential and basic aspect of the problem. What interested refugees more than anything else was how and when they could regain their legitimate rights, not how much international assistance would be available for their benefit.

21. He also drew the Committee's attention to some important and specific suggestions in the report of UNHCR concerning means of facilitating the search for final and permanent solutions to refugee problems. Such means were voluntary repatriation, settlement, protection and education. He was of the opinion that education and vocational training were the two main elements of the social progress and, in particular, the integration of refugees. Moreover, programmes of that kind could be successful only if there was close co-operation between the country of asylum of the refugees and UNHCR and the various competent United Nations bodies.

22. In that connexion, it was important to note that, in 1974, the work carried out by UNHCR in the United Republic of Tanzania, Rwanda and Zaire had been very successful. In addition, the process of the voluntary repatriation and resettlement of refugees had taken place rapidly and effectively in the African regions formerly under Portuguese administration. His delegation was also glad to know that, thanks to the co-operation of Governments and various governmental and non-governmental organizations, it had been possible to solve the problems of the resettlement of refugees in Latin America, particularly those in Chile. He hoped that a prompt and adequate solution would also be found for the other problems referred to by the High Commissioner.

23. Iran was well acquainted with the refugee problem because it had direct contact with it. More than 105,000 Iraqi Kurds had found asylum and refuge in Iran. The UNHCR regional representative had personally been able to see the many relief measures taken for those refugees. The Government of Iran had already allocated more than \$100 million for emergency relief of all kinds, including elementary education courses for children, in addition to other budget resources intended to provide them with assistance. No matter how much assistance there was, however, it was not sufficient to alleviate the physical and moral suffering of displaced persons. Until now, Iran had assumed full responsibility for the physical, material and social well-being of those refugees, but if the trend continued, the international community would have to share that responsibility.

24. Iran would continue to support the UNHCR programme in order to meet the urgent needs of refugees throughout the world and his delegation assured the High Commissioner of its full co-operation, in the hope that the refugee problem would one day disappear.

25. Mr. FERGUSON (United States of America) referred to the annual report of the United Nations High Commissioner for Refugees (A/9612 and Corr.1 and Add.1-3) and said that, as one of the activities of UNHCR, special attention was being paid to the rehabilitation of refugees who were seriously handicapped, either physically, mentally or socially. The UNHCR programme for handicapped refugees was surely in the highest humanitarian tradition of the United Nations.

26. It was difficult to over-emphasize the significance to refugees of ensuring liberal asylum policies and practices and, in particular, of making certain that no refugee would be required to return to any country where he would face persecution. Article 33 of the 1951 Convention relating to the Status of Refugees of 1951 unequivocally prohibited the *refoulement* of refugees to territories where their life or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion. In his report (see A/9612, para. 22), the High Commissioner had deplored the fact that, in 1973, certain countries had repatriated refugees against their will and his Government joined in the condemnation of that inhuman practice. The principle that refugees must not be repatriated against their will and the right of a refugee to seek asylum were part of international law. The acceptance of the principle that the granting of asylum was a peaceful and humanitarian act and should not be regarded as an unfriendly act by any State would facilitate the general application of the principle of *non-refoulement*.

27. It was also the task of UNHCR to ensure that, in the countries of asylum, refugees had the opportunity to live in dignity, achieve a certain amount of self-sufficiency and cease being refugees. In that case, as in the preceding one, the Convention and the 1967 Protocol were the main instruments which UNHCR could use. It should be stressed that, in 1974, the High Commissioner had again strongly recommended that those countries which had not yet done so should accede to the Protocol and the Convention. The rights of refugees embodied in those

international treaties could lead to a just and lasting solution of the problem and, in addition, promote the relaxation of tensions, the solution of broader issues and the stability of the countries concerned.

28. The major share of the financial commitments of its programme has been devoted by UNHCR to problems in Africa and his delegation fully supported that decision. It also welcomed the implementation of the programme of material assistance in Latin America, Europe and the Middle East. The United States had a national heritage of concern for oppressed and homeless refugees and such concern dated back to the founding of the Republic almost 200 years previously and was now reflected in its support for refugee assistance programmes. In the fiscal year 1974, the United States had contributed some \$174 million both in cash and in food commodities, to assistance for the refugees under the protection of UNHCR and had contributed an additional \$149 million for assistance to refugees not within the UNHCR mandate.

29. His Government noted with approval the High Commissioner's work in the repatriation movement between Bangladesh and Pakistan, which had contributed to reconciliation on the subcontinent. He also welcomed the initiative by UNHCR in Indo-China and its activities in behalf of Chilean refugees. The High Commissioner had also successfully found permanent homes for all the Uganda Asians. Finally, his Government was deeply gratified with the manner in which UNHCR was discharging its special role as co-ordinator for humanitarian assistance in Cyprus. The United States had responded to its appeal for that purpose with the pledge of a contribution of \$7.3 million, in addition to the \$3.2 million in assistance which it had provided before UNHCR assumed that task.

30. His Government felt that the growth of the High Commissioner's programme of material assistance and the increasing calls upon the High Commissioner to lend his good offices in situations which did not fall within his competence (such as the Cyprus problem and the repatriation programme in South Asia) should not impede or infringe upon its first priority, which was to provide international protection for refugees.

31. His delegation firmly supported the High Commissioner's request that the General Assembly should authorize him to allocate up to \$2 million annually from the UNHCR Emergency Fund. Experience had shown that such allocations, of up to \$500,000 for any one emergency, were desperately needed in crisis situations.

32. His delegation also supported convening in due course a conference of plenipotentiaries to complete a draft convention on asylum. The present draft raised a number of questions which needed to be resolved, and therefore required considerable work. His delegation considered that the first step to be taken was to convene a committee of governmental experts to perfect the present draft. The draft which emanated from the committee should then be considered by Governments before setting a definite date for the conference of plenipotentiaries.

33. In conclusion, his delegation wished to stress that the High Commissioner's excellent work would not have been

possible without the confidence and support given to him by Governments.

34. Mr. RYDBECK (Sweden) said that international protection was the very basis for the activities of the United Nations High Commissioner for Refugees, and that material assistance activities should not be allowed to overshadow that primary function. In that regard, his delegation considered that the preparations for the adoption of a practical and useful convention on territorial asylum were of great importance: such a convention would be of great importance to the High Commissioner in his protection activities.

35. With regard to the work of the High Commissioner in various parts of the world, it was gratifying to note that the change of régime in Portugal had opened up unforeseen opportunities for a peaceful end to Portuguese colonial rule in Africa, which would have great significance for settling the problem of refugees from former Portuguese Territory. However, grave problems still remained in Africa, including the substantial increase in the number of refugees from Burundi settled in the United Republic of Tanzania.

36. The exodus of refugees from Chile during the last year had been one of the main preoccupations of the High Commissioner. It was a source of satisfaction that it had been possible to resettle some 3,000 non-Chilean refugees. His Government had been happy to support the operation and had accepted more than 1,000 refugees of both Chilean and other nationalities. However, the problem of refugees from Chile was far from solved. Thousands of refugees, mainly Chileans, were still awaiting a durable solution, and there was a continuing influx of new refugees. There was also the need to reunite families which had been separated.

37. The activities of UNHCR outside the regular programme had increased during recent years. Political conflicts and natural disasters could leave people refugees in their own countries, even if they were not refugees in the legal sense of the word, and it was only natural that UNHCR should be called upon to help them. A case in point was Indo-China, where the United Nations had a great role to play in restoring acceptable living conditions. Cyprus was another example, where the High Commissioner's co-ordinating ability was greatly needed.

38. Introducing draft resolution A/C.3/L.2136, he said that Australia, Ireland, Turkey and Uganda had joined its sponsors. When drafting the text, the intention had been to depart as little as possible from corresponding texts adopted in previous years. However, some changes had been made. Operative paragraph 2 of part A of the draft resolution contained a new element arising from the Executive Committee's decision to invite the High Commissioner to report to the Committee on his special humanitarian tasks, for example, those in Sudan, South Asia, Indo-China and Cyprus. The purpose of the new paragraph was to consolidate the reporting procedure which was already in use, and provide an over-all picture of activities undertaken both under the UNHCR regular programme and as special humanitarian tasks. Operative paragraph 3, and the corresponding third preambular paragraph, dealt with the problems arising from the former Portuguese Territories in Africa. A considerable effort would be necessary in those

territories to facilitate the voluntary repatriation of refugees. In connexion with those paragraphs, he pointed out that in the third preambular paragraph the wording was "voluntary repatriation of large numbers of refugees to Territories", while in the corresponding part of paragraph 3 the expression "from Territories" was used. The wording in the two paragraphs should be the same, and he suggested that the word "from" should be used in both. Part B of the draft resolution was merely a technical measure to facilitate the High Commissioner's work and imposed no new budgetary demands on Governments, since the existing sources of income were sufficient. His delegation therefore hoped that the draft resolution would be adopted unanimously.

39. With regard to the draft convention on territorial asylum, his Government had a positive attitude to all efforts aimed at strengthening the legal instruments protecting the right of asylum and considered that the new instrument required careful preparation, in order to secure real progress. The draft convention on territorial asylum had given rise to some hesitations with regard to the formulation of individual articles and the usefulness of some of its legal aspects. His Government was in favour of the Executive Committee's proposals to convene a conference of plenipotentiaries as soon as possible, preceded by a meeting of a group of governmental experts.

40. Mr. FAZLUL KARIM (Bangladesh) praised the humanitarian work that the High Commissioner had been performing in Asia, Africa, Latin America, Europe and the Middle East, both within the framework of his regular activities and as part of his special programmes, in providing material assistance to refugees and protecting their fundamental legal rights. His delegation, which had always supported humanitarian efforts in behalf of refugees, agreed with the High Commissioner that those efforts must continue and, in fact, increase. The refugee problem would persist so long as armed conflicts and political upheavals existed in different parts of the world.

41. In connexion with the High Commissioner's report concerning the activities of UNHCR in the repatriation of stranded persons in the South Asian subcontinent (A/9612/Add.2), he recalled that his Government had taken the initiative to approach the Secretary-General for assistance with regard to the simultaneous repatriation of Bengalis, Pakistanis and Pakistani prisoners of war under the New Delhi Agreement of 28 August 1973; and he welcomed the participation of UNHCR in the operation as executing agent of the Secretary-General. He thanked the High Commissioner and his staff for their untiring efforts and the efficiency with which they had performed their work. Between 19 September and 1 July 1974, 121,695 Bengalis had been repatriated from Pakistan to Bangladesh and 108,744 Pakistanis from Bangladesh to Pakistan. Apart from meeting a fundamental humanitarian need, the operation had helped to generate an atmosphere of reconciliation and normalization in the subcontinent.

42. His Government was also grateful for the generous assistance given by the Governments of 27 countries, which were listed, together with their contributions, in the report (*ibid.*, annexes I and II) and without which the operations could not have been carried out. The UNHCR started the

operation with an estimated budget of \$14.3 million. However, owing to a number of variables and unknowns, and to the decision to defray the costs of the repatriation of 10,868 Pakistanis from Nepal to Pakistan from the same fund, the initial budget could not entirely cover the expenses of repatriation between Bangladesh and Pakistan, and the operation came to an abrupt end on 1 July 1974. Although it appreciated the difficulties and limitations under which the High Commissioner had to work, the Government of Bangladesh regretted that situation, and hoped that it would be possible for the High Commissioner, with the help of the international community, to resume and complete the repatriation operation in the near future. Of the 540,000 Pakistanis registered by the International Committee of the Red Cross (ICRC), only 108,000 had been repatriated, and 63,000 families consisting of about 400,000 persons were still waiting to be repatriated.

43. He also commended the invaluable assistance of the ICRC, as described in paragraph 13 of the report (A/9612/Add.2). Its mandate consisted of registering all persons applying for repatriation, obtaining clearances for departure and entry and issuing the necessary travel documents, and its co-operation had been indispensable for the success of the operation.

44. Mr. FØNS BUHL (Denmark) said that each year consideration of the current item was begun with mixed feelings, since the solution of one problem was often overshadowed by new tragic events which created other serious refugee problems. That attitude was not less warranted for the events of 1973-1974. In his report the High Commissioner drew the General Assembly's attention to the continuing problem of refugees, particularly in Africa, Latin America and, most recently, in Cyprus. On the positive side mention should be made of the return to their country of some 100,000 Sudanese, a substantial number of whom were repatriated with UNHCR financial assistance, and the repatriation of nearly a quarter of a million people between Pakistan and Bangladesh. He also noted that recent positive developments in Africa opened new possibilities for the voluntary repatriation of large numbers of refugees.

45. Once again the old truth that in a crisis the weakest always bore the heaviest burdens was confirmed. Among the weakest victims of the current problems were the refugees, who were faced with the uncertain situation of being away from their homes and their familiar environment. Having lost everything, the refugees had little to look forward to, unless the international community came to their rescue. The prime function of the United Nations High Commissioner for Refugees and the corner-stone of his work of assistance was to establish legal protection for refugees, and his delegation therefore welcomed the fact that during the year under review several States had acceded to or ratified the legal instruments which constituted the multilateral framework of the protection activities carried out by the UNHCR. Denmark fully shared the views expressed in paragraph 12 of the report of the High Commissioner (A/9612 and Corr.1) to the effect that it was essential that the greatest possible number of Governments should become parties to the Convention and Protocol relating to the status of refugees, thus strengthening the impact of those instruments and improving the position of refugees.

46. In the area of material assistance, his delegation had noted with satisfaction that in spite of the large influx of new refugees in Africa and Latin America, the regular programmes of material assistance of UNHCR for 1973 had been carried out substantially according to plan. Furthermore, through generous contributions from the international community, including voluntary private agencies, a number of additional humanitarian tasks had been undertaken and carried out by the UNHCR. That important task must be continued, and because many States, which had experienced a large influx of refugees, could not afford to give the necessary assistance, other more prosperous countries must contribute to the office of the UNHCR. In 1974 the Danish Government had contributed 2.9 million Danish kroner to the ordinary programme of the High Commissioner, and, subject to parliamentary approval, would contribute its share of the financial assistance to that part of the UNHCR activities for 1975. Denmark also intended, as in previous years, to grant an unearmarked contribution in 1975 to be used for other activities of technical assistance to refugees financed through the UNHCR.

47. His delegation had noted that the High Commissioner, in paragraph 145 of his annual report, pointed out that considerable further support, financial and otherwise, was needed to complete the programme of assistance and resettlement of refugees from Chile. He informed the Committee that the Danish representative at the meeting of the Executive Committee in October 1974 had pledged a contribution of 300,000 Danish kroner to the UNHCR account in Denmark for that purpose. He also drew attention to paragraph 39 of the annual report, which urged a broader participation in the so-called "Ten or More Plan" to promote the admission of handicapped refugees to countries where permanent homes and appropriate care could be offered. Denmark participated in that plan, and in view of the special difficulties encountered by the handicapped refugees, considered it very important.

48. In view of the excellent and valuable work which the High Commissioner and his staff had performed in providing international protection to refugees and in promoting permanent solutions to their problems, Denmark was pleased to be a sponsor of draft resolution A/C.3/L.2136 concerning the future activities of UNHCR, and which authorized the latter to allocate from the Emergency Fund up to \$2 million for emergency situations, and hoped that that draft, given its purely humanitarian nature, would meet with the unanimous approval of the Committee.

49. Mrs. MTENGA (United Republic of Tanzania) referred to the report of the UNHCR, and said that her delegation was aware of the fact that those who suffered most were in most cases the unfortunate poor who had nothing to do with the conditions which had forced them out of their homelands. Her country was convinced that so long as non-self-governing territories existed in Africa and elsewhere, the exodus of refugees would continue. In that connexion, mention should be made of the change of policy by the current Government in Lisbon with respect to its colonies, and it was to be hoped that other Governments would follow suit.

50. With reference to the question of territorial asylum, her delegation felt that if the law of asylum was further

developed and codified into a convention, great care should be taken so as not to confuse the concepts of the status of refugees and that of immigrants. Such a convention should avoid any interpretation which might allow certain States to exploit the individual's right to asylum, or creating situations which might lead to mass immigrations or settler colonialism under the pretext of territorial asylum.

51. Her delegation paid tribute to all those Governments, non-governmental organizations and private individuals who had contributed in cash or kind to alleviate the plight of the refugees. Owing to such help, the Government of the United Republic of Tanzania was able to build schools, staff quarters, medical centres, workshops and other refugee installations when the need arose during the past year. However, it was the policy of the Government of the United Republic of Tanzania that all refugees should practise self-reliance, so that they could regain the pride and sense of responsibility which, unfortunately, many of them lost as a result of their situation.

52. In conclusion, as one of the sponsors, her delegation expressed the hope that draft resolution A/C.3/L.2136 would be unanimously adopted.

53. Mr. RAZA (Pakistan), on behalf of his Government, commended the High Commissioner on his work, especially that connected with the moving of refugees from Bangladesh to Pakistan and vice versa. Those operations had helped to facilitate the normalization of relations between both countries and represented a model of co-ordinated

international action. His thanks were also addressed to the Governments which had helped to carry out those operations. As a result of that co-operation, the atmosphere in the Asian subcontinent had improved, and it was to be hoped that an era of understanding between Pakistan, India and Bangladesh would soon begin.

54. In his statement, the representative of Bangladesh had raised the question of persons in his country who were waiting to be repatriated to Pakistan. His delegation reserved its right to give a detailed reply to that question. The Government of Pakistan wished to settle all the pending problems between the two countries through bilateral negotiations. However, he pointed out that the 400,000 persons about whose repatriation the representative of Bangladesh showed so much concern were nationals of Bangladesh, not of Pakistan.

55. Mr. NAFFAH (Lebanon) announced that his country would support draft resolution A/C.3/L.2136 and was in favour of the drafting of a convention on territorial asylum.

56. The CHAIRMAN said that Yugoslavia was one of the original sponsors of draft resolution A/C.3/L.2136, although it had by mistake been omitted from the list of sponsors. She also announced that Guatemala, Guinea, Madagascar, Nicaragua and the United States of America had become sponsors of the draft resolution.

The meeting rose at 1 p.m.

2099th meeting

Tuesday, 26 November 1974, at 10.50 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2099

Tribute to the memory of U Thant, former Secretary-General of the United Nations

1. The CHAIRMAN, speaking on behalf of the Committee and for herself, expressed her sympathy to the delegation of the Socialist Republic of the Union of Burma on the death of U Thant and asked the representative of that country to convey her sympathy to the family of the deceased and to the Burmese Government.

On the proposal of the Chairman, the Committee observed a minute of silence as a tribute to the memory of U Thant, former Secretary-General of the United Nations.

2. Prince Sadruddin AGA KHAN (United Nations High Commissioner for Refugees), Mr. NOTHOMB (Belgium), Mrs. SELLAMI (Algeria), Mr. TUERK (Austria), Mr. JAHN (Federal Republic of Germany), Mr. CATO (Ghana), Mr. STÄHL (Sweden), Mr. POEDJIOETOMO (Indonesia), Reverend Father HRICO (Observer of the Holy See), Mrs. DE BARISH (Costa Rica), Mr. PARTHASARATHY (India), Mr. WIJESINGHE (Sri Lanka), Mrs. BAILOR (Sierra Leone), Mr. THEODORACOPOULOS (Greece),

Mr. RAZA (Pakistan), Mr. WILSON (Liberia), Mr. DE AZAMBUJA (Brazil) and Mrs. MOHAMMED (Nigeria) expressed condolences on the death of U Thant.

3. U SOE MYINT (Burma) said that he was sincerely grateful for the expressions of condolence on the death of U Thant and that he would not fail to convey them to the family of the deceased.

AGENDA ITEM 59

Report of the United Nations High Commissioner for Refugees (continued) (A/9603, chapter I, chapter III, section F; A/9612 and Corr.1 and Add.1-3, A/C.3/L.2136, 2139)

4. Mr. NOTHOMB (Belgium) said that the report of the United Nations High Commissioner for Refugees (A/9612 and Corr.1 and Add.1-3) and the High Commissioner's statement at the previous meeting, full of clarity, inordination and dedication to mankind, served as a reminder that the problem of refugees was far from being solved and that the work of the High Commissioner would be essential for a

long time to come. The report contained many inspiring examples such as the operations in 1974 in Pakistan and Bangladesh, which served as an object lesson that humanitarian action must precede political action, and the repatriation of large numbers of Sudanese refugees. A study of the report also brought out the almost universal nature of aid to refugees and the fact that many developing countries despite their economic difficulties, were among the States which had directed their efforts towards a material and moral solution of the problem.

5. In his statement to the 2244th plenary meeting of the General Assembly of 26 September 1974, the Minister of Foreign Affairs of Belgium, Mr. Renaat van Elslande, had emphasized that Belgium was always ready to share in the general effort and was endeavouring to make an effective contribution to the solution of the refugee problem. Belgium was the only country which, in the matter of human rights, had entrusted to a supranational organization powers that were within its sovereignty and had accepted since 1951 that on its territory the eligibility of refugees be decided not by Belgian officials but by the representative in Belgium of the United Nations High Commissioner for Refugees. Belgium allowed such refugees to obtain Belgian nationality after a stay of only three years. Belgium was proud of having always been, since its independence, a haven for political refugees and at the present time there were more than 30,000 political refugees in Belgium while an average of 600 new refugees settled on Belgian territory every year. Belgium was a member of the Executive Committee of the High Commissioner's Programme and did not hesitate to take in refugees of every political tendency, despite the limited size of its territory and its very dense population. In the current year, for example, Belgium had opened its gates to more than 250 Chilean refugees, or foreign refugees from Chile. It had also offered its support to the praiseworthy initiatives of the High Commissioner for the rehabilitation of handicapped refugees; the first two cases proposed by UNHCR had already been set in motion for the ratification by Belgium of the Protocol to the Hague Agreement relating to Refugee Seamen of 1957. Similar measures would shortly be taken with regard to the Berne Convention on the Reduction of Statelessness of 1973.

6. His delegation had decided to join as a sponsor of draft resolution A/C.3/L.2136, which expressed appreciation of the efforts of the High Commissioner, and he trusted that the Committee would adopt it by acclamation. The High Commissioner had stated at the previous meeting the reasons why he whole-heartedly approved operative paragraph 2 of Part A of the draft resolution and the Belgian Government believed that, as a matter of administrative convenience, the Executive Committee might set up a special sub-committee to co-operate with the High Commissioner on special humanitarian tasks. In that connexion he recalled that the Belgian representative on the Executive Committee had also been in favour of creating, within that Committee, two sub-committees. Of these, one would deal with the legal aspects of the status of refugees and the other would deal with questions of their physical needs and finance.

7. His delegation also approved the proposal (see A/9612/Add.1, para. 52) to establish a group of governmental

experts to review the text of the draft convention on territorial asylum (see A/9612/Add.3, annex) which had been prepared by a group of independent jurists. Further, he considered that the definition of a refugee in the Convention relating to the Status of Refugees of 1951 as extended by the 1967 Protocol thereto should be brought up to date because international political developments produced new categories of refugees which were difficult to include within the existing definition. He thought that the problem was not only an academic one. It was another human problem to add to those which the High Commissioner should take under permanent consideration. His delegation would support any measures that sought to revise the definition.

8. Lady GAITSKELL (United Kingdom) expressed her respect and admiration for the work of the High Commissioner and her gratitude to those African countries which had accepted refugees. The report on the activities of the High Commissioner's Office testified to the results and benefits of international co-operation. Among the most recent achievements should be mentioned the transfer by air of over 230,000 persons between Pakistan, Nepal, India and Bangladesh, an operation to which the United Kingdom had contributed, and the settlement of 4,500 Ugandan Asians of undetermined nationality, an achievement for which the United Kingdom, with its particular responsibility in relation to that human tragedy, felt especially grateful. The High Commissioner's Office faced new tasks in Chile, Cyprus and Indo-China.

9. The problem confronting the High Commissioner had political aspects and human consequences. It was the latter which should concern the Third Committee, since it was the High Commissioner who often had the task of alleviating the sufferings resulting from the Committee's inability to find means of preventing human tragedies.

10. The alleviation of the sufferings of refugees was as much a juridical question as one of good intentions. The Convention on the Elimination of Statelessness had received its sixth ratification and it could enter into force within the stipulated time-limit. Its purpose was to prevent the children of stateless refugees from themselves inheriting a condition of statelessness. Her delegation considered it important both in principle and in practice and requested all delegations to urge their Governments to study the Convention with a view to acceding to it. The Convention provided for a body to be established that could handle the claims of stateless persons. She considered that the most appropriate body would be the High Commissioner's Office, and accordingly endorsed the proposal in the Secretary-General's note on the subject which would be before the Committee when it considered agenda item 99.¹ Concerning the draft convention on territorial asylum, her delegation had already made its views known and was prepared to support the proposal to convene a group of experts to review the texts before the convening of a conference of plenipotentiaries, if other delegations considered that to be necessary.

11. Mr. NYAKAIRU-WAAKO (Uganda) said that the representative of the United Kingdom had referred in her

¹ A/9691.

statement to persons from Uganda of undetermined nationality. Those persons were not Ugandans but British nationals.

12. Mrs. SELLAMI (Algeria) said that the scope of the activities of the High Commissioner was in proportion to the roots of tyranny that persisted or emerged in the world. It would be better if the solidarity and magnanimity expressed in statements on the item were applied to the furtherance of justice and peace. Until that happened, her delegation would welcome the activities of the High Commissioner, who, in each situation, had been able to find a balanced and just way of convincing all the parties concerned of the need to alleviate human suffering. Although the activities of UNHCR had been made possible by international understanding and co-operation, the success of its activities was due mainly to the moral and intellectual qualities of the High Commissioner. The various operations that had been successfully carried out during 1974 pointed to his ability and humanitarianism.

13. Her delegation could find no fault with the activities of the Office, whether they fell within its competence or were of a special nature. However, it felt that UNHCR assistance would be valuable in the repatriation and resettlement of refugees in Guinea-Bissau, Angola and Mozambique, and to that end the High Commissioner would do well to add his efforts to those of the other United Nations organizations, particularly UNDP, and those of the interested parties, principally the liberation movements. Special activities, such as the foregoing and those carried out or contemplated in Pakistan, India, Bangladesh, southern Sudan, Cyprus, the Sahel and Indo-China, deserved to be included in the programme budgeting, in the manner provided for in part A, operative paragraph 2, of draft resolution A/C.3/L.2136.

14. The entry into force of the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa of 1969 had helped to improve guarantees for the protection of refugees in Africa without prejudice to the friendly relations between the member countries of that Organization. Her delegation therefore believed that the adoption and ratification of international instruments could not but benefit refugees and accordingly expressed support for a meeting of a group of experts to review the draft convention on territorial asylum before a conference of plenipotentiaries was called. Her delegation very much hoped that the draft resolution in document A/C.3/L.2136, of which it was a sponsor, would be adopted unanimously.

15. Mr. TUERK (Austria) said his delegation had noted with satisfaction that the capacity of the Office of the High Commissioner to help the international community to solve problems had been strengthened. None the less, problems were bound to arise as long as situations generating refugees persisted. Since Austria had always accepted a large number of refugees, his delegation had noted with great concern the statement in the High Commissioner's report to the effect that in several cases refugees had been returned to their countries of origin in breach of the relevant provisions of the Convention relating to the Status of Refugees of 1951. That showed how important it was for the international community to adopt more effective provisions relating to asylum. Consequently, the adoption of a draft convention

on territorial asylum within the framework of the United Nations seemed highly desirable. His delegation was in complete agreement with the view of the Executive Committee of the High Commissioner's Programme, as expressed in paragraph 52 (f) of the report of its twenty-fifth session (A/9612/Add.1), that a conference of plenipotentiaries on territorial asylum should take place as soon as possible and should be preceded by a meeting of a group of governmental experts to review the present text of the draft convention.

16. His delegation had noted with satisfaction that over 55,000 more refugees had benefited from UNHCR assistance and that the voluntary repatriation of large numbers of refugees had been possible. It hoped that that positive trend would continue and believed that the political developments in Africa in 1974 would certainly be of assistance.

17. The Austrian Government, aware of the increasing need of the Office of the High Commissioner for further contributions from members of the international community, had increased its contribution for 1974 to \$US38,273. As could be seen from paragraph 85 of the same report, the Austrian Government intended, subject to parliamentary approval, to contribute the same sum to the High Commissioner's annual programme in 1975. Mention had been made of the substantial contribution made by the Austrian Government to the operation in the South Asian subcontinent (see A/9612/Add.2, annex I). Unfortunately, owing to the rising cost of caring for the refugees at present in Austria, it was impossible to make the contributions to the UNHCR assistance programme any larger. Austria had continued to receive refugees during the period covered by the High Commissioner's report.

18. His delegation had joined the many sponsors of the draft resolution in document A/C.3/L.2136. It was also sponsoring the draft resolution in document A/C.3/L.2139 concerning the elaboration of a draft convention on territorial asylum.

19. Mr. JAHN (Federal Republic of Germany) said that the question of refugees contrasted with the progress made in science, research and numerous spheres of daily life. The refugee problem could not be solved by declarations of goodwill alone: only through peace and respect for human rights would a permanent solution be found. Until that ideal state of affairs was achieved, everything possible must be done to mitigate the deplorable fate of refugees, particularly where international protection was concerned. His delegation shared the deep concern expressed by the High Commissioner about the growing practice of returning refugees against their will. Furthermore, it was regrettable that the report of the High Commissioner found it necessary to draw attention to the increase in the number of refugees, especially in Africa and Latin America. However, the report also showed that the High Commissioner had discharged his humanitarian task in an exemplary manner.

20. The Government of the Federal Republic of Germany had supported the activities of the Office of the High Commissioner since its foundation in 1949. It was currently making an annual financial contribution of 2 million

Deutsche mark to the programme of UNHCR and was providing additional financial assistance to special emergency relief measures. That assistance included a recent contribution of 0.5 million Deutsche mark towards the cost of the repatriation programme on the South Asian subcontinent and a further contribution of 3.5 million Deutsche mark in support of the emergency operation in Cyprus, of which 0.5 million Deutsche mark had been paid directly to the High Commissioner. Since becoming a Member of the United Nations the Federal Republic of Germany had contributed to the administrative budget of UNHCR in addition to its regular contribution to the United Nations budget.

21. The Government of the Federal Republic of Germany had long since ratified the Convention relating to the Status of Refugees of 1951 and had acceded to the 1967 Protocol thereto. The Government was seeking the ratification, during the current legislative period, of the Convention relating to the Status of Stateless Persons of 1954 and the 1961 Convention on the Reduction of Statelessness. His delegation therefore supported the draft resolution in document A/C.3/L.2140, submitted under agenda item 99 concerning the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply. It likewise advocated in principle the adoption of a convention on territorial asylum, although it believed that, prior to the convening of a conference of plenipotentiaries, the text of the draft convention should be carefully reviewed by a group of experts. The Government of the Federal Republic was prepared to take part in the work of such a group.

22. The Federal Republic of Germany had for years been a member of the Executive Committee of the High Commissioner's Programme. During the twenty-fifth session of the Executive Committee, it had participated constructively in the quest for solutions to problems under discussion and had voted, *inter alia*, for an increase in the Emergency Fund from 1 to 2 million dollars within the framework of programme budgeting.

23. His Government would continue to give support, both financially and in other ways, to the activities of the High Commissioner. For example, the Federal Republic of Germany had offered shelter to more than 1,000 refugees from Chile, who were currently living in the Federal Republic. His delegation was a sponsor of the draft resolution in document A/C.3/L.2136, which would, it hoped, be adopted unanimously.

24. Mr. CATO (Ghana) congratulated the High Commissioner on the competence and dignity with which he had carried out his difficult tasks. Refugee problems were pathetic problems and their solution must necessarily take that fact into account. Although during the period under review some satisfactory trends had appeared, Ghana could not overlook the fact that in Africa there were still 1 million refugees, and that Asia, Latin America, the Middle East and Cyprus presented a sad picture of gloom and suffering. The events in Portugal had brought in their train a new realism which opened up broad prospects of alleviating the painful situation of the refugees in Africa. Repatriation must be voluntary; he was sure that all

countries would co-operate with the High Commissioner to facilitate their resettlement.

25. Ghana, which was a party to the Convention on the Status of Refugees of 1951 and to the 1967 Protocol thereto, remained convinced that the granting of asylum could not be regarded as an unfriendly act, and his country had contributed actively to the preparation of the OAU Convention of 1969 Governing the Specific Aspects of Refugee Problems in Africa, which was a regional complement of the 1951 Convention and the 1967 Protocol. The OAU Convention provided that the granting of asylum should not be regarded as an unfriendly act and that no person should be subjected by a Member State to measures such as rejection in a territory where his life, physical integrity or liberty would be threatened. His delegation was therefore grieved to learn that there had been cases of *refoulement*, kidnapping, and even assassination, which were contrary to article 33 of the Convention of 1951 and to the spirit and the letter of other instruments. He appealed to all States to ensure that the principles of asylum and *non-refoulement* were fully respected. As to the draft convention on territorial asylum, Ghana was one of the 76 countries which had reacted positively to the High Commissioner's consultations. His delegation was therefore one of the sponsors of draft resolution A/C.3/L.2139, and it trusted that the group of governmental experts mentioned in that text would tackle its assignment with all dispatch.

26. Mr. STÅHL (Sweden) said that the question of a convention on territorial asylum had been a subject of discussion ever since the General Assembly, by its resolution 2312 (XXII), had adopted the Declaration on Territorial Asylum. At the twenty-seventh session, a draft prepared by a group of experts had been examined and the High Commissioner had been requested to consult with Governments on the matter with a view to paving the way for the convening of a conference of plenipotentiaries. The High Commissioner had reported on those consultations at the twenty-eighth session, and after discussion in the Third Committee, he had been requested to continue his consultations. The results of those consultations were summarized in document A/9612/Add.3. An overwhelming majority of the 91 States which had sent written replies were in favour of elaborating a convention under the auspices of the United Nations. The Executive Committee of the High Commissioner's Programme had reviewed the question at its twenty-fifth session and had reaffirmed the view that a conference of plenipotentiaries should take place as soon as possible, preceded by a meeting of a group of governmental experts to review the current text of the draft convention.

27. That position was reflected in draft resolution A/C.3/L.2139, which his delegation had the honour to present on behalf of the sponsors. The third and fourth preambular paragraphs reflected the deliberations of the Executive Committee. Operative paragraph 1 involved what was essentially a decision of principle. Paragraph 2 required the establishment of a group of legally trained governmental experts on the basis of equitable geographical distribution. The purpose of paragraph 3 was to lay down the terms of reference of the proposed group of experts. Paragraph 4 dealt with the financing of the meeting of the group of experts. Such a meeting would not be a charge on the

regular budget of the United Nations; it would be financed from the voluntary funds available to the High Commissioner. Paragraph 5 requested that the report of the group of experts be submitted to the General Assembly. The last part of the paragraph was to be read in conjunction with paragraph 1. It was clear that until the meeting of the group of experts took place there was no need to provide an estimate of the cost of the conference of plenipotentiaries. Both that question and the date of the conference could be considered at the thirtieth session, when the Third Committee would have the report of the group of governmental experts before it.

28. Mr. POEDJIOETOMO (Indonesia) expressed his sincere appreciation to the High Commissioner and his staff for the report and said that his delegation was aware of the immense amount of work the High Commissioner's Office had accomplished and of the magnitude of its functions, which had been carried out with limited financial resources and a small staff. In order to strengthen the effectiveness of its work, the co-operation of all Member States, non-governmental organizations and other bodies was needed. In addition, the international community must observe and implement the resolutions and other legal instruments relating to refugees. Indonesia, which had contributed to the programme of assistance of UNHCR, was fully conscious of the High Commissioner's problems in helping the refugees and obtaining asylum, the right of residence and the right to work for them. His delegation was sure that by strengthening and enlarging the services of his Office, and with universal support, the High Commissioner would be able to ameliorate the situation of the refugees all over the world.

29. Father HRICO (Observer for the Holy See) said that the High Commissioner's report demonstrated genuine concern for people as persons, not as statistics. He commended the efforts to seek solutions based upon justice and was sure that those projects would elicit the support of all countries, including the countless charitable and religious voluntary agencies which had always worked in close harmony with the Office of the High Commissioner and were anxious to fulfil their responsibilities.

30. Mrs. DE BARISH (Costa Rica) congratulated the High Commissioner and his staff on their efficiency and on the report. She agreed that the aim of the Office of the High Commissioner was to provide just and lasting solutions for the refugees and to try to reduce the complex political problems to their simple moral and humanitarian components. She emphasized the material assistance provided by the High Commissioner's Office for the refugees of Angola, Mozambique and Guinea-Bissau, and the High Commissioner's constant efforts to encourage voluntary repatriation. The repatriation operation in the South Asian subcontinent, in the course of which 241,200 people had been transported to their homes either in Bangladesh or in Pakistan, was a model of co-ordinated international action. The programme of assistance to displaced persons in Laos and Viet-Nam was a thoroughly worth-while project also, and her delegation was gratified to note that the measures had been co-ordinated so as to prevent duplication of effort. The co-ordination of the programme of humanitarian assistance in Cyprus had obviously been an important factor in alleviating very grievous situations. It was hearten-

ing to observe that the figure of \$22 million requested by the Secretary-General to meet the needs of that emergency between 1 September and 31 December 1974 had already been reached.

31. With regard to the draft convention on territorial asylum, she said that Costa Rica had been one of the countries that had replied affirmatively to the High Commissioner's consultation. Costa Rica supported the convening of a conference of plenipotentiaries, preceded by a meeting of legally trained governmental experts to review the present text of the draft convention. Her delegation had always maintained that the granting of asylum was a peaceful and humanitarian act which could not be considered unfriendly by other States. The protective function of the High Commissioner, which was certainly one of his most delicate tasks, was particularly important.

32. Costa Rica was one of the sponsors of draft resolution A/C.3/L.2139, and it strongly supported draft resolution A/C.3/L.2136; it hoped that both those texts would be adopted unanimously. In addition, she was in favour of draft resolution A/C.3/L.2140, because of its eminently humanitarian content.

33. Mr. PARTHASARATHY (India) said he was glad to see that the report of the High Commissioner for Refugees currently being considered began on a slightly more optimistic note than that of the previous year, since it stated that many of the tasks with which the High Commissioner had been confronted, particularly in the field of material assistance, had been accomplished. However, not only did tragic situations continue to exist, but new situations arose periodically in various parts of the world. He was encouraged to note that, nevertheless, the Office of the High Commissioner had not been deterred from its basic objective of seeking to help refugees to become self-supporting and of consolidating their economic and social position. His delegation was in full agreement with the noble aspiration of the High Commissioner which he had expressed at the previous meeting when he had said that the purpose of his Office was to promote lasting and just solutions and attempt to reduce complex political questions to simple moral and humanitarian components. He drew attention to the feeling reflected in the High Commissioner's statement that the refugees constituted a valuable human resource and that they must be prepared for their return to their homes. The Indian delegation congratulated the High Commissioner on the successful completion of the largest airlift of human beings in recent history, which had been carried out in the Indian subcontinent. His delegation also welcomed the different information programmes drawn up and implemented by the High Commissioner's Office. It had also to be borne in mind that in most of the countries which were currently facing refugee problems, different approaches in public information programmes had to be thought out, since the concepts of the mass media might differ from country to country. It might be advisable to draw up a public information programme aimed at interesting the peoples of the recipient countries and helping them to understand the scope and operation of UNHCR. In conclusion, he reiterated his delegation's continued support for the activities of UNHCR.

34. Mr. WIJESINGHE (Sri Lanka) said that for 25 years the Palestinian Arabs who had been displaced from their homes after the termination of the British mandate over Palestine had been languishing in refugee camps, living on the charity of the international community, without homes, a State or a future; the United Nations was responsible for that situation. The Palestinians had been treated as a section of humanity whose rights to a homeland and a national identity had thus far been ignored, and those who had contributed to their maintenance for all those years were entitled to the highest appreciation for their generosity. It was still being maintained, however, that the Arab States—only because there were so many of them and because they belonged to the same ethnic group—were under the obligation to absorb the Palestinians into their lands and compensate them for the wrongs inflicted upon them, for which the Arab countries bore no responsibility. Their property had been expropriated and no attempt at obtaining compensation from the expropriators had yet been made. For the first time in the past 25 years, the United Nations had now dealt with the problem as it should have done—not as a refugee question, but as a problem of the restoration of the rights of the Palestinian Arab people—thanks to the inclusion of the item entitled “The Question of Palestine” as item 108 in the agenda of the current session. The plenary Assembly had already taken the necessary action by adopting two resolutions on that question (resolutions 3236 (XXIX) and 3237 (XXIX)).

35. Over the years, the word “refugee” had become a term of opprobrium. The United Nations and, in particular, those who were primarily responsible for the plight of those unfortunate people, had the continuing obligation to support them. His delegation expressed its admiration for the devotion and conscientiousness with which the United Nations High Commissioner for Refugees and the staff of his Office had discharged their heavy responsibility in the most difficult circumstances.

36. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the right of asylum, one of the questions dealt with in the report of the United Nations High Commissioner for Refugees, was a complex and controversial problem not only because legal solutions and State practice differed, but also because the lack of similarity between the concepts embodied in systems of national law made it difficult to find a common denominator. Asylum had

already been dealt with in international law and if, in such circumstances, States had not changed their position, a convention could not be expected to prompt them to do so. The question of territorial asylum was one which fell within the national competence of States. It was a problem which could not be dealt with in the abstract because it was not the same thing to give asylum to those persecuted for political reasons or to defenders of human rights and to give it to someone who had committed war crimes or crimes against humanity. It was not enough to refer to the humanitarian aspects of the problem because the main considerations were of a political nature. That was the main area in which there was disagreement on that matter. His delegation feared that the preparation of a convention would not only fail to eliminate differences, but would even increase difficulties and force States to adopt a more inflexible attitude.

37. In the Soviet Union, the right of asylum was embodied in the Constitution and those who had taken asylum enjoyed full rights in the USSR. The same was true in other States, but it was inevitable that practice should differ in that respect. In preparing a draft convention, there was the risk of establishing conditions to justify interference in the internal affairs of States. That was an aspect which should be given special consideration and there was no need to speed up the consideration of a draft convention of that kind because that would only make existing differences even more evident. Moreover, his delegation considered that it would be inappropriate to make innovations in the practice which had thus far been followed in the adoption of international instruments, under which those instruments had been prepared by United Nations bodies, not by groups of experts. It would be better to entrust the study of the draft convention to the Commission on Human Rights and then to decide on the convening of a conference of plenipotentiaries. The consideration of the question of convening such a conference could be postponed until the thirtieth session of the General Assembly.

38. The CHAIRMAN said that Cyprus, France, Honduras, Lesotho, Liberia, the Netherlands, the Niger, Togo, Tunisia and Zambia had joined the list of sponsors of draft resolution A/C.3/L.2136, and that Denmark and Honduras had become sponsors of draft resolution A/C.3/L.2139.

The meeting rose at 12.50 p.m.

2100th meeting

Tuesday, 26 November 1974, at 3.20 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2100

AGENDA ITEM 59

Report of the United Nations High Commissioner for Refugees (continued) (A/9603, chapter I, chapter III, section F; A/9612 and Corr.1 and Add.1-3, A/C.3/L.2136, 2139)

1. The CHAIRMAN announced that Senegal and Zaire had become sponsors of draft resolution A/C.3/L.2136.

2. Miss CAO-PINNA (Italy) said that study of the report of the United Nations High Commissioner for Refugees (A/9612 and Corr.1 and Add.1-3) confirmed, as was the

case every year, that the confidence placed in his Office was well founded. In his opening statement at the 2098th meeting, he had stressed the process of adaptation to new situations on which his Office had embarked. Her delegation saw that process as a necessary response to the increasing measure of human suffering in the world.

3. The question of the special humanitarian tasks with which the High Commissioner was entrusted deserved careful consideration. Her delegation looked forward to the implementation of the decision taken by the Executive Committee of the High Commissioner's Programme (see A/9612/Add.1, para. 38), whereby he was invited to report to that Committee on his special tasks in the same manner as he reported on other activities financed from trust funds under his regular programme.

4. Italy was among the countries which had expressed their views on the question of concluding an international convention on territorial asylum. Her delegation had noted with interest the general feeling that such an instrument should be considered with particular care before convening a plenipotentiary conference. The situation faced by Italy, as a country of first asylum, was clearly expressed in the report of the Executive Committee on its twenty-fifth session (*ibid.*, para. 50). Her delegation therefore favoured the convening of a group of governmental experts to review the current text of the draft convention on territorial asylum (A/9612/Add.3, annex) and hoped that the experts would take into consideration the various problems referred to by Italy in the Executive Committee, of which it was a member.

5. Her delegation wished to associate itself with previous speakers who had expressed serious concern about violations of the rights of refugees and full support for the firm stand taken by the High Commissioner in respect of the strict application of the principles of asylum and *non-refoulement*.

6. She observed that Italy's long experience in the field of assistance to refugees as a country of first asylum was not mentioned in the High Commissioner's report. However, she had noted with interest the reference in paragraph 26 of document A/9612 to the fact that, in a number of countries, the establishment of procedures for the determination of refugee status similar to those followed by Italy was under active consideration. Lastly, she reiterated Italy's support for all the activities of the High Commissioner's Office.

7. Mrs. HEANEY (Ireland) said that the High Commissioner's report reflected the human misery on a massive scale which was the by-product of war and political repression. In such situations, the Office of UNHCR might be the only lifeline of hope for those who had lost everything or were subjected to persecution in their homelands. Her delegation greatly appreciated the work done on behalf of the human family by the High Commissioner. It noted with satisfaction the success of his efforts, in co-operation with the Governments concerned, in bringing to a conclusion the repatriation operation in the South Asian subcontinent, under which more than 200,000 persons had been returned to their homes.

8. Her delegation also noted that there were still an estimated 1 million refugees in Africa. The completion of the United Nations relief programme in the southern Sudan and the return of 100,000 Sudanese to their homes was evidence of how even situations involving massive numbers of refugees could be dealt with through co-operation between Governments and the High Commissioner. A major project in the immediate future would be the voluntary repatriation of refugees from former Portuguese colonial Territories. Her delegation noted with satisfaction that consultations had already begun between the High Commissioner, the Organization of African Unity and the countries directly affected and it felt confident that those consultations would facilitate the speedy repatriation of the refugees concerned.

9. In Cyprus, a new and urgent refugee problem had arisen, since almost one third of the island's population had been displaced and left homeless. Once more the High Commissioner, as United Nations co-ordinator of humanitarian assistance, was faced with a formidable task for which he would need the material and moral support of the entire international community. The Irish Government had contributed to the material relief of the Cypriot people through the International Committee of the Red Cross, the Council of Europe and the European Economic Community.

10. Unfortunately, the problem of Chilean refugees, following the coup of September 1973, continued to exist. The Irish people had shown their concern for the sufferings of Chileans by receiving refugees for permanent resettlement. She noted from the report of the High Commissioner (A/9612, para. 21) that assurances had been received from the Government of Chile that the provisions of the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol thereto, to which Chile was a party, would be respected and she hoped that that would continue to be the case.

11. In his statement to the Committee, the High Commissioner had pointed out that the most important function of his Office was that of protection. The Convention of 1951 and the 1967 Protocol, to which Ireland was a party, were the cornerstone of the multilateral structure for the protection of refugees. Her delegation noted with satisfaction additional accessions to those instruments during the reporting period. Another important development over the past year had been the deposit of the sixth instrument of accession to the 1961 Convention on the Reduction of Statelessness, which would enable it to come into force in December 1975. The report of the High Commissioner (*ibid.*, para. 30) explained some of the benefits of that Convention.

12. Her delegation was a sponsor of draft resolution A/C.3/L.2140 on the question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply, submitted under agenda item 99, which it hoped would be adopted unanimously. It was also a sponsor of draft resolution A/C.3/L.2136 which, if adopted, would further the admirable work of the Office of the High Commissioner in a most helpful way.

13. Mr. ELTAYEB (Sudan) expressed appreciation to the High Commissioner for his lucid introductory statement and his detailed report, which gave a systematic outline of the High Commissioner's ceaseless efforts on behalf of refugees all over the world. The Commissioner's Office was a model of administrative efficiency. Thanks to its scientific and pragmatic planning, the greatest airlift in modern history, involving 250,000 Bengalis and Pakistanis, had been executed in an unusually short time.

14. Wherever the colonialists went, it was their wont to sow the seeds of dissension among the people of the same country. Thus, when the Sudan had become independent, it had found itself burdened by a colonialist legacy born of the colonialists' hopeless attempts to separate the south from the north. That problem had continued to deplete the material and human resources of the country until the victorious revolution of May 1969. Thanks to the ability of the leader of the revolution, President Nimeiry, a solution had been found to that problem, as set forth in the Addis Ababa Agreement of March 1972, which had marked a new birth for the Sudan. Pursuant to that Agreement, the High Commissioner had greatly helped in the task of repatriating many Sudanese from neighbouring countries and in building up basic services in the Sudan. His delegation was grateful to the High Commissioner and to all the countries and organizations which had contributed to the repatriation and settlement operations. The High Commissioner had also co-operated effectively in projects for the settlement in the Sudan of refugees from neighbouring countries.

15. His delegation supported the emphasis placed in the High Commissioner's report on the need to intensify refugee training and education. Most refugees tended to live in cities and professional and vocational training would facilitate their absorption in the labour market and help them contribute to the eventual development of their countries when the causes of their emigration had disappeared.

16. The colonialist and Zionist régimes, which forced citizens to leave their homes, must be condemned and isolated until such time as they collapsed.

17. His delegation supported the recommendation of the Executive Committee to the effect that a meeting of governmental experts should be held to review the current text of the draft convention on territorial asylum.

18. The Sudan was one of the sponsors of draft resolution A/C.3/L.2136 and attached great importance to the continuation of the humanitarian tasks which the High Commissioner was performing in co-operation with various States, United Nations organs and voluntary organizations. It hoped that the draft resolution would have the full support of the Committee.

19. Miss HARELI (Israel) said that the human problems faced by the High Commissioner were among the most difficult and baffling anywhere in the world. She commended the resourceful and efficient manner in which he and his staff tackled those problems. The High Commissioner's report reflected the impressive results he had achieved over the years, which in turn inspired confidence that solutions might also be found for the current burning refugee problems which fell within his mandate.

20. Given the experience of the High Commissioner in dealing with human problems resulting from political upheavals, it was natural that he should have been entrusted from time to time with additional functions, such as the co-ordination of humanitarian assistance programmes in Cyprus. The inclusion of such additional activities within the over-all programme budget of UNHCR was a sensible measure, consistent with the administrative streamlining of the total range of UNHCR's operations.

21. Her delegation agreed with the emphasis placed by the High Commissioner on the need for constructive, immediate solutions to refugee problems. For example, the establishment of training programmes and rural communities in countries of asylum had led to the early economic independence of whole groups of refugees. The human and psychological value of that approach was no less important than its economic value.

22. Her delegation shared the view that the protection of each individual refugee remained the central function of the High Commissioner's Office. Human rights were indivisible; the extent of their observance in any community or State could be measured by the status of its weakest groups. Refugees were the most defenceless residents of any country and needed to be accorded more than the rights of the ordinary citizen. The High Commissioner's programme therefore deserved full support, both financial and in kind.

23. Israel was a party to the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol thereto and the 1954 Convention relating to the Status of Stateless Persons. Her Government would continue to contribute financially to the UNHCR programme.

24. Her delegation was prepared to vote for draft resolution A/C.3/L.2136, of which operative paragraph 2 of part A it especially appreciated. With regard to part B of the draft resolution, she pointed out that the doubling of allocations to the Emergency Fund meant less than a doubling of real resources; it was, however, a step in the right direction. Her delegation would also vote in favour of draft resolution A/C.3/L.2140.

25. Mr. EL-SHIBIB (Iraq) expressed appreciation to the High Commissioner and his staff for their dedicated efforts to alleviate the suffering of refugees in various parts of the world. The humanitarian tasks of UNHCR were onerous and often had political implications.

26. Both the High Commissioner and the representative of Iran, in their statements to the Committee (2098th meeting), had referred to the question of Kurdish refugees from Iraq. He noted that the Government of Iran had invited a representative of the High Commissioner to visit the refugees. However, the High Commissioner had been asked merely to view the situation and report on it, not to provide any assistance. The motives of the Iranian Government in making such a request could only be guessed. The High Commissioner had duly reported to the Executive Committee, which had also been informed by the Iraqi observer of the Iraqi Government's position on the issue (see A/9612/Add.1, paras. 12 and 31). That position was that Iraq was willing at any time and at any place on the border with Iran to receive, resettle and rehabilitate the

Kurdish refugees currently in Iran. Those refugees would be covered by the amnesty which had recently been declared.

27. He pointed out that the question of the Kurdish refugees was not a new issue. He himself had been the head of an Iraqi delegation which had conducted negotiations with Iran the previous August in Istanbul. He had informed the Iranian delegation to those negotiations of the Iraqi position he had just outlined. However, no satisfactory reply had been received to the overtures of his Government and of the Red Crescent Society of Iraq. He noted that there were some who were not beyond exploiting situations of human suffering for their own purposes. He attributed to an oversight the fact that the High Commissioner, in his statement, had failed to mention the Iraqi Government's position on the issue. He had every confidence that the High Commissioner would not allow his Office to be used for propaganda purposes.

28. Representatives of Iran, in statements to the Committee and elsewhere, had said that there were 100,000 or 105,000 Kurdish refugees in Iran. The High Commissioner had not been in a position to check the accuracy of those figures, and his delegation placed little credence in them. The Iranian Government also claimed that it had spent \$100 million on relief works for Kurdish refugees. The altruistic motives of such expenditures might well be questioned. It was clear that an attempt was being made to use the issue of Kurdish refugees as an excuse for interfering in the internal affairs of Iraq. His delegation was opposed to any attempt to use humanitarian issues for political purposes. His Government would properly fulfil its humanitarian responsibilities towards all peoples who were in jeopardy.

29. Mr. SPEEKENBRINK (Netherlands) associated himself with the general expression of appreciation for the activities of the High Commissioner and his staff in providing legal protection and material assistance to refugees under his mandate and in accordance with relevant resolutions of the General Assembly or other pertinent decisions.

30. The report of the High Commissioner demonstrated that major refugee problems continued to exist. It was tragic that new situations had arisen which had required the international community to entrust the High Commissioner's Office with new tasks. It was essential that the international community should support the High Commissioner's efforts, which were largely directed to the assistance of individuals who suffered as a result of political tensions.

31. For many years the High Commissioner had assisted countless refugees from Angola and Mozambique and neighbouring countries. His delegation was pleased to note that those efforts would in the foreseeable future result in the addition of valuable human resources to newly independent African nations. The successful conclusion of UNHCR's operations in Asia was yet another illustration of the contributions the High Commissioner could make to just and lasting solutions of refugee problems and to economic and political stability. The assistance in the resettlement of about 3,000 foreign refugees in Chile, the special programme currently being carried out in Cyprus

and the programme undertaken to assist in the rehabilitation of displaced persons in the Indo-China peninsula were further examples of the adaptability of the High Commissioner's Office to specific situations, each with its own political dimension. His delegation supported the High Commissioner's efforts to promote lasting solutions through the voluntary repatriation, integration or resettlement of refugees. It was regrettable, however, that the reduction of the number of refugees by such measures was often offset by new events which gave rise to new refugee problems. The appearance of new refugee situations could only be prevented if the international community was able to control and avoid the tensions, conflicts and prejudices which lay at their root.

32. His delegation shared the High Commissioner's concern at the erosion of the concept that the granting of asylum could not be regarded as unfriendly by any other State, since it was a peaceful and humanitarian act. That concept should be recognized and respected, for it largely determined the scope of the humanitarian assistance extended to individual refugees. In that connexion, he took note of the statement by the Director of Protection at the twenty-fifth session of the Executive Committee (*ibid.*, para. 39), in which the latter had emphasized that the questions of asylum and *non-refoulement* continued to be a main preoccupation of the Office. The positive response of the great majority of States to the proposal that steps should be taken to complete a convention on territorial asylum was encouraging. The Netherlands representative on the Executive Committee had expressed the view that a conference of plenipotentiaries should be convened as soon as possible for that purpose, but had also pointed out that the current text of the draft might be usefully improved by first submitting it to a group of governmental experts. It followed that his delegation fully supported draft resolution A/C.3/L.2139, which called for the establishment of such a group.

33. Mr. EVANS (Australia) joined with previous speakers in expressing appreciation to the High Commissioner for the effective manner in which he and his Office had again fulfilled the mandate entrusted to them by the United Nations in a year of exceptional activity. His delegation particularly appreciated the comprehensiveness, thoroughness and clarity of the report and the three addenda thereto (A/9612 and Corr.1 and Add.1-3), which represented a clear reaffirmation of a total commitment to humanitarian ideals.

34. Australia was pleased to note the success of the repatriation operation in the South Asian subcontinent and to learn of the expansion of UNHCR programmes in Africa and South-East Asia and of the continuing success of the Office's involvement in Latin America. However, while praising the efficiency of the programmes of UNHCR, his delegation was gravely concerned at the continuing need for such programmes. It was alarmed to see the workload of the Office increasing rather than decreasing. Its concern was increased by the reference in the report to "the deterioration of certain existing situations". It was perhaps a vain hope to expect permanent solutions in the near future to all the current refugee problems, but it was nevertheless important to concentrate efforts on ensuring that the current facilities of UNHCR were strong and flexible

enough both to cope with the increasing strains and to respond quickly and effectively to sudden and unpredictable crises. To that end, both national and international legislation should be strengthened. His Government believed that the Office of the High Commissioner could not adequately fulfil its primary function of protection until more States acceded to the international instruments relating to the status of refugees. Accordingly, in December 1973 Australia had become a party to the Protocol extending the scope *ratione personae* of the Hague Agreement relating to Refugee Seamen of 1957 and had acceded to the 1967 Protocol relating to the Status of Refugees, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Australia regretted that some 70 Governments were not yet parties to either the Convention of 1951 relating to the Status of Refugees or the 1967 Protocol thereto, but was pleased to note that further accessions were expected. It welcomed the fact that the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and the Convention on the Reduction of Statelessness could now both enter into force.

35. His Government's support for measures to complete a draft convention on territorial asylum was further evidence of its commitment to the strengthening of international co-operation in that field. The elaboration of a draft convention would be an important development in the field of humanitarian law and a major advance in the regulation of political asylum. Australia was therefore one of the sponsors of draft resolution A/C.3/L.2139. His delegation would have been willing to accept the draft convention (A/9612/Add.3, annex) prepared at the Colloquium on the Law of Territorial Asylum, held in Bellaggio in 1971, and at the meeting of experts held in Geneva in 1972, as a basis for the work of a conference of plenipotentiaries. It felt strongly that the international community should now proceed as quickly as possible to the conclusion of an international convention. It was not entirely convinced that a further meeting of experts was really necessary since their work would largely duplicate the work of the Colloquium. However, it was prepared to accept such a meeting on the understanding that the experts would take full advantage of the work already done and would conclude their deliberations at their meeting next year. That meant that the preparatory work for a conference of plenipotentiaries would be completed before the next session of the General Assembly. His Government would be pleased to nominate an expert to assist in the further preparation of a draft convention. He hoped that the General Assembly, at its thirtieth session, would recommend that the conference of plenipotentiaries should be convened in 1976.

36. The success of United Nations work in the field of territorial asylum encouraged delegations to believe that progress would also be achieved in the related areas of extraterritorial or diplomatic asylum. Diplomatic asylum had much in common with territorial asylum, and the achievement of progress in one field necessarily facilitated the solution of problems in the other. He noted that the problem of diplomatic asylum which had been included in the agenda of the twenty-ninth session of the General Assembly as the result of an Australian initiative¹ was

¹ See *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 105, document A/9704.

currently being discussed in the Sixth Committee. In his Government's view, asylum was a noble institution deserving the careful and sympathetic interest and support of the entire international community as a means of securing international co-operation on humanitarian problems affecting the well-being of large numbers of individuals.

37. The drafting of international legislation was only one approach to the problems of refugees. The legislative system could not function unless Governments were willing to provide the necessary material assistance to UNHCR for its endeavours. The Australian Government had contributed regularly to the United Nations refugee programmes since their inception. In previous years its annual contribution had been \$A175,000; in 1973, that amount had been increased to \$A200,000, and for 1975 it was proposed to increase the contribution further to \$A320,000—approximately \$US420,000. In addition to those regular funds, his Government had responded to the appeals to the High Commissioner for additional assistance to help finance projects in various parts of the world.

38. The statements that had been made on the item had focused attention on the hardships and personal miseries suffered by refugees. It should not be forgotten, however, that where there was life, there was hope. In that connexion, he expressed his personal shock and sorrow at recent reports he had read of the tragic deaths in Ethiopia of many of that country's former leaders.

39. Miss DUBRA (Uruguay) thanked the United Nations High Commissioner for Refugees for his clear introduction of his most valuable report (A/9612 and Corr.1 and Add.1-3). Her delegation welcomed the importance given by the High Commissioner to the right of asylum. It therefore supported the proposal to establish a group of governmental experts, which should meet before the proposed conference of plenipotentiaries. She welcomed the fact that the Australian delegation was introducing a draft resolution on the right of asylum in the Sixth Committee.² There was no doubt that the long and noble tradition of Latin America in that respect, which had been given form in specific conventions, would be very valuable.

40. Turning to draft resolution A/C.3/L.2139, she said that her delegation supported in principle the proposal to call a conference of plenipotentiaries, but it had some doubts about operative paragraph 2. Although it was in favour of establishing a group of experts, which should meet before the conference of plenipotentiaries, it did not agree that the members of the group should be designated by the Chairman of the Third Committee. That duty would more properly devolve upon the Secretary-General, and it should be for the Sixth Committee rather than the Third Committee, to decide. Her delegation could not support the draft resolution as it stood.

41. Mrs. BERTRAND DE BROMLEY (Honduras) congratulated the High Commissioner on his valuable report. The activities undertaken by the High Commissioner to alleviate the sufferings of refugees were most heartening, and her delegation therefore supported the UNHCR programmes. In addition to the regular programme of his

² *Ibid.*, document A/9913, para. 4.

Office, the High Commissioner had been called upon to undertake assistance and emergency aid programmes for refugees in Bangladesh, Pakistan, Uganda, Viet-Nam and Latin America. Her delegation therefore fully supported part B of draft resolution A/C.3/L.2136, by which the General Assembly would authorize the High Commissioner to allocate up to \$2 million annually from the Emergency Fund for emergency situations.

42. Her delegation welcomed a conference of plenipotentiaries on territorial asylum, which was particularly pertinent in the present world situation. It would be advisable for that conference to be preceded by the meeting of the group of experts referred to in operative paragraph 2 of draft resolution A/C.3/L.2139.

43. Her delegation had become a sponsor of draft resolutions A/C.3/L.2136 and A/C.3/L.2139.

44. Mrs. MASSON (Canada) said that the High Commissioner was to be congratulated on his activities and on his report. Her delegation noted with satisfaction that UNHCR had been able to assist more refugees in the past year (285,000) than in the previous year (230,000). Her delegation greatly appreciated the work of the High Commissioner and his efforts to solve the problems of refugees by local settlement, resettlement or repatriation, education and training and counselling with a view to their better integration in the society in which they were called upon to live. Her delegation was interested to note the co-operation between the Office of the High Commissioner and other United Nations bodies and with many non-governmental organizations. The goodwill of Governments was also a positive factor which made for the solution of refugee problems. The best way in which the international community could assist the thousands of refugees was by combining all efforts on their behalf.

45. It was to be hoped that the flow of refugees would eventually diminish and that, ultimately, there would be no need for an Office of the United Nations High Commissioner for Refugees. In Africa, for instance, there were grounds for hoping that the changes in the former and present Portuguese Territories would substantially diminish the number of African refugees. It was Africa, nevertheless, which produced the largest number of refugees. According to the High Commissioner's report, the number had been estimated at approximately 1 million as of 31 December 1973.

46. Referring to the UNHCR regular programme, she said that her Government had closely followed developments in Chile since the events of September 1973, and one of its main concerns had been to assist those who felt that they had to seek a new life outside Chile. Her Government had taken special measures to assist those Chilean and non-Chilean refugees, in and outside Chile, who wished to settle in Canada. For instance, it had speeded up the immigration procedures, provided language training and placement services, assisted with transport costs, and provided financial aid for housing, winter clothing and any other assistance required for rapid settlement. Those measures had helped to facilitate the solution of the problems faced by the 700 refugees from Chile who had already reached Canada. Her Government was continuing to give the

situation its close attention and would do its best to provide more assistance if that proved necessary.

47. In Africa, the constant flow of refugees from Burundi and other countries still demanded attention from the High Commissioner. Her delegation welcomed the fact that the United Nations immediate relief programme in the southern region of Sudan and the programme of assistance to Uganda Asians of undetermined nationality had been successfully completed thanks to the efforts of UNHCR. Canada had contributed \$500,000 to the former, and it had taken in 5,000 Uganda Asians under the latter. In Asia, her delegation was happy to note that the vast subcontinent repatriation operation, which had involved moving more than 200,000 people, had been crowned with success. The Canadian people had been specially concerned by the tragic events in Cyprus. As a member of the United Nations Peace-Keeping Force in Cyprus, Canada had direct experience of the situation on the island. The fact that the High Commissioner had been called upon to co-ordinate assistance to displaced persons in Cyprus was a tribute to the efficiency of his Office.

48. Her delegation understood why the High Commissioner had proposed the preparation of an international convention on territorial asylum. Her Government supported the recommendation of the Executive Committee that a group of experts should review the text of the draft convention before the conference of plenipotentiaries on territorial asylum.

49. Canada would continue to support the High Commissioner's programmes; subject to parliamentary approval, it would increase its contribution to \$600,000 in 1975.

50. Mr. FALL (Senegal) congratulated the High Commissioner on his clear introduction of his report. He paid a tribute to the compassion and understanding with which the High Commissioner and his colleagues were carrying out their task. His delegation was particularly concerned because so many of the activities of UNHCR were carried on in Africa, where 1 million refugees came within its mandate. The African virtues of tolerance and generosity were reflected in the support and hospitality given to the refugees by many African countries, which had taken in thousands of displaced persons.

51. Unfortunately, the problem of refugees was not confined to Africa. There was therefore every reason that the financial goal for contributions in 1975 should be set at \$12,656,000, an increase over 1974 which was justified by fresh tragedies, particularly in Latin America.

52. In view of such events, there was every reason for the High Commissioner to be authorized to allocate up to \$2 million annually from the Emergency Fund for emergency situations. His delegation supported the Executive Committee's proposal to that effect and would vote for draft resolution A/C.3/L.2136. It had confidence that the High Commissioner would use those funds with effectiveness and prudence. His delegation also had confidence that the High Commissioner would use the funds contributed for the special programmes in southern Sudan, South-East Asia, Cyprus, Viet-Nam and for the nomads of the Sahel with equal prudence. Senegal had made a large

contribution to the programme for persons made homeless by the drought. The number of refugees in Senegal had reached 84,000 by the end of 1973, and most of them had settled in the Casamance region in the south of the country. Senegal had set up a National Committee for Aid to Refugees which was working with the High Commissioner's Office to provide material and financial assistance for refugees wishing to settle in Senegal. However, as was pointed out in paragraph 89 of the High Commissioner's report (A/9612), the number of refugees at Dakar had increased to 8,000 owing in part to the drought and that influx had caused new hardship in view of the lack of employment opportunities for refugees already living in urban areas. Those new difficulties had been solved with the co-operation of UNHCR. His Government had great hopes of the new events that had occurred in Africa with the liberation of former Portuguese territories. Some of the refugees from Guinea-Bissau were already returning to their homes, but assistance was needed for their resettlement and their reintegration in the social and economic life of their countries. In collaboration with the High Commissioner, Senegal and Guinea-Bissau would discuss possible measures to facilitate the voluntary repatriation of the refugees from Guinea-Bissau and their reinstallation in their country of origin. The active and concrete support of the international community would be vital to the success of that operation.

53. One of the primary functions of UNHCR was the international protection of refugees. Senegal was a party to the Convention on the Status of Refugees of 1951 and the 1967 Protocol thereto. It had also been one of the initiators of the OAU Convention of 1969 Governing Specific Aspects of Refugee Problems in Africa, which was the regional counterpart of the 1951 and 1967 instruments.

54. Since Act. No. 68-27 on the status of refugees had been adopted in 1968, new measures had been taken in Senegal. A qualifying committee had been established in 1972 to decide whether or not the status of refugee should be granted to individual applicants. No refugee could be expelled without the consent of the committee, and refugees could appeal against its decision if the committee abused its power. Travel documents were issued to displaced persons who qualified for the status of refugee under the Convention of 1951; about 500 had been issued so far. Such actions reflected his country's determination to contribute, however modestly, to the protection of human rights by ensuring effective legal protection of refugees based on the principle of *non-refoulement*.

55. In that connexion, he welcomed the fact that 76 of the 91 Governments which had responded to the High Commissioner's letter regarding the desirability of concluding a convention on territorial asylum had been in favour of it. Senegal had suggested that the preparation of such a convention should be entrusted to the Sixth Committee. However, it was in favour of calling a conference of plenipotentiaries, as recommended by the Executive Committee. It was also favourable to the convening of a group of experts to review the draft before the conference opened. The text would then be an acceptable basis for discussion.

56. Mr. NYAKAIRU-WAAKO (Uganda) commended the High Commissioner for the activities undertaken by his

Office and for the services it extended to all the agencies and Governments concerned with assistance to refugees. He welcomed the fact that permanent solutions were being found for the Sudanese refugees, many of whom had been repatriated to their country of origin. Emphasis had been laid on voluntary repatriation, and on the role of the High Commissioner. Uganda believed that, with the co-operation of all concerned, the work would be satisfactorily completed. Refugees in Uganda enjoyed the same benefits as Ugandans. Those living in refugee camps had enough land for animal husbandry. Before the refugees had been settled, the Government of Uganda had undertaken a costly scheme of clearing the settlement areas of the tsetse fly, and the settlers were now able to breed animals there. In addition, his Government had built schools, medical centres and other facilities basic for human well-being.

57. Mr. FIRN (New Zealand) said that, whatever doubts there might have been about the viability of the Office of the United Nations High Commissioner for Refugees, they had been banished over the past 25 years, during which the High Commissioner and his staff had engendered confidence by the way in which they had sought and found decent and humane solutions to the problems of dispossessed persons. The High Commissioner had become a central catalyst and co-ordinator of refugee work in all areas of the world.

58. In its approach to the refugee problem, New Zealand was motivated solely by humanitarian considerations. Earlier in the year, his Government had carried out a major review of New Zealand immigration policy on permanent entry. There now existed a sufficiently flexible provision for the entry into New Zealand of refugees and other persons in comparable circumstances.

59. As the High Commissioner's report indicated, his Office had been far from inactive during the past year. The extensive programme to repatriate and resettle displaced persons in the South Asian subcontinent had now been successfully concluded. It had been a vast operation involving the movement of some quarter of a million people by ship and aircraft. The High Commissioner and his staff were to be congratulated on the expeditious and humane manner in which the operation had been handled. New Zealand, which had contributed \$200,000 to the programme, felt that it had substantially added to the present spirit of reconciliation and stability in the area.

60. As a result of the events which had occurred in Chile in September 1973, a large number of Chileans had begun to leave the country, and persons who had fled to Chile from possible detention in their home countries had also become refugees once again. The High Commissioner was to be commended on the efforts he had made to relieve their plight. New Zealand had responded positively to his appeal for help in the resettlement of those refugees in agreeing to accept up to 36 families; some of them had already arrived in New Zealand and were being assisted to adapt themselves to new conditions.

61. New Zealand had acceded to the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol thereto. It had also decided to become a party to the Hague Agreement relating to Refugee Seamen of 1957, which supplemented those two instruments.

62. New Zealand was a sponsor of the two-part draft resolution, A/C.3/L.2136, which should meet with unanimous agreement. As it supported the idea of a convention on territorial asylum, New Zealand would vote in favour of draft resolution A/C.3/L.2139.

63. In conclusion, he expressed the hope that the need for vast refugee operations would not arise again, but if it did, New Zealand had confidence in the ability of UNHCR to deal with it. The High Commissioner could count on continued New Zealand support for his efforts.

64. Mr. IPSARIDES (Cyprus) said that while the High Commissioner's report painted a tragic picture of refugees, it gave a heartening account of international assistance based on compassion. It described both the tragedy and the response to it of Governments and peoples. The High Commissioner and his staff were to be commended on their admirable efforts.

65. The people of Cyprus had reason to be grateful to the High Commissioner's Office for its efforts to ease the plight of the 220,000 of the island's inhabitants who had been forced to leave their homes because of the latest Turkish invasion. He wished to thank the High Commissioner and those Governments and organizations which had contributed to the High Commissioner's programme co-ordinating the humanitarian assistance to Cyprus. The magnitude of the problem could be judged from the fact that one third of the entire population had become refugees.

66. The High Commissioner should receive every support in his humanitarian task, but the speedy solution of the basic problem should be the ultimate aim, and that solution was voluntary repatriation. In Cyprus, as elsewhere, the ultimate solution was not the provision of food, medicines, clothing and shelter; it lay in an altogether different direction, a direction which had been indicated in the General Assembly resolution 3212 (XXIX) on the question of Cyprus adopted on 1 November 1974 to the effect that the solution was the speedy repatriation of all refugees to their homes. All the inhabitants of Cyprus, whether Greek, Turkish or Armenian, had a common desire to live together and build their future; the assistance in that task which the United Nations could provide would be extremely precious.

67. Mr. ELHOFARI (Libyan Arab Republic) expressed his delegation's appreciation to the United Nations High Commissioner for Refugees and his staff for their humanitarian work, which had greatly contributed to the alleviation of the sufferings of the many human beings who had been forced to leave their homes. The refugee problem had various aspects; on the one hand there were the injustice and persecution which could force people to leave their homes and on the other hand there was man's adherence to the principles of freedom and self-determination which sometimes led him to leave his home in order to live in freedom. The refugee problem would remain as long as injustice persisted and would continue to encompass both evil and mercy: while some practised domination and persecution and evicted people from their homes, others welcomed those refugees and tried to alleviate their suffering.

68. The reason for the existence of over 1 million refugees in Africa was the prevalence of colonialism, racial discrimi-

nation and *apartheid*. The two minority régimes in southern Africa continued to practise their hateful racist policies and to oppress and persecute the indigenous majority population. Refugees would continue to exist until the Africans who were engaged in struggle regained their right to self-determination. The policy of the new Portuguese régime in recognizing the right of the African peoples to self-determination was a very favourable development which had enabled thousands of Africans to return to their homes.

69. The Office of the High Commissioner had carried out a great humanitarian task in airlifting prisoners of war and refugees between Bangladesh and Pakistan. The Libyan Arab Republic extended moral and material support to the Office, in addition to its assistance to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to national liberation movements. It would announce its contribution to the Office in 1975 at the meeting to be held for that purpose.

70. He drew attention to the fact that his Government had submitted a reply on the question of elaborating a convention on territorial asylum, proposing the addition of a new paragraph.

71. Mr. SIMBA NDOMBE (Zaire) congratulated the United Nations High Commissioner for Refugees on the tireless efforts he was making to find solutions to the many problems of refugees throughout the world. At the same time his delegation vigorously condemned those pressures which caused human beings to flee their homelands and to become refugees, with all the difficulties and suffering which the status of refugee entailed. Zaire was well aware of the magnitude of the refugee problem, for it was sheltering more than a million refugees, including 627,000 Angolans, and it accordingly advocated lasting solutions to the refugee problems. It was not easy for a State to share its schools, hospitals, goods and arms with refugees, and he paid a tribute to the effective action of the Office of the High Commissioner in assisting the refugees in Zaire. With regard to refugees from Zaire, following the advent of the Second Republic the Government of Zaire had proclaimed a general amnesty as part of its policy of national union and concord, and refugees from Zaire had thus been able to return to their country and had been reintegrated into society.

72. His Government had expressed its appreciation of the activities of the Office of the High Commissioner, particularly with regard to the repatriation of Angolan refugees. His delegation welcomed the new policy of the Government of Portugal, which had put an end to the colonialism that had given rise to that situation. His delegation reiterated the wish expressed at the previous session that the High Commissioner's Office should take a new census of refugees and study the priority needs in the receiving areas so as to make it possible to obtain assistance from the Office in improving the economic and social infrastructure.

73. Mr. DIEZ (Chile) said that his delegation agreed with the principles expressed by the High Commissioner and believed that humanitarian assistance to refugees and diplomatic asylum could never be considered as interference in a country's internal affairs. It felt that it was for the

refugee himself to decide whether he was being forced to leave his home because of physical danger or persecution of any kind, and therefore anything that was done to help such persons could not be considered as an infringement of the sovereignty of a country. That principle had long been observed in the Latin American countries and Spain and Portugal.

74. Chile was in favour of the elaboration of a convention on territorial asylum, and agreed with the representative of the Soviet Union (2099th meeting) that it was a complex and delicate matter. However, such a convention would only be the beginning of the road towards establishing new practices. It shared some of the reservations of the delegations of Australia and the Soviet Union on the procedure set forth in draft resolution A/C.3/L.2139, but it recognized the competence of the Executive Committee and in case of doubt would prefer to accept its ruling. His delegation noted the close links between the factors involved in diplomatic asylum and territorial asylum, and therefore also supported the draft resolution on diplomatic asylum which the Australian delegation had introduced in the Sixth Committee. The institution of asylum needed the necessary legal form to develop into a normative institution and would contribute much to the protection of human rights. He recalled that many international conventions on diplomatic asylum and on refugees existed in Latin America, including the Convention on Asylum signed at Caracas in 1954, the Convention on Political Asylum signed in Montevideo in 1933, and others. His delegation would therefore support draft resolutions A/C.3/L.2136 and A/C.3/L.2139. However, he requested the sponsors and the Office of the High Commissioner to take into consideration the view of the representative of Uruguay that it was for the Sixth Committee to decide on the matter. His delegation would abide by the decision of the Office of the High Commissioner.

75. With regard to the concern of the representative of Ireland regarding Chile's compliance with the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol thereto, he recalled that a few weeks previously when Mr. Blanchard, the representative of the High Commissioner, had left Chile, he had publicly expressed appreciation for the co-operation shown by the Chilean Government and had stated that while he had been there it had fully complied with its obligations under the Convention of 1951.

76. Mrs. WATANABE (Japan) expressed great appreciation for the noble humanitarian task which the United Nations High Commissioner for Refugees and his staff were accomplishing. The High Commissioner's visit to Japan in the previous September had provided the Japanese Government and people with a good opportunity to learn more about the world refugee problem. In addition to the news coverage of his visit, an informative film on the situation of refugees and the activities of the High Commissioner had been broadcast on a nation-wide television network, and that had proved very effective in stimulating the interest of the Japanese people in the problem and in increasing their sympathy for refugees. That kind of presentation would be most useful in enabling peoples throughout the world to understand the reality of refugee problems and the activity of UNHCR on their behalf.

77. Her delegation was firmly convinced that the High Commissioner's Office would meet the increasing challenge of the refugee problem, and her Government would continue to extend its full support to its activities.

78. Mr. GROS (France) expressed appreciation of the efficiency with which the United Nations High Commissioner for Refugees and all those who assisted him were accomplishing the task of extending aid to all refugees without distinction as to race or origin; there could indeed be no distinction where human suffering was concerned. It particularly praised the High Commissioner for the remarkable way in which he had carried out the operations entrusted to him by the Secretary-General, whether in the Sudan or in Asia.

79. His delegation was in agreement with the views expressed on asylum and *non-refoulement* and was prepared to consider any solution which might facilitate the application of those principles, taking into account the necessary limitations of hospitality. He was pleased to announce that, excluding the costs of maintaining Chilean refugees, which amounted to 9 million francs that year, France would contribute 2.5 million francs in 1975 to the work of UNHCR. France was a liberal country and intended to remain so, particularly with regard to asylum.

80. Mr. SINARINZI (Burundi), speaking in exercise of the right of reply, recalled that the representative of Canada had said that there was a constant flow of refugees from Burundi. However, since 1972 there had been an increase in the number of refugees in Burundi as a result of imperialist machinations. The Government of Burundi had accorded a general amnesty to all refugees wishing to return to Burundi and a number had already returned.

81. Mr. Fazlul KARIM (Bangladesh), speaking in exercise of the right of reply, said that he had been encouraged to hear the Pakistan representative state at the 2098th meeting that the issue of the remaining Pakistanis in Bangladesh who wished to return to Pakistan could be resolved through negotiations between the two Governments. The Government of Bangladesh had always been in favour of negotiations. The latest round of talks had been held at the summit meeting of the two Prime Ministers in June 1974, but to the disappointment of his Government no substantive results had been achieved. However, it was prepared to meet representatives of Pakistan at any time for further talks.

82. Mr. HOVEYDA (Iran), speaking in exercise of the right of reply, expressed surprise that the representative of Iraq had seen fit to exercise the right of reply in the course of his statement and had not commented on the report of the High Commissioner for Refugees. He himself had briefly mentioned the question of the Kurdish refugees in his statement at the 2098th meeting because the High Commissioner had referred to the problem in his report and because the Committee should know of the existence of refugees in any part of the world. He had tried to avoid speaking of any aspect apart from the purely humanitarian side of the problem, but unfortunately the representative of Iraq had seen fit to enter into an acrimonious diatribe which revealed a great deal about his motives. As usual, the representative of Iraq was short of arguments, and therefore had nothing better to say to excuse the inhuman actions of

his Government than that Iran was pursuing propaganda purposes. Yet it was not Iran which had provoked the events which had led the Iraqi Kurds—women, children and old people—to seek refuge in Iran. He recalled that he had replied at the 2265th plenary meeting of the General Assembly to the Iraqi representative's accusation that Iran had incited Iraqi Kurds to go to Iran.

83. It was the humanitarian duty of any State to receive refugees and take care of them; the Iraqi representative surely did not expect that Iran would close its frontiers to the flow of refugees and ignore their appeals. Iran had received the refugees and had informed the High Commissioner and the International Committee of the Red Cross about them, for it felt that a new refugee situation should not be hidden from the world. Iran had not requested material assistance because it had sufficient means for the time being, but if the flow of refugees continued, the appropriate international bodies would have to take full responsibility.

84. The representative of Iraq had mentioned his Government's readiness to receive the refugees back into Iraq, but had overlooked the fact that the return of the refugees depended on their own wishes. He recalled that his Government on several occasions had declared that it was prepared to facilitate the voluntary repatriation of the refugees in co-operation with the Red Crescent Society of Iraq and the Iranian Red Lion and Sun Society, under the supervision of the competent international bodies. In all justice the desire of the refugees themselves should be determined, and the High Commissioner or the International Committee of the Red Cross were in the best position to do that. Iraq, by refusing to recognize the role of the international bodies, was seeking to hide the truth.

85. In saying that his Government was prepared to grant total amnesty to the refugees, the representative of Iraq had admitted that the refugees were considered as criminals—yet they were children, women and old people.

86. As to the number of refugees, the representative of Iraq had not questioned the figure of 100,000 stated by the Iranian delegation in the plenary Assembly; there were now more than 105,000 refugees, because the bombing of the civilian population was continuing and women and children were being forced to flee. If there were any doubt on the matter, the High Commissioner should send out a team to count the number of refugees who had arrived in Iran so far.

87. Iran had immediately assisted the refugees, because it was a humanitarian matter; it could not have left them to suffer and die while waiting for international assistance, and there were precedents for such action, for instance in the establishment of refugee camps for Palestinian refugees in 1967.

88. As to the Iraqi representative's claim of interference in his country's internal affairs, the movement of over 100,000 refugees from Iraq to Iran was hardly a domestic problem; it concerned not only Iran, but also the entire international community.

89. Mr. EL-SHIBIB (Iraq), speaking in exercise of the right of reply, said that in his statement he had commented

mainly on the report of the High Commissioner for Refugees and on the High Commissioner's statement. He had referred to comments made by the representative of Iran because they related to the report and to matters of importance to his country. He did not wish to enter into an acrimonious debate, although that seemed to be the purpose of the representative of Iran, who had not added a single new point about the issues involved. The Iranian Government had, furthermore, ignored the offer of the Iraqi Government to meet at any time to arrange the repatriation of the refugees who wished to return to Iraq, and his Government would make every effort and go to any expense to make that possible.

90. The Iraqi Government guaranteed full amnesty to all the refugees in Iran, not only women and children; that action therefore represented a positive and humanitarian attitude, despite all the propaganda of the Iranian representative. He called on the Government of Iran to co-operate with his Government in solving the problem. The Iranian Government was trying to perpetuate the problem and was using the suffering of unfortunate people to play a political game. Iran's interference in the internal affairs of Iraq, and its assistance to the Kurds, were well known and had been mentioned in recent articles in *The New York Times*. It was the sincere desire of his Government to find a fair solution to the problem, and it had indicated to the High Commissioner and to the International Committee of the Red Cross that it was willing to proceed to immediate repatriation and resettlement of the people concerned.

91. Mr. BALOCH (Pakistan), speaking in exercise of the right of reply, recalled that at the 2098th meeting his delegation had expressed surprise and regret that the delegation of Bangladesh had seen fit to speak of the people in Bangladesh whom the Government of that country wished to evacuate to Pakistan. The Government of Pakistan had agreed to receive certain categories of persons, such as hardship cases, and had so indicated at the talks referred to by the representative of Bangladesh. However, it would be asking too much to expect his Government to repatriate every non-Bengali domiciled in Bangladesh.

92. Mr. HOVEYDA (Iran) asked the Committee to judge whether he had wanted to engage in polemics when he had merely quoted passages from the Report of the United Nations High Commissioner for Refugees in his statements. As to the newspaper articles referred to by the representative of Iraq, he could quote articles from newspapers all over the world concerning the genocide and systematic oppression of the Kurds being carried out by the Iraqi Government. The Iraqi representative had stated that his Government was prepared to settle the problem through consultations; his Government was prepared to do the same, under the supervision of the competent international bodies and of the International Committee of the Red Cross; therefore, if the Iraqi Government was in earnest, the two Governments should go ahead.

93. Mr. EL-SHIBIB (Iraq) said that his Government had made an offer which it would stand by; as he did not wish to enter into polemics, he would leave it to the Committee to judge the matter.

The meeting rose at 6.15 p.m.

2101st meeting

Wednesday, 27 November 1974, at 10.55 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2101

AGENDA ITEM 59

Report of the United Nations High Commissioner for Refugees (continued) (A/9603, chapter I, chapter III, section F; A/9612 and Corr.1 and Add.1-3, A/C.3/L.2136, 2139)

1. The CHAIRMAN said that Pakistan had joined the sponsors of draft resolution A/C.3/L.2136 and that the Netherlands and Belgium had become sponsors of draft resolution A/C.3/L.2139.
2. Mrs. BAILOR (Sierra Leone) said her delegation noted with satisfaction that an increasing number of States were taking part in the work of the Office of the United Nations High Commissioner for Refugees, although it also noted with concern the increase in problems in that sphere. According to the report of UNHCR (A/9612 and Corr.1 and Add.1-3), there had been 1 million refugees in Africa alone as of 31 December 1973.
3. Protection was the most important aspect of the High Commissioner's work. The granting of asylum to refugees could not be considered as an unfriendly act, since protection and asylum were in keeping with the basic principles of humanitarian law. The Committee must stress the need for respect for those rights. Her delegation agreed with the recommendation of the Executive Committee of the High Commissioner's Programme (A/9612/Add.1, para. 52 (b)) concerning the convening of a meeting of a group of governmental experts to review the current draft convention on territorial asylum (A/9612/Add.3, annex) and expressed the hope that those experts would take into consideration all the legal systems and the comments of Governments and prepare a text which would be acceptable to all. It also welcomed the fact that such a meeting of experts would not involve any additional costs for the United Nations. For all those reasons, her delegation supported draft resolution A/C.3/L.2139. At the same time, it wished to become a sponsor of draft resolution A/C.3/L.2136 and gave its assurance that the Government of Sierra Leone would continue to support UNHCR in carrying out its duties.
4. Miss ILIĆ (Yugoslavia) welcomed the continuation and strengthening of the co-operation of UNHCR with the other organizations of the United Nations system, which had made it possible to find permanent solutions for many refugees, especially in Africa. The decision by UNHCR to devote once again the major share of the financial resources of its regular programme to assist refugees in Africa seemed most appropriate. There were large numbers of refugees on that continent and the countries of asylum, as developing countries, faced serious problems. The events which had recently occurred in the process of decolonization in Africa, particularly in the Territories under Portuguese administration, provided possibilities for many refugees to return to their homelands.
5. With regard to the draft convention on territorial asylum, her delegation supported the proposal for the convening of a conference of plenipotentiaries and for the establishment of a group of governmental experts to review, before the conference, the text of the draft with a view to facilitating the work of the conference. Questions which required further consideration included the conditions for the granting of asylum, the clarification of the words "de facto refugees" and others.
6. In accordance with its traditional humanitarian policies, Yugoslavia had granted asylum to refugees from Chile and asylum included the resettlement of those refugees and the provision of scholarships for students. A national committee for aid to Chilean refugees had been established for that purpose.
7. In conclusion, her delegation announced that the Yugoslav Government had decided to increase its contribution to the UNHCR regular programme from \$10,000 to \$15,000. In addition, her Government had decided to make a contribution in kind in the amount of \$20,000 for assistance to refugees and displaced persons in areas under control of the Provisional Revolutionary Government of South Viet-Nam, the Democratic Republic of Viet-Nam and the Kingdom of Laos. It had also contributed \$30,488 to United Nations humanitarian assistance in Cyprus.
8. Miss BIHI (Somalia) said that the number of victims of political, economic and social upheavals was increasing in alarming proportions and that effective and timely measures must be adopted in order to alleviate the suffering of those unfortunate human beings. Somalia was aware of the valuable assistance which UNHCR was giving to refugees on the African continent, of whom there were more than 1 million, and expressed its gratitude and support for that endeavour. In that connexion, it was in favour of authorizing allocations from the Emergency Fund of \$2 million annually for emergency situations. Moreover, her Government was studying the text of the draft convention on territorial asylum and would submit its comments as soon as possible. Finally, her delegation, which was a sponsor of draft resolution A/C.3/L.2136, expressed the hope that that text would be adopted unanimously.
9. Mr. THEODORACOPOULOS (Greece) said that the refugee problem was an age-old one and that refugees had received special treatment in ancient Greece. It was regrettable that, although centuries had passed, the international community still had not resolved that enormous problem. His delegation considered that that question was of a humanitarian nature and that it should in no case be the subject of political speculation. It had therefore joined

the sponsors of draft resolution A/C.3/L.2136. Moreover, his Government had allocated special funds from its annual budget for assistance to refugees in Cyprus, the Middle East and elsewhere.

10. However, there were some cases, such as the case of Cyprus, in which neither humanitarian activities nor financial assistance could be a substitute for satisfying the profound desire of displaced persons to return to their ancestral homes. Consequently, his delegation supported the implementation of Security Council resolution 361 (1974) and General Assembly resolution 3212 (XXIX), which had recently been adopted.

11. Mr. ALFONSO (Cuba) said that adaptability and the policy of continuing review of problems were the key to the activities of the Office of the United Nations High Commissioner for Refugees. It should be recognized that the work of UNHCR had taken the proper direction and that political considerations of a biased nature which had formerly existed had now disappeared. Although much remained to be done, the current trend seemed to be gaining strength.

12. His delegation expressed its satisfaction with the activities of UNHCR in Asia, particularly with regard to the movement of refugees between Pakistan and Bangladesh; with the co-operation between UNHCR and OAU; with Portugal's new political orientation, which would facilitate the task of UNHCR in the Territories under Portuguese domination; and with the programme of assistance to Cyprus, to which the Cuban Government had made a modest contribution of \$50,000. With regard to that programme, his delegation was glad that it had been possible to collect the \$22 million which would be required up to the end of the year. All those activities could not, however, be a substitute for a definitive solution, which must be of a political, not a humanitarian, nature and must be based on respect for the independence and national sovereignty of countries.

13. With regard to the question of Chile, he noted with satisfaction that Governments of every type and tendency had offered to receive victims from that country. The response of the international community had taken an effective form. Cuba had received hundreds of Chileans and other residents of Chile, for whom the situation had been even more precarious because of the danger they had faced of being returned to their countries of origin. According to information received, that danger had materialized on many occasions, in contravention of the principle of *non-refoulement*. In addition, the High Commissioner was right to feel appalled about cases of the abduction and even killing of refugees.

14. Finally, his delegation expressed its support for draft resolution A/C.3/L.2136.

15. Mr. WILSON (Liberia) thanked the High Commissioner for his report and for the work carried out by his Office during the period under review. In 1973, some 167,000 refugees had entered the United Republic of Tanzania, 459,000 had entered Zaire, 37,000 had entered Zambia and 4,000 had gone to Botswana. It was regrettable that so many persons had had to seek refuge, but, on the

other hand, it was encouraging that those countries, even though they had limited material resources, had welcomed the refugees with open arms. Referring to chapter III of the report (A/9612), he said his delegation was glad that Australia, Austria, Belgium, Canada, Norway, the Netherlands, Sweden and the United States had offered permanent homes to Asians from Uganda and also that Denmark, New Zealand and Switzerland had agreed to accept a number of handicapped persons. Those Governments should be commended for their humanitarian gesture. In conclusion, he said that his delegation supported draft resolution A/C.3/L.2139.

16. Mr. DE AZAMBUJA (Brazil) said that his country followed with interest the work of the Office of UNHCR, to which it made a modest contribution. His delegation supported draft resolution A/C.3/L.2136.

17. In connexion with document A/C.3/L.2139, he stressed the importance of Latin American experience in the matter of territorial asylum, of which the group of governmental experts proposed in that draft should take advantage. Brazil was in favour of convening such a group of experts to review the existing text of the draft convention on territorial asylum and agreed that the group of experts should submit its report to the General Assembly at its thirtieth session. However, it would perhaps be premature to decide at the current stage to convene a conference of plenipotentiaries. It might be more expedient for the Committee to adopt the draft convention at the Assembly's thirtieth session in the light of the report of the group of experts. With regard to meeting the costs of the conference from the voluntary funds at the High Commissioner's disposal, he said that he thought it would be regrettable if those funds had to be diverted from their use in direct assistance to refugees. He therefore hoped that the sponsors of the draft resolution could for the time being leave open the question of convening a conference of plenipotentiaries without taking a conclusive decision concerning it.

18. Mrs. MOHAMMED (Nigeria) said that her country was happy that the Office of the High Commissioner was co-operating fully with OAU in solving the refugee problem in Africa. That problem, which had been complicated by the legacy of colonialism, included both the difficulties of adjustment among ethnic groups which had been taught by their colonial oppressors the lessons of "divide and rule" and the problem of refugees resulting from the circumstances of the liberation struggles, who had to be helped to return home following the attainment of independence. A number of countries and United Nations agencies had contributed generously to the various funds administered by the High Commissioner, whose Office provided an unparalleled humanitarian service, in the spirit of the Charter of the United Nations.

19. Her delegation entirely agreed that such efforts could not be a substitute for a settlement of underlying problems. The international community should find a political solution and strengthen the political will of the parties to reach a swift and appropriate settlement. Her delegation was confident that the solution was possible, because it believed that both the States which had ratified the various Conventions and those which had not yet done so had the

single aim of implementing them in accordance with the Charter. Her delegation commended draft resolution A/C.3/L.2136, of which it was a sponsor, to the Committee and hoped that it would be adopted by acclamation.

20. Mr. RAZA (Pakistan) recalled that at the fifty-seventh session of the Economic and Social Council held in Geneva in July 1974, the Permanent Observer of Bangladesh had raised the question of 400,000 non-Bengalis in Bangladesh whose allegiance, he maintained, was to Pakistan and who still remained to be repatriated. The reply of the representative of Pakistan had been that his country did not accept the assumption of the Permanent Observer of Bangladesh, and that it was a matter for the Prime Ministers of the two countries, who had taken note of it, to decide. His country's position was still the same. Throughout the negotiations in July and August 1973 leading to the New Delhi Agreement of 28 August 1973, his country had maintained that the Biharis in Bangladesh were nationals of Bangladesh. However, it had said that it was prepared to accept certain categories on humanitarian grounds. Although the agreement reached on the issue had been in terms of categories and not numbers, the quantified estimate had been 74,000 persons. Actually, the number of such persons which Pakistan had accepted was much higher, including 27,000 persons who had arrived in Pakistan via Nepal and Burma before August 1973. The total transfer from Bangladesh to Pakistan of persons of such categories was approximately 140,000. His country had thus accepted nearly twice as many non-Bengalis as had been estimated in July and August 1973. Moreover, under the Tripartite Agreement of 9 April 1974 signed at New Delhi, his country was committed to review rejected applications in the event that new facts were brought to its notice. That process of review was continuous, but his country hoped that those non-Bengalis who were residing in Bangladesh would now find conditions conducive to their remaining there permanently.

21. Mr. NYAKAIRU-WAAKO (Uganda) repeated the clarification he had made at the preceding meeting that the "Uganda Asians of undetermined nationality" who had been mentioned in the course of the discussion of the item were in fact United Kingdom nationals.

22. Lady GAITSKELL (United Kingdom), replying to the representative of Uganda, pointed out that in addition to the Asians with United Kingdom passports, who were receiving assistance, there were 4,500 Uganda Asians of undetermined nationality.

23. Mr. DURAN (Chile), speaking in exercise of the right of reply, said that the Cuban delegation, like others, was misrepresenting the events which had taken place in Chile. It was distorted and tendentious to assert that the High Commissioner was appalled in such a way that it appeared that his dismay was due to events which had taken place in Chile. It was also false to affirm that in Chile an attempt had been made to return the refugees who were living there to their countries of origin. Before the liberation there had been 14,000 aliens in Chile, most of whom had entered the country irregularly. The majority had become refugees because of their Marxist activities. After the liberation, those refugees had left the country, some of them of their own will and others at the will of the Chilean Government.

However, there had not been a single case of returning a refugee to his country of origin. In that connexion, he read out two documents: the first was a statement by a clergyman emphasizing the Chilean Government's co-operation in that situation, above and beyond the demands of its international obligations; in the second, the representative of the High Commissioner for Refugees in Chile recognized that the Chilean Government had fulfilled the obligations contracted under the Convention relating to the Status of Refugees of 1951 and expressed his thanks for that co-operation.

24. Mr. ALFONSO (Cuba), replying to the representative of Chile, re-emphasized the clearly Fascist stamp of the Chilean *junta*. Regarding the term "appalled" which the High Commissioner had used in his statement at the 2098th meeting, it had been the representative of Chile who had linked it to particular situations. With regard to the 14,000 Latin American refugees who had been in Chile in September 1973, they were by no means all Marxists, and in any case, their political affiliation should have no influence on Chile's fulfilment of a legal obligation. It was difficult to know with certainty if cases of refugees being returned had taken place, because the persons concerned could not make their voices heard, and also because Cuba listened to the Chilean Government's denials with some reservations, since they not only served that Government's own interests but had on other occasions been at variance with the facts.

25. The CHAIRMAN invited those delegations who wished to speak in explanation of vote before the vote on the draft resolutions relating to the item under consideration contained in documents A/C.3/L.2136 and L.2139 to do so.

26. Mr. HUSSAMY (Syrian Arab Republic) said that the best solution to the refugee problem was for the refugees to return to their place of origin. In his opinion, there was no need for a new agreement on asylum, since other international instruments had already dealt with the question. Furthermore, the draft convention on asylum did not distinguish between immigration and asylum, and might encourage certain political ambitions. The proposed instrument might be used to justify intervention and to move any group which decided to consider itself oppressed. His delegation therefore considered that such a document could give rise to problems between countries and would accordingly vote against draft resolution A/C.3/L.2139.

27. Mr. STÅHL (Sweden), replying to the delegations which had asked him for clarifications on the subject, said that operative paragraph 2 of part A of draft resolution A/C.3/L.2136 was not an attempt to change the meaning of resolution 3143 (XXVIII) adopted at the previous session on the question. The High Commissioner must continue his activities.

28. Mr. ARIZAGA (Ecuador) said that his delegation agreed with the contents of draft resolution A/C.3/L.2139, but entertained certain reservations concerning operative paragraph 2. In his opinion, in the interests of saving time, it should be the President of the General Assembly who should designate the group of experts. If a separate vote were taken on each paragraph, his delegation would abstain

on that passage. He asked the sponsors to take account of his observations and make the necessary changes so that the draft could be adopted unanimously.

29. Mr. ALFONSO (Cuba) said that his delegation would abstain in the vote on draft resolution A/C.3/L.2139. That did not mean it was not interested in the subject but simply that his delegation felt that the proposed convention should be dealt with, like all others, through the established channels. The Third Committee was the appropriate forum for that.

30. Mr. STÅHL (Sweden) said that, if the other sponsors did not object, he would have no difficulty in changing operative paragraph 2 of draft resolution A/C.3/L.2139 in accordance with the comment made by the representative of Ecuador.

31. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that operative paragraph 1 of draft resolution A/C.3/L.2139 was unsatisfactory because it did not specify who would participate in the conference on territorial asylum. Paragraph 5 left it to the General Assembly to decide on the date of the conference and to assess its financial implications. That approach seemed somewhat illogical; the natural procedure would be to draft a document and then have the Third Committee examine it and decide what should be done. His delegation did not agree that a decision on convening the conference should be taken at the present stage. Furthermore, he did not think it necessary to establish the group of experts referred to in paragraph 2, since the United Nations already had bodies capable of preparing the proposed document. His delegation felt that study of the draft convention should be entrusted to the Commission on Human Rights, which should submit a proposal to the thirtieth session of the General Assembly. The USSR had initiated consultations with other delegations, and those consultations were still in progress. He therefore requested that the vote on draft resolution A/C.3/L.2139 should be postponed so that the consultations could proceed with a view to finding an acceptable solution.

32. Mr. EVANS (Australia) said that, although not all the sponsors of draft resolution A/C.3/L.2139 had been consulted as yet, his delegation felt there would be no problem in accepting the change proposed by the representative of Ecuador since it did in fact provide for a more expeditious procedure.

33. Mrs. WARZAZI (Morocco) said that her delegation wished to be included in the list of sponsors of draft resolution A/C.3/L.2136. She thought it would be advisable to postpone the vote on draft resolution A/C.3/L.2139 in the expectation that the consultations currently under way would produce a text acceptable to all or most delegations.

34. The CHAIRMAN said that, if she heard no objection, the vote on draft resolution A/C.3/L.2139 would be postponed. She suggested that the time-limit for the submission of a revised draft resolution or of amendments to the existing text should be set at 6 p.m. on the same day.

It was so decided.

35. The CHAIRMAN said that, if she heard no objection she would take it that the Committee agreed to adopt draft resolution A/C.3/L.2136.

Draft resolution A/C.3/L.2136 was adopted.

AGENDA ITEM 99

Question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply (A/9691, A/C.3/L.2137, 2140)

36. Mr. TUERK (Austria) said that the question of statelessness had been linked with that of refugees since the beginning of the United Nations and the establishment of the Office of the United Nations High Commissioner for Refugees. In fact, the first resolution of the General Assembly relating to the creation of UNHCR, resolution 319 (IV) of 3 December 1949, was entitled "Refugees and stateless persons". After the drafting of the Convention relating to the Status of Refugees of 1951,¹ the General Assembly had devoted its attention to the problem of statelessness. The result was the Convention relating to the Status of Stateless Persons of 28 September 1954.² There were already 29 States parties to that Convention, and two African States, Zambia and Lesotho, had recently acceded to it. In 1961, a Conference of Plenipotentiaries had adopted the Convention on the Reduction of Statelessness.³ At present there were six States parties to that Convention: the United Kingdom, Sweden, Norway, Austria, Ireland and Australia.

37. Statelessness was often the consequence of conflict of laws, since the nationality laws of States were based either on *jus soli* or on *jus sanguini* or on both. In human terms, a stateless person might be described as a *de jure* uprooted person, which very much resembled the situation of a refugee, who was a *de facto* uprooted person. The 1961 Convention related to steps that might be taken for the granting of nationality and enumerated in various articles qualifications as well as disqualifications for that purpose. Article 11 of the Convention provided that the Contracting States should promote the establishment within the framework of the United Nations, as soon as may be after the deposit of the sixth instrument of ratification or accession, of a body to which a person claiming the benefit of that Convention might apply for the examination of his claim and for assistance in presenting it to the appropriate authority. In other words, the body in question would act as an intermediary between the stateless persons and the country of which they were residents.

38. The purpose of draft resolution A/C.3/L.2140, now before the Committee and sponsored by the States Parties to the 1961 Convention, was to ensure that a stateless person claiming the benefit of the Convention was able to apply for it and receive necessary assistance for presenting such a claim to the authorities of the country where he was habitually a resident. Nothing in the Convention infringed the sovereign prerogatives of States; it only enumerated

¹ United Nations, *Treaty Series*, vol. 189, No. 2545.

² *Ibid.*, vol. 360, No. 5158.

³ A/CONF.9/15, 1961.

steps that bound the Contracting States so that they might reduce the phenomenon of statelessness in their territories. The first preambular paragraph referred to the constitutional basis of the establishment of the body required under the Convention; the wording used was exactly the same as that used in article 11 of the Convention. The second preambular paragraph referred to the entry into force of the Convention. The fourth preambular paragraph should be understood in connexion with the note by the Secretary-General and his explanatory memorandum (A/9691), which was mentioned in the third preambular paragraph, and the statement of administrative and financial implications provided in document A/C.3/L.2137. Operative paragraph 1 requested the Office of the United Nations High Commissioner for Refugees to assume the functions foreseen under the Convention on the Reduction of Statelessness. The practical advantages involved in the proposal were clear in view of the Office's experience and the fact that a large number of refugees were also stateless persons and that the High Commissioner had, in any event, to take care of them in the context of his protection functions. In fact, naturalization was one of the important steps for promoting a permanent solution of refugee problems. Furthermore, the Convention was of direct benefit to refugee children and therefore of practical relevance to the work of the High Commissioner. With regard to operative paragraph 2, he drew attention to paragraph 3 of document A/C.3/L.2137, which would justify having the Third Committee review the situation at the thirty-first session of the General Assembly on the basis of the experience gained by the High Commissioner. He hoped it would be possible to achieve general agreement on draft resolution A/C.3/L.2140.

39. Mr. BYKOV (Union of Soviet Socialist Republics) said that the concept of citizenship was clearly defined in modern law and was related to the domestic sovereignty of States. The inclusion of the present item in the agenda of the Third Committee was the result of a misunderstanding,

since there was no reason for the United Nations to deal with the problem. The Convention on the Reduction of Statelessness had not been adopted by the General Assembly and therefore was not binding on the Secretary-General. The countries that had ratified it were now trying to impose upon the United Nations the creation of a body provided for in the Convention. A precedent was being set which could be dangerous and inadvisable. The fact that only six States, all from the same geographical group, had adhered to the 1961 Convention was proof that most countries had no interest in the question.

40. Furthermore, the position taken by the Secretariat as reflected in the note by the Secretary-General (A/9691) was surprising, since, according to international law and the Vienna Convention on the Law of Treaties of 22 May 1969,⁴ it was obvious that the 1961 Convention was not binding on the States that were not parties to it or on the United Nations.

41. His delegation therefore considered draft resolution A/C.3/L.2140 inappropriate, as was the proposal that the United Nations High Commissioner for Refugees should assume functions that were not within his competence. Consequently, his delegation opposed the draft resolution. Furthermore, the first preambular paragraph was inaccurate, since articles 11 and 20 of the 1961 Convention did not mention the creation of a body but rather stated that the Contracting States should promote a body. The fourth preambular paragraph referred to "practical advantages"; he saw no advantage whatsoever, but rather a dangerous precedent.

The meeting rose at 12.50 p.m.

⁴ See *United Nations Conference on the Law of Treaties, 1968 and 1969, Official Records* (United Nations publication, Sales No. E.70.V.5), document A/CONF.39/27, p. 287.

2102nd meeting

Wednesday, 27 November 1974, at 3.10 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2102

AGENDA ITEM 99

Question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply (continued) (A/9691, A/C.3/L.2137, 2140)

1. Mr. VELESKO (Byelorussian Soviet Socialist Republic) said it was clear that the question under consideration did not enjoy much support in the Committee. In the view of his delegation, that was primarily because it was not of interest to the majority of States, as was shown by the fact that so far only six States had ratified the Convention on

the Reduction of Statelessness.¹ That small group of countries was now trying to impose its position on the Committee and to force the United Nations to take up the question of implementing a Convention which concerned only the States Parties to it and bore no relation to the United Nations. His delegation could not see why the United Nations should have any obligations relating to the implementation of regional agreements which concerned only the States Parties to them. The countries concerned were clearly trying to divert the Committee's attention from genuinely important international problems, such as

¹ A/CONF.9/15, 1961.

the problem of the Palestinian refugees or the elimination of racism and racial discrimination. It was essential for the Committee to concentrate on the most urgent problems before it. His delegation was opposed to the continued discussion of the question under consideration, particularly as the Convention was not yet in force and there was therefore no need to create a body in accordance with its provisions. He therefore called on the sponsors to withdraw draft resolution A/C.3/L.2140.

2. Mr. TUERK (Austria) said that draft resolution A/C.3/L.2140 appeared to have given rise to some interpretations which the sponsors had not intended. The draft resolution did not aim to finalize the establishment of the body referred to in its title. Furthermore, the functions to be carried out by the Office of the United Nations High Commissioner for Refugees would be carried out within existing resources. It was impossible to predict the amount of work that would be involved, but there might well be very little; the sponsors had therefore added operative paragraph 2, under which the amount of work actually involved would be assessed.

3. As to the connexion between the Convention and the United Nations, he recalled that the Conference on the Elimination or Reduction of Future Statelessness, which had met in accordance with General Assembly resolution 896 (IX), took place at Geneva from 24 March to 18 April 1959 and at New York on 15 August 1961. The Governments of 35 States had been represented at the Conference, which had adopted the Convention on the Reduction of Statelessness. In view of article 16 of the Convention which specified which States could sign the Convention, it was clear that there was a close connexion between the Convention and the United Nations.

4. Mr. ARIZAGA (Ecuador) said that his delegation would vote in favour of draft resolution A/C.3/L.2140, but it wished to make a few changes in the first preambular paragraph. In the Spanish text, the word "*pretensión*" could imply that the application of persons claiming the benefit of the Convention was ill-founded. The paragraph should therefore be reworded to read:

"*Considering* the Convention on the Reduction of Statelessness, of 28 August 1961 and, in particular, its articles 11 and 20 requiring the establishment of a body to which a person who believes he has a right to the benefits of the Convention may apply so that it might determine his right and assist him in presenting his case to the appropriate authorities."

5. Mr. EVANS (Australia) said that his delegation, as a sponsor of draft resolution A/C.3/L.2140, was somewhat at a loss to understand some of the objections which had been raised to the draft resolution. He endorsed the explanations given by the representative of Austria. Although a considerable amount of time had elapsed since the bulk of the detailed work on the Convention had been completed, General Assembly resolution 896 (IX) had specifically urged the final conclusion of the Convention under consideration, and, as the Austrian representative had pointed out, the representatives of many Governments had attended the Conference on the Elimination or Reduction of Future Statelessness. His Government had indicated in

previous statements that it attached the highest importance to doing everything possible to alleviate the sufferings of refugees; it took the same view regarding statelessness.

6. The sponsors of draft resolution A/C.3/L.2140 had all been closely involved in the refugee problem; in addition to making substantial contributions to the Fund of UNHCR they had received a large number of refugees and stateless persons. It could not be said that only a few countries were involved in what was in fact a purely humanitarian matter.

7. The work involved in administering applications to the proposed body would probably be light, but that was not a reason for not setting up the body at all. The General Assembly had shown interest in the problem in the past, and it was to be hoped that its initiative would be sustained in the Committee by the early adoption of draft resolution A/C.3/L.2140. If the representative of the Byelorussian SSR believed that there were more important matters before the Committee, the Committee should proceed quickly to the vote and it would then be able to turn its attention to such matters.

8. Mr. NOWORYTA (Poland) said his delegation felt that it would be premature to decide on the question under discussion at the current session since the Convention would not come into force until December 1975. It also agreed with other delegations that it was for the States Parties to the Convention to decide whether to establish the proposed body and to discuss the financial implications. He therefore requested the sponsors to withdraw draft resolution A/C.3/L.2140 so that further consideration of the matter could be postponed until a later date when delegations would be better prepared to consider it. If the sponsors of the draft resolution did not wish to withdraw it, he would formally propose that further consideration of the item be deferred until the following session.

9. Mrs. GERÉB (Hungary) agreed that it might be better to postpone consideration of the matter until a later session of the General Assembly so that delegations and Governments would have time to study it in greater detail.

10. Mrs. HEANEY (Ireland) said that the terms of reference of draft resolution A/C.3/L.2140 did not include a discussion of the reduction of statelessness *per se*; it was aimed at deciding on the procedure envisaged in article 11 of the Convention which would maximize the benefits of the Convention for those stateless persons who might wish to invoke the provisions of the Convention before a State Party. There was no question of invoking the Convention before a country which was not a State Party to it, and the sovereignty of States would therefore be fully respected. Furthermore, since the Convention had been drawn up under United Nations auspices, it would be inappropriate for States Parties to make any arrangements relating to it among themselves; if they did so, the Convention would indeed be removed from the purview of the United Nations, which was surely not what States Members would wish. The fact that only a few countries had so far ratified the Convention was beside the point.

11. Her delegation hoped that the discussions in the Committee would stimulate interest in the Convention and would result in ratification or accession by other States.

However, the sponsors of draft resolution A/C.3/L.2140 had refrained from including a paragraph urging such action because that was a separate issue.

12. She drew attention to the fact that, under article 20 of the Convention, the Secretary-General was required to bring the question of the establishment of the proposed body to the attention of the General Assembly, and he would have failed in his duty if he had not done so. Paragraphs 15 and 30 of the annual report of the United Nations High Commissioner for Refugees² referred to the significance of the Convention to refugees. The proposed body would be helpful to refugees, most obviously to children who were born to refugee parents in the country of asylum.

13. With regard to the changes proposed by the representative of Ecuador, she said that she had not had an opportunity to consult with the other sponsors, but that she felt that the necessary changes could be made in the Spanish text by the Secretariat, in consultation with the Spanish-speaking delegations.

14. Mr. SMIRNOV (Union of Soviet Socialist Republics) said the fact that 35 States had participated in the Conference on the Elimination or Reduction of Future Statelessness did not indicate that the majority of the States Members of the United Nations supported the Convention; indeed, only six States had signed the Convention.

15. With regard to the comments made by the representative of Australia, he himself had found no reference to refugees in the Convention, and there therefore seemed to be no reason why its implementation should affect the activities of UNHCR. Furthermore, as his delegation had already stated, it regarded the refugee problem as essentially a domestic problem of individual States. That problem, especially the problem of stateless persons and of persons having dual nationality, was obviously very complex.

16. Referring to operative paragraph 1 of draft resolution A/C.3/L.2140, he said that there was nothing in article 11 of the Convention which would give the Office of UNHCR the authority to assist persons claiming the benefit of the Convention. In any case, since the Convention would not enter into force until December 1975, it was too early to discuss the functions of any body which might be established in accordance with its provisions; from the legal point of view, such a body would not be able to operate before the Convention had come into force. Moreover, it was clear that the provisions of the draft resolution would apply only to States parties to the Convention, and those countries which had ratified the Convention did not in fact have many problems in the elimination of statelessness. He therefore supported the proposal that discussion of the question be postponed until the following session of the General Assembly.

17. Mr. FØNS BUHL (Denmark) welcomed the fact that the Convention on the Reduction of Statelessness would shortly

be coming into force. Denmark had not yet acceded to it because Danish legislation had had to be brought into line with the Convention. Those procedures had now been completed and Denmark would shortly become a party to the Convention.

18. Turning to draft resolution A/C.3/L.2140, he pointed out that the functions of the body mentioned in article 11 of the Convention were closely related to the general problem of refugees. Recent events had shown how useful such a body would be in solving such problems as citizenship and the country of domicile of refugees. It was obvious therefore that the Office of the United Nations High Commissioner for Refugees was the most appropriate agency to assume responsibility under article 11 of the Convention. As the Convention would come into force by 30 December 1975, it was high time to decide how the body mentioned in article 11 was to be established. He therefore urged the Committee to adopt draft resolution A/C.3/L.2140, so that a framework for the performance of those functions would be in existence when the Convention came into force.

19. Mr. MACRAE (United Kingdom) urged all delegations to obtain a copy of the Convention, which was available from the Documents Officer, and to read it carefully with a view to understanding both its limitations and its purposes.

20. He reminded the Committee that at its first session, held in 1949, the International Law Commission had selected the topic of "nationality, including statelessness", among others, for codification.³ The Commission had adopted a draft convention on the elimination of future statelessness⁴ at its sixth session, in 1954. Under article 11 of that draft convention, Contracting Parties were to establish an agency to act on behalf of the stateless persons before Governments. Similarly, the body mentioned in article 11 of the Convention on the Reduction of Statelessness was to be "a body to which a person claiming the benefit of this Convention may apply". Thus, the future body was not to be created for the benefit of the six Contracting States which had now ratified the Convention but on behalf of all stateless persons. The idea of the sponsors of draft resolution A/C.3/L.2140 was that a body which would serve as a focal point for the claims of all stateless persons should be established to provide advice on how to present applications and other similar matters. Its relevance to the functions of the United Nations High Commissioner for Refugees was obvious. The expertise of the High Commissioner's Office should be used to benefit all stateless persons.

21. It had been suggested that it was too early to establish such a body. He disagreed. Article 11 of the Convention provided for the establishment of such a body "as soon as may be after the deposit of the sixth instrument of ratification or accession", that was to say, any time after August 1974. The fact that the Convention itself would not come into force until 1975 did not mean that no action should be taken until then. If that approach was adopted, the situation would be the same as it currently was when

² See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 12* and corrigendum.

³ See *Official Records of the General Assembly, Fourth Session, Supplement No. 10*, para. 16.

⁴ *Ibid.*, Ninth Session, Supplement No. 9, para. 25.

the thirtieth session of the General Assembly convened, and the preparatory work to acquaint stateless persons with the functions of the new body would not have been done. It would therefore be operating *in vacuo*.

22. Those were the considerations which the sponsors of draft resolution A/C.3/L.2140 had had in mind when they submitted their text. They hoped that it could be voted upon forthwith.

23. Mr. NOWORYTA (Poland) formally proposed that in view of the fact that the Convention had not yet come into force, the Committee should decide to postpone the question to the next session of the General Assembly.

24. Mr. SPEEKENBRINK (Netherlands) welcomed the entry into force of the Convention. His Government had not yet ratified the Convention for the same reasons as the Danish Government, but it was preparing to do so. He therefore welcomed the efforts being made to establish the body mentioned in article 11, and he urged the Committee to follow the Secretary-General's suggestion to that effect, contained in paragraph 4 of the explanatory memorandum which was attached to his note (A/9691). Draft resolution A/C.3/L.2140 was in line with that suggestion and had the full support of the Netherlands delegation.

25. Mr. EVANS (Australia) said that the sponsors of draft resolution A/C.3/L.2140 felt that it contained an important proposal which should be acted on at the current session. He urged the representative of Poland not to press his proposal and to give the sponsors time to consult with the delegations that were interested in amending their text.

26. Mr. WIGGINS (United States of America) said that the proposal contained in draft resolution A/C.3/L.2140, namely that the Office of the United Nations High Commissioner for Refugees should assume the functions foreseen under article 11 of the Convention, was entirely appropriate. The purposes of the Convention and of that Office were closely related and entirely humanitarian; there should be no difficulty therefore in the High Commissioner assuming those responsibilities.

27. He failed to understand why the draft resolution had met with so much opposition in certain quarters. The Convention could not be said to benefit only the parties to it; it was intended for the protection of all stateless persons. The body mentioned in article 11 should be established immediately so that it would be ready to function when the Convention came into force in 1975. That would not be achieved if the item was postponed to the thirtieth session of the General Assembly. He therefore opposed the Polish proposal. The draft resolution should be put to a vote; his delegation would vote for it.

28. Mr. AL-QAYSI (Iraq) said he understood the argument that if the Convention was not to enter into force until 1975, there was no reason to give effect to article 11 at the present session. However, article 11 related, not to the entry into force of the Convention, but to the deposit of the sixth instrument of ratification or accession. That instrument had now been deposited and it was therefore entirely proper to act on article 11. Moreover, article 11 did not provide that the body in question should be established

immediately; it stated only that the Contracting States should promote its establishment. Draft resolution A/C.3/L.2140 must be considered in the light of that fact.

29. In order to make the position clear and render the text more acceptable to certain delegations, he proposed the following amendments. The words "to assume", in operative paragraph 1, should be replaced by the words "to assess". Operative paragraph 2 should be slightly reworded and the following words should be at the end of the paragraph: "the opinion and the arrangements the High Commissioner shall have made in this regard with a view to considering the question of the establishment of the body envisaged under article 11 of the Convention". It should be possible for the Committee to vote on the draft resolution, as amended, at the current meeting.

30. Mrs. SELLAMI (Algeria) agreed with the representative of Australia that action should now be taken to give effect to article 11 of the Convention and that the possibility of entrusting the functions of the body envisaged in that article to the United Nations High Commissioner for Refugees should be considered. The aims of the draft resolution were therefore entirely unexceptionable, and the amendments proposed by Iraq improved the text. If those amendments were accepted by the sponsors, it should be possible to vote on the draft resolution immediately.

31. Mr. MACRAE (United Kingdom) and Mr. EVANS (Australia), speaking as sponsors of the draft resolution, said that the amendments proposed by the representative of Iraq were of great interest; they would welcome the opportunity to consult with the Iraqi representative on a reformulation of their text.

32. The CHAIRMAN suggested that the meeting should be suspended for a short time for purposes of consultation.

It was so decided.

The meeting was suspended at 4.35 p.m and resumed at 5 p.m.

33. Mr. EVANS (Australia) announced that the sponsors of draft resolution A/C.3/L.2140 and the representative of Iraq had been able to agree on the following formulation for the two operative paragraphs.

"1. *Requests* the Office of the United Nations High Commissioner for Refugees provisionally to undertake the functions foreseen under the Convention on the Reduction of Statelessness in accordance with its article 11 after the Convention had come into force;

"2. *Decides* to review, not later than its thirty-first regular session, the opinion of the High Commissioner and the arrangements he shall have made in this regard with a view to taking a decision on the establishment of the body envisaged under article 11 of the Convention."

34. Mr. NOWORYTA (Poland) said that, while he was grateful for the efforts to achieve a compromise, the new text did not involve any change of substance. As his delegation could not accept the substance of the text, he

wished to press his proposal to postpone the question to the next session.

35. Mr. MACRAE (United Kingdom) pointed out that, under rule 131 of the rules of procedure of the General Assembly, the Committee should vote on proposals in the order in which they had been submitted. Draft resolution A/C.3/L.2140 therefore had priority over the Polish proposal.

36. Mr. NOWORYTA (Poland) observed that, under rule 116 of the rules of procedure, a representative might move the adjournment of the debate on the item under discussion. Such a motion had priority under both rule 116 and rule 119.

37. After a brief discussion in which the CHAIRMAN, Mr. EVANS (Australia), and Mrs. WARZAZI (Morocco) took part, Mr. ALFONSO (Cuba) recalled that, at the twenty-seventh session of the twenty-seventh session of the General Assembly, at the 1952nd meeting of the Third Committee, certain delegations, including his own, had presented a motion, under rule 116 of the rules of procedure, for the adjournment until the next session of the debate on the item concerning human rights in armed conflicts. That motion had been carried and there was therefore no reason not to follow that precedent in the present case. He asked whether the oral amendments to the draft resolution proposed by the representative of Iraq had been withdrawn.

38. Mr. AL-QAYSI (Iraq) explained that his oral amendments were no longer before the Committee, since some of them had been incorporated in the revised operative paragraphs read out by the representative of Australia.

39. He pointed out that the Polish proposal before the Committee was not a procedural motion for the adjournment of the debate but a substantive proposal that consideration of the item should be deferred until the next session. Rule 131 of the rules of procedure therefore applied.

40. Mrs. WARZAZI (Morocco) said that her delegation intended to abstain on the draft resolution, but wished the voting to be conducted in conformity with the rules of procedure. She could not vote for a motion for adjournment that set no specific date for the resumption of consideration of the item.

41. The CHAIRMAN said that, under rule 131, the Committee should vote on the proposals in the order in which they had been submitted, unless it decided otherwise. The Committee was master of its own procedure and she asked members to consider whether they wished to vote first on the draft resolution or on the Polish proposal.

42. Mr. BAROODY (Saudi Arabia) urged the Committee not to indulge in divisive procedural discussion and to

proceed forthwith to a roll-call vote on the draft resolution. His delegation, for one, intended to vote against the draft resolution.

43. After a brief discussion in which Mr. SMIRNOV (Union of Soviet Socialist Republics), the CHAIRMAN, Mr. SRINIVASAN (India), Mr. ALFONSO (Cuba), Mrs. GERÉB (Hungary), Mr. AL-QAYSI (Iraq), Mr. BAROODY (Saudi Arabia), Mr. EVANS (Australia) and Mr. MACRAE (United Kingdom) took part, the CHAIRMAN invited the Committee to vote on the question whether it wished to give priority to the Polish proposal that consideration of the item should be deferred until the next session of the Assembly.

The Committee decided, by 34 votes to 24, with 43 abstentions, not to give priority to the Polish proposal.

At the request of the representative of Saudi Arabia, a vote was taken by roll call on draft resolution A/C.3/L.2140, as orally revised.

The Central African Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Chile, Colombia, Costa Rica, Denmark, Ecuador, Germany (Federal Republic of), Greece, Guatemala, Honduras, Iceland, Ireland, Italy, Ivory Coast, Japan, Kenya, Laos, Lesotho, Malawi, Mexico, Netherlands, New Zealand, Nigeria, Norway, Sierra Leone, Spain, Swaziland, Sweden, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Australia, Austria, Belgium, Canada.

Against: Cuba, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Saudi Arabia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Bulgaria, Byelorussian Soviet Socialist Republic.

Abstaining: Central African Republic, Chad, Cyprus, Democratic Yemen, Egypt, Ethiopia, Finland, France, Gambia, Ghana, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nepal, Niger, Oman, Pakistan, Peru, Philippines, Portugal, Qatar, Rwanda, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Algeria, Bahrain, Bhutan, Botswana, Brazil, Burma, Burundi.

Draft resolution A/C.3/L.2140, as orally revised, was adopted by 35 votes to 11, with 59 abstentions.

The meeting rose at 6.05 p.m.

2103rd meeting

Friday, 29 November 1974, at 10.45 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2103

AGENDA ITEM 99

Question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply (concluded) (A/9691, A/C.3/L.2137)

1. Mr. NOTHOMB (Belgium), speaking in explanation of his delegation's vote at the previous meeting on draft resolution A/C.3/L.2140, said that Belgium had voted in favour of it in order to demonstrate its solidarity with a policy favourable to stateless persons, but it was unable to adhere to the Convention on the Reduction of Statelessness¹ for strictly legal reasons, since that instrument was incompatible with its national laws.

2. Mrs. MASSON (Canada) said that her delegation had voted for draft resolution A/C.3/L.2140 because it believed there should be a body to which people claiming the benefit of the Convention might apply. Although she would have preferred that the powers of UNHCR in respect of the application of article 11 and the fulfilment of its new functions should be defined, she thought that the General Assembly would have the opportunity of considering that matter later.

3. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his country had voted against draft resolution A/C.3/L.2140 because it considered it incorrect, since neither article 11 nor article 20 of the Convention provided for the establishment of any body but contemplated only the obligation of the parties to promote the establishment of such a body. Moreover, the Office of UNHCR was not directly related to the matter, since the Convention made no direct reference to refugees. He could find no justification for the haste with which the decision had been taken, since the Convention would not enter into force until the end of 1975 and even then would be binding only on Contracting States and not on the United Nations as a whole. Operative paragraph 1 of the draft resolution, in which the Office of the High Commissioner was requested to assume the functions foreseen under the Convention, seemed particularly unsatisfactory and in his view reflected a completely unfounded and unjustifiable haste. Lastly, he pointed out that only one fourth of the members of the Committee had voted for the draft resolution.

4. Mr. CABANAS (Spain) said that although his country was not a party to the Convention on the Reduction of Statelessness because it found some of its provisions unacceptable, it had voted for draft resolution A/C.3/L.2140 because it agreed in principle with the Convention and in practice applied the doctrine which that text embodied. Moreover, it considered that there was no more

appropriate body than the Office of the High Commissioner to assume the provisional responsibilities referred to in the draft resolution.

5. The CHAIRMAN said that consideration of the item had now been concluded.

AGENDA ITEM 62

National experience in achieving far-reaching social and economic changes for the purpose of social progress (concluded)* (A/9603, chap. I, chap. V, sect. A.1; A/9794, A/C.3/L.2134, 2135/Rev.1)

6. Mr. KANKA (Czechoslovakia) introduced revised draft resolution A/C.3/L.2135/Rev.1. In that text the seventh preambular paragraph of draft resolution A/C.3/L.2135 appeared as operative paragraph 1. In operative paragraph 2, the word "fundamental" had been deleted. Paragraph 4 had been redrafted to include nationalization among the sovereign rights of States and to reaffirm the right to take appropriate measures in connexion with the activities of transnational corporations. In paragraph 9, the Secretary-General was requested to submit to the General Assembly a report based on replies from Governments and in paragraph 10 it was decided that the item would be considered at the thirtieth session as a separate item of the agenda. He regretted that he could not agree to delete paragraph 2, as suggested by the representative of the United States. However, he was confident that the revised text would be acceptable to everyone and would be approved unanimously.

7. Mr. MACRAE (United Kingdom) said that, since it did not reflect the wishes of the Committee, his delegation would withdraw draft resolution A/C.3/L.2134. His delegation considered that the documentation relating to draft resolution A/C.3/L.2135/Rev.1 was insufficient. The report referred to in the third preambular paragraph had already been considered two years previously and was not before the Committee. Moreover, draft resolution A/C.3/L.2135/Rev.1 might prejudice the results of discussions on the question to be held at the thirtieth session of the General Assembly. In his opinion, there was no single model of social progress that could be generally applied; each country must find its own. He would like information concerning the financial implications of operative paragraphs 6, 7 and 9 and requested that the Secretariat should inform the Committee how paragraph 9 was going to be implemented. According to established practice, the financial implications of a draft resolution should be known before a decision was taken.

8. Miss VOLLMAR (Federal Republic of Germany) proposed an oral amendment to draft resolution A/C.3/

¹ A/CONF.9/15, 1961.

* Resumed from 2097th meeting.

L.2135/Rev.1, namely that in the fourth preambular paragraph the word "coexistence" should be deleted.

9. Mr. SANCHEZ GAVITO (Mexico) said that his delegation supported the revised draft resolution and noted with special interest operative paragraphs 1, 2, 3 and 4 referring to nationalization. In 1938, his Government had expropriated its petroleum, applying a legal concept of strict justice and claiming the right to nationalize a resource which by its very nature was of vital importance for social and economic development. In the draft Charter of Economic Rights and Duties of States² the principle of the right to nationalize was laid down as one of the inalienable rights of a State. Also, Mexico shared the universal concern caused by some activities of transnational enterprises, which, although they brought valuable technical and scientific advances to the societies in which they operated, pursued certain policies which were totally unacceptable from the standpoint of the sovereignty of States and carried on activities which affected the very stability of Governments. The Group of 77 had given its full support to the ideas put forward in the paragraphs he had mentioned. His delegation was gratified that those matters were beginning to be aired and noted that even the developed countries were beginning to suffer internal pressures caused by their gigantic corporations. He thought that the time had come to promote international action to consolidate the free exercise of full and permanent sovereignty which guaranteed to all States the exploitation of their natural resources.

10. Miss CAO-PINNA (Italy) referred to Economic and Social Council resolution 1746 (LIV) in which the Secretary-General was recommended to make a detailed analysis of the question of his periodic reports on the world social situation and said that the world social situation was the first substantive item on the agenda of the Commission for Social Development at its twenty-fourth session. In the light of the foregoing as well as of the inadequate substantive documentation available, and although her delegation fully recognized the importance of the item, she thought that the adoption of a draft resolution was not justified in the absence of adequate preparation by the Commission for Social Development and the Economic and Social Council. The debate had been very short and did not adequately reflect the variety of national experience. Her delegation therefore could not support draft resolution A/C.3/L.2135/Rev.1. Her Government attached great importance to the preparatory functions of the Commission for Social Development and the Council and to the latter's decision that the question should be considered within the broader framework of the world social situation. She supported the oral amendment proposed by the representative of the Federal Republic of Germany but had reservations concerning operative paragraphs 9 and 10 and especially operative paragraph 4, which in her opinion should be completed with a reference to the international obligation freely entered into by States.

11. Mrs. DUBOIS (France) suggested that in the fourth preambular paragraph of draft resolution A/C.3/L.2135/Rev.1, the words "coexistence and" should be deleted.

² Subsequently adopted by the General Assembly in its resolution 3281 (XXIX).

12. Mr. LÜTEM (Secretary of the Committee) informed the Committee that operative paragraphs 6, 7 and 9 of draft resolution A/C.3/L.2135/Rev.1 had no financial implications but operative paragraph 6 could entail changing the priorities of the programme of advisory services mentioned in that paragraph and that in the case of UNDP such a change in priorities was the responsibility of the Governing Council.

13. Mr. MACRAE (United Kingdom) said that his delegation was not convinced of the advantages of submitting another report on the item and thought that it would be better to deal with the question within the context of the report on the world social situation. For that reason, he proposed an oral amendment to the draft resolution to the effect that, in operative paragraph 10, the words "separate item of the agenda" should be replaced by the words "part of the item entitled 'The world social situation'". He also requested a separate vote on the words "prepare a comprehensive report on national experience in achieving far-reaching social and economic changes for the purpose of social progress to the thirtieth session of the General Assembly and to" in operative paragraph 9.

14. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the wording of the oral amendment just proposed by the United Kingdom was tantamount to a resubmission of the draft resolution which that delegation had withdrawn. His delegation had held consultations which had revealed that the overwhelming majority of Members wanted that item to be discussed separately at the thirtieth session of the General Assembly. His delegation could not accept the amendment proposed by the United Kingdom to operative paragraph 10; in addition, it felt that the passage in paragraph 9 to which reference had been made was designed to ensure that the report presented by the Secretary-General was as comprehensive as possible. In addition, he stressed that the draft resolution did not have financial implications.

15. The amendment of the Federal Republic of Germany was not acceptable either and, in that connexion, he recalled Economic and Social Council resolution 1867 (LVI). Coexistence was a principle that had already been recognized in the United Nations as essential to co-operation among States.

16. Mr. FIRN (New Zealand) said that his delegation was in general agreement with draft resolution A/C.3/L.2135/Rev.1 but had some reservations, particularly with regard to the language, which it felt should be more in line with other United Nations resolutions on the subject. It also doubted the value of regional seminars and saw little merit in the requested report since it related to a question that was already covered in the report on the world social situation. Consequently, his delegation would support the oral amendment submitted by the United Kingdom.

17. Mr. SPEEKENBRINK (Netherlands) said that his delegation had difficulty in accepting draft resolution A/C.3/L.2135/Rev.1. The reports requested by the Economic and Social Council had not been available for the current session because they were to be examined by the Commission for Social Development in January 1975. The report on the world social situation, for its part, would be

considered at the thirtieth session of the General Assembly. The resolution was therefore somewhat premature and did not adequately reflect the importance of the subject; in addition, it was not very clearly worded. The fifth preambular paragraph should be consistent with Economic and Social Council resolution 1746 (LIV). In operative paragraph 3 the words "all its riches" introduced an element of ambiguity. Generally speaking, the language should have been more in line with that of General Assembly resolution 3201 (S-VI). For those reasons, his delegation would abstain in the vote on the draft resolution and would support the United Kingdom amendment.

18. Mr. DE AZAMBUJA (Brazil) thanked the sponsors of the revised draft resolution for accepting the suggestions made in that connexion, as that would facilitate the voting on the draft. The text was still imperfect because of the discrepancy between its wording and that of other texts. Some delegations had raised relevant points and he had hoped that the sponsors would accept the amendment of the Federal Republic of Germany. Nevertheless, the merits of the text outweighed its imperfections and for that reason he would vote in favour of draft resolution A/C.3/L.2135/Rev.1.

19. Mr. EVANS (Australia) said that the revised draft resolution raised difficulties for his delegation similar to those mentioned by other delegations. Operative paragraphs 3 and 4 sought to paraphrase other texts, particularly article 2 of the draft Charter of the Economic Rights and Duties of States. He had doubts about the expression "permanent sovereignty" and, especially, the definition of the word "riches". The subject of nationalization was being discussed in other bodies. Besides, the first preambular paragraph still contained the word "fundamental". For all those reasons, his delegation would abstain from voting on draft resolution A/C.3/L.2135/Rev.1.

20. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) said that his delegation was in favour of draft resolution A/C.3/L.2135/Rev.1 which, in its view, was well formulated and reflected the status of the consideration of the item in other bodies of the United Nations system. It was contradictory for some delegations to allege that the discussions had not progressed at previous sessions due to the failure of the Secretary-General to present sufficient documentation while at the same time asking for the deletion of operative paragraph 9 which requested the Secretary-General to prepare such documentation.

21. Mr. WIGGINS (United States of America) said that draft resolution A/C.3/L.2135/Rev.1 referred to three matters that were already being considered: the question of transnational corporations, the question of sovereignty over natural resources and the question of nationalization. Those matters were being considered by the Second Committee, which was the appropriate forum. There was no reason for the Third Committee to express an opinion on them. Besides, a resolution of that type would be premature since the studies which had been entrusted to the Secretary-General and the report of the Commission for Social Development had not yet been received. Similarly, he regretted the retention of the word "fundamental" in the first preambular paragraph. For those reasons, his delegation would abstain from voting on the draft.

22. Mr. SANCHEZ GAVITO (Mexico) pointed out that the Second Committee was considering the draft Charter of the Economic Rights and Duties of States and that in the course of that examination it had already adopted article 2 which had previously been adopted by the Group of 77, now consisting of 101 countries. He read out the text of that article.

23. Mr. NOTHOMB (Belgium), stated that operative paragraph 2 of draft resolution A/C.3/L.2135/Rev.1 ignored the concept of interdependence, that the draft in itself was premature, that operative paragraphs 2 and 4 constituted interference in the internal affairs of States, that paragraph 4 did not mention compensation for nationalization and that the Third Committee was not the appropriate body to consider that subject. For those reasons, his delegation would abstain in the voting on the draft. In addition, he asked that the amendment proposed by the Federal Republic of Germany should be adopted, since the word "coexistence" had political connotations that were incompatible with the principles of the Third Committee.

24. Mr. FØNS BUHL (Denmark) said that his delegation would prefer that no decision on the subject should be adopted until the report of the Commission for Social Development was available. In addition, he had reservations concerning operative paragraphs 3 and 4 of draft resolution A/C.3/L.2135/Rev.1. Moreover, as the Second Committee was considering the same questions in connexion with the draft Charter of the Economic Rights and Duties of States, it would be premature to take a position on the subject at the present time.

25. Mr. BASCIO (Grenada) said that his delegation supported draft resolution A/C.3/L.2135/Rev.1, which was opposed by those countries whose economies were based on a monopolistic economic system. His delegation was in favour of nationalization and true development. Historically the capitalist systems depended for their continued viability on the underdevelopment of the third world. That statement did not presuppose any disrespect for those who had inherited that system and had to defend it. At all events, his delegation opposed the continuation of a system that disregarded national frontiers and sovereignty.

26. Mr. SANCHEZ (Venezuela) said that the reference to transnational corporations in draft resolution A/C.3/L.2135/Rev.1 was not at all vague. Everyone in the developing countries knew what they were. His delegation supported the draft Charter of the Economic Rights and Duties of States and would vote in favour of the revised draft resolution.

27. Mrs. MASSON (Canada) said that she would abstain from voting on draft resolution A/C.3/L.2135/Rev.1 for the reasons already stated by other delegations: the absence of documentation and the fact that it would be premature to adopt a decision on the subject. It would be better to wait until the Commission for Social Development considered the item at its twenty-fourth session in January 1975 on the basis of the relevant documents. Besides, many of the questions raised in the draft were more within the competence of the Second Committee. Her delegation also felt that there was no need to ask for additional information from the Secretary-General, as was done in operative

paragraph 9 of the draft resolution. It would be better to consider the matter at the thirtieth session of the General Assembly under the item relating to the world social situation.

28. Miss BIHI (Somalia) emphasized the importance of exchanging ideas on development. The information should relate to the actual process through which social structural changes and reforms were brought about and difficult situations resolved. Her delegation supported the concept of using socio-economic indicators to assess the capacity of various countries to improve the living standards of their people. Somalia had been oppressed by colonialism for many years and was making an intensive development effort. Experience had shown that development was an integral part of the maintenance of peace and security and the strengthening of international co-operation and understanding.

29. It was impossible for developing countries to establish industries and develop agriculture when they had to sell their products at deteriorating prices while paying inflationary prices for machinery and advanced technology. The international trade and monetary systems must be reformed, taking into account the interests of the developing countries. It was equally important to transfer modern technology. Her delegation therefore welcomed constructive international dialogue on all levels of social and economic co-operation, provided that it did not interfere with the socialist transformation which Somalia had chosen as a system for achieving its development. For those reasons also, her delegation was in favour of draft resolution A/C.3/L.2135/Rev.1 and would vote in favour of it. Similarly, it believed that consideration of the question in conjunction with the item entitled "World social situation" would dilute the perspective that the subject matter demanded.

30. Mrs. WARZAZI (Morocco) said that her delegation would vote in favour of draft resolution A/C.3/L.2135/Rev.1, although it entertained some reservations concerning the text. The draft was no more than a repetition of General Assembly resolutions 3201 (S-VI) and 3202 (S-VI). The contents of the second preambular paragraph and of operative paragraph 1 constituted interference in the economic and social planning of States. Operative paragraph 5 should be redrafted so as to read "all countries" in place of "various countries". Regarding paragraph 6, she stressed that fewer seminars and more operational technical assistance were needed and she asked for a separate vote on that paragraph. Finally, the question raised in paragraph 10 would be discussed in the framework of the world social situation, and there was therefore no point in dealing with it in isolation. The Second Committee was the appropriate forum for a separate discussion of the matter, and the resolution under consideration should be adopted there.

31. Mr. DIEZ (Chile) emphasized that the analysis of national experience was of great importance for the developing countries. His delegation shared the reservations expressed by other speakers and was in almost total agreement with the Moroccan position. The item called for clarity and study, and should be removed from the political arena. General principles were the only responsibility of the United Nations. It was the individual countries themselves

which had to decide on the circumstances and conditions of implementation. His delegation had collaborated closely in the drafting of the Charter of Economic Rights and Duties of States. Furthermore, it was inappropriate to reaffirm the rights of sovereign States, since they could not be the object of any vote and did not fall within the competence of the United Nations. Sovereign rights could not be decided upon by a Committee. His delegation would therefore abstain on draft resolution A/C.3/L.2135/Rev.1.

32. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the sponsors of draft resolution A/C.3/L.2135/Rev.1 accepted the replacement of the words "various countries" by the words "all countries" in operative paragraph 5. With regard to the interregional and regional seminars mentioned in paragraph 6, their purpose was to train national personnel, particularly in the developing countries, and they were therefore not a theoretical but a practical exercise.

33. The CHAIRMAN invited the Committee to vote on the oral amendment of the Federal Republic of Germany to the fourth preambular paragraph of draft resolution A/C.3/L.2135/Rev.1, to replace the words "peaceful co-existence and friendly co-operation" by "peaceful and friendly co-operation"; and on the oral amendment of the United Kingdom to paragraph 10 of the same draft, to replace the words "a separate item of the agenda" by the words "part of the item entitled 'The world social situation' ". A vote would be held on the draft as a whole, in its revised form, after a separate vote on paragraph 6 and on the words "to prepare a comprehensive report . . . thirtieth session of the General Assembly and" in paragraph 9, as requested by the representatives of Morocco and the United Kingdom respectively.

The amendment to the fourth preambular paragraph was rejected by 43 votes to 25, with 32 abstentions.

Operative paragraph 6 was adopted by 59 votes to 5, with 34 abstentions.

The whole of operative paragraph 9 was retained, by 64 votes to 14, with 23 abstentions.

The oral amendment to operative paragraph 10 was rejected by 45 votes to 27, with 30 abstentions.

Draft resolution A/C.3/L.2135/Rev.1 as a whole, as amended, was adopted by 85 votes to none, with 23 abstentions.

34. Miss ZALDIVAR (Philippines) said that her delegation had voted for the draft resolution which had just been adopted, but understood that the reference to nationalization in operative paragraph 4 presupposed that fair compensation should be paid.

35. Mr. THEODORACOPOULOS (Greece) said that his delegation had voted in favour of draft resolution A/C.3/L.2135/Rev.1 because it agreed with its fundamental principles, but had reservations concerning the reference to nationalization in operative paragraph 4 without an accompanying mention of compensation, and considered that, in that connexion, article 1 of the draft Charter of Economic Rights and Duties of States was applicable.

36. Mr. BATIBAY (Turkey) said that he had voted for the draft resolution solely because he agreed with the principles contained in it and because his country defended the sovereign right of countries to carry out nationalization, which was a means for development.

37. Miss VOLLMAR (Federal Republic of Germany) said that her delegation had abstained in the voting because it believed that draft resolution A/C.3/L.2135/Rev.1 was premature, since the reports called for in Economic and Social Council resolutions 1796 (LIV) and 1841 (LVI) were still being prepared and had not yet been considered by the Commission for Social Development. Furthermore, her delegation considered that the draft resolution was imprecise and contained sweeping generalizations. It seriously doubted that such a draft resolution could be of any practical use. With regard to operative paragraph 4, her delegation restated its position that nationalization should take place only in accordance with international law, and that it was in the interest of developing countries to ensure a continuing flow of investments to foster the growth of their economies.

38. Mr. TUERK (Austria) said that his delegation had voted for the draft resolution, but would have abstained on operative paragraph 4 if a separate vote had been taken. Austria had nationalized a large part of its basic industry after the Second World War, and considered that nationalization could be carried out in the public interest, provided that adequate compensation would be paid. Compensation was not deemed adequate unless it was prompt, effective and integral.

39. Mr. MACRAE (United Kingdom) said that his delegation had abstained because it encountered the same procedural and substantive difficulties expressed by other delegations, especially those of Australia and Belgium.

40. Mrs. WATANABE (Japan) said that her delegation had abstained on draft resolution A/C.3/L.2135/Rev.1 because it entertained serious doubts concerning operative paragraphs 3 and 4. There was no doubt that the social problems with which the draft dealt were important, but in her opinion they should be considered in the Second Committee.

41. Mrs. BALDE (Guinea) said that her delegation had voted for draft resolution A/C.3/L.2135/Rev.1 because it agreed with the ideas contained in the text. Her country had carried out great economic and social transformations in the interests of the people, and that was how the Government exercised effective control over the means of production, which were the exclusive property of the Guinean people. In the social field, her Government had undertaken important reforms, particularly in education, which was now obligatory for all children, who also took part in managing the educational establishments and helped by constructing basic materials, and even by making a contribution to the school budget through the sale of produce of their families' land and farms.

42. Mrs. DUBOIS (France), speaking in explanation of vote, said that her country had always been conspicuous for its interest in social progress. Proof of that was provided by the evolution of French law through legislation with regard to enterprises, foreign workers, the status of women and

other social questions. It had often, and rightly, been said that French planning attempted above all to harmonize the social and economic aspects of development. However, in draft resolution A/C.3/L.2135/Rev.1, the reference to "peaceful coexistence" gave the text a political character which was not within the competence of the Third Committee. It would have been much better to replace that expression by "friendly and peaceful co-operation between States". Regarding the reference to transnational corporations, not only could the suitability of raising the question at such a time and in such a place be questioned, but also it was difficult to accept that, in the name of the principle of non-interference in the internal affairs of States, foreign individuals or enterprises were denied the guarantees and facilities provided by laws and regulations, so long as they did not break them. Furthermore, it was inadmissible that nationalization, the principle of which was wholly acceptable, should not be accompanied by compensation in accordance with the practice of international law, which her Government respected. Thus on legal, political, economic and also formal grounds, her delegation had found itself unable to give its approval to particular provisions of draft resolution A/C.3/L.2135/Rev.1, and had therefore abstained on the proposed text as a whole.

43. The CHAIRMAN said that the Committee had completed consideration of the item.

AGENDA ITEM 59

Report of the United Nations High Commissioner for Refugees (concluded)* (A/9603, chap. I, chap. III, sect. F; A/9612 and Corr.1 and Add.1-3, A/C.3/L.2139)

44. Mr. STÅHL (Sweden) said that draft resolution A/C.3/L.2139 had met with almost unanimous support; there had been very few objections to it of no great importance, and the Soviet Union had been the only delegation to oppose it absolutely. He had therefore been surprised at the request for a postponement of the vote on the draft resolution since he felt that the Soviet Union's motives were the same as those which had prompted his own delegation to submit the draft resolution. For instance, the USSR representative had said that the draft convention on territorial asylum (see A/9612/Add.3, annex) should be discussed carefully and without haste, and that could be done best by a group of experts for, as everyone knew, the Commission on Human Rights had a very heavy work programme, and if it was entrusted with the consideration of the draft convention, that purpose would not be achieved. The Soviet Union wished the draft convention to be discussed and adopted by the General Assembly, and operative paragraph 5 of draft resolution A/C.3/L.2139 requested that the report of the group of experts be submitted to the General Assembly at its thirtieth session; only then would the conference of plenipotentiaries be convened. Furthermore, the representative of the Soviet Union had said that it was premature to convene a conference of plenipotentiaries at the present session; the terms of the draft resolution did not aim at doing so. All they did was to decide in principle that the conference of plenipotentiaries should be called and to establish the group of experts.

* Resumed from the 2101st meeting.

45. Mr. SMIRNOV (Union of Soviet Socialist Republics), replying to the representative of Sweden, said that at the 2101st meeting, the Swedish representative had not wished to discuss the question. The Swedish delegation asserted that all the speakers in the debate had been in favour of elaborating the convention and convening the conference; but the only speakers in favour had been from countries of the Western European Group, while another group of States had expressed opposition to such initiatives. Therefore, the USSR delegation considered that the proposal was still premature. Very few delegations had had the opportunity of considering the question in detail because there were almost no studies on it, and the Commission on Human Rights dealt only briefly with the matter. From every angle, it seemed more logical and more reasonable first to have the text of the draft convention and examine it, and then to solve the problem of the conference and its financial implications later. That had always been the United Nations practice and it had never been done the other way around. If the delegations supporting those proposals considered them so urgent, the draft convention could be studied in the Third Committee at the thirtieth session of the General Assembly, adopted in the Third Committee and opened for signature, without there being any need to convene a conference.

46. It had also been alleged that the Commission on Human Rights was overburdened with work and could not give the draft convention the necessary attention. The USSR delegation did not see any reason for passing over a United Nations body. Draft resolution A/C.3/L.2139 was vitiated by its over-hasty approach, and the USSR delegation could not accept it in any form.

47. Mrs. GERÉB (Hungary) said that, in her view, the United Nations had qualified bodies that could appropriately take over the work on the draft convention. In addition, recourse to those bodies would preclude the necessity for extraordinary expenditures, and the funds available to the High Commissioner could be used for assistance to the needy. Lastly, according to rule 153 of the rules of procedure of the General Assembly, no proposal involving expenditure could be submitted unless it was accompanied by an estimate of expenditures prepared by the Secretary-General, and there was no provision to that effect in draft resolution A/C.3/L.2139.

48. Mrs. WARZAZI (Morocco) said she had some doubts about the wording of draft resolution A/C.3/L.2139. Her delegation was in principle in favour of the draft resolution, but it considered that it was for the Sixth Committee to give the matter and the procedure to be followed the careful study that was required. She therefore failed to understand the purpose of the draft resolution. She was gratified to see that it was to be the President of the General Assembly and not the Chairman of the Third Committee who was to designate the members of the group of governmental experts, for that would relieve the latter of a very heavy responsibility. The draft resolution also provided that the experts should prepare a draft convention for the approval of a conference. She wondered what role the General Assembly would play in connexion with that conference.

49. Mr. KEITA (Mali) proposed that the words "legally trained" should be deleted from operative paragraph 2 since he felt it was unnecessary to spell that point out.

50. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) said that there was an internal contradiction in the text of the draft resolution. Rule 153 of the rules of procedure of the General Assembly provided that any resolution involving expenditure should be accompanied by an estimate of expenditures; it was therefore necessary to wait until the Fifth Committee had taken a decision on the matter. There was not even a tentative indication of the financial implications in draft resolution A/C.3/L.2139, and in the view of the Ukrainian SSR, they would not be small, since the meeting of a group of experts and the holding of a conference of plenipotentiaries involved substantial expenditures. His delegation supported the Hungarian representative's remarks and asked for a written statement of the financial implications of the draft resolution under discussion from the Secretary-General. Only then could a decision be taken.

51. Mr. EVANS (Australia) said that in reality the convening of the conference of plenipotentiaries would have no financial implications for the 1975 budget since the decisions on the date and costs of the conference would not be taken until the thirtieth session. For that reason rule 153 of the rules of procedure did not apply.

52. Mr. SMIRNOV (Union of Soviet Socialist Republics) pointed out that rule 153 was concerned with financial implications in general, regardless of the date on which the expenditures were to be made. His delegation associated itself with those delegations which had asked for a written statement of the financial implications of the draft resolution from the Secretariat; until that was available, the Committee should not proceed to a vote.

53. Mrs. GERÉB (Hungary) and Mr. LUBIK (Poland) pressed for a written statement of the financial implications of the draft resolution by the Secretary-General before the draft resolution was put to the vote.

54. Mr. CATO (Ghana), speaking on behalf of the sponsors, announced that operative paragraph 1 of draft resolution A/C.3/L.2139 should be amended to read as follows:

"Decides to consider at its thirtieth session the question of calling a conference of plenipotentiaries on territorial asylum".

55. Mr. BAL (Mauritania) suggested that operative paragraph 5 of the draft resolution should be amended to bring it into line with the new text of paragraph 1.

56. Mr. CATO (Ghana) said there was no incompatibility between paragraph 5 and the new paragraph 1. Paragraph 5 merely called for the submission of a report. He therefore asked the Mauritanian representative not to press his point.

57. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) congratulated the sponsors of the draft resolution on having reached a compromise solution on operative paragraph 1, and he proposed that in paragraph 5 the words "the

conference should be convened” should be replaced by the words “a conference of this kind should be convened”.

58. Mr. CATO (Ghana), speaking on behalf of the sponsors, accepted the amendment proposed by the representative of the Ukrainian SSR.

59. The CHAIRMAN called for a vote on the oral amendment to operative paragraph 2 proposed by Mali, to delete the words “legally trained”.

That amendment was adopted by 32 votes to 30, with 32 abstentions.

60. The CHAIRMAN called upon the Committee to vote on draft resolution A/C.3/L.2139, as amended as a whole.

Draft resolution A/C.3/L.2139, as amended, as a whole was adopted by 72 votes to none, with 25 abstentions.

The meeting rose at 1.45 p.m.

2104th meeting

Monday, 2 December 1974, at 10.50 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2104

AGENDA ITEM 53

Elimination of all forms of racial discrimination (continued)* (A/9603, chap. I, chap. V, section C.1; A/9618, A/9666 and Add.1-6, A/9719, E/5474, E/5475, A/C.3/L.2141 and Corr.1):

(b) Report of the Committee on the Elimination of Racial Discrimination

1. Mr. SCHREIBER (Director, Division of Human Rights) introduced the 1974 report of the Committee on the Elimination of Racial Discrimination (A/9618), submitted to the General Assembly in accordance with paragraph 2 of article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex). The Third Committee had decided earlier in the session to take up that report separately from the other subitems of the item entitled “Elimination of all forms of racial discrimination”, thus meeting the desire expressed by the Committee at its seventh session that the General Assembly should consider the Committee’s report separately from other items. There were two main reasons for giving the Committee’s report separate consideration. First, each of the Committee’s reports contained a detailed account of its consideration of the reports and other information submitted by the States parties to the Convention on the steps they were taking to give it effect. The fact that the number of States parties had now reached 81 meant that nearly two thirds of the States Members of the United Nations were reporting on their efforts to eliminate all forms of racial discrimination, and the results they were achieving. The Committee’s report therefore reflected to a large extent the progress achieved by the international community in that field. Secondly, the Committee’s report gave an insight into the operation of what was the first machinery for implementation provided for in an international instrument on human rights adopted under the auspices of the United Nations.

2. The Committee, which had been set up in 1969 under article 8 of the Convention, had constantly striven to

improve its methods of work. Its experience would therefore be useful to other similar bodies. He was thinking in particular of the Human Rights Committee to be set up under article 28 of the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex) when it came into force in the near future. The fact that the number of States parties to the Convention had increased from the original 27 to the present 81 gave some idea of the practical and organizational problems the Committee had had to solve.

3. It could be said that if the Committee on the Elimination of Racial Discrimination (CERD) was succeeding in its task, that was due in large measure to the active co-operation it received from the States parties to the Convention. The best evidence of that co-operation was the number and the high quality of the reports submitted to the Committee under article 9 of the Convention. Sixty-eight of the 74 States parties to the Convention which were to submit initial reports had already done so; 46 States out of 51 had submitted second periodic reports, and all the 36 States parties which were called upon to submit a third periodic report in 1974 had done so. Six supplementary reports had been submitted in 1974, four of which had been submitted on the initiative of the Government concerned. Since an increasing number of States were submitting their reports along the lines laid down by the Committee and were taking an active part in the Committee meetings at which their reports were considered, it could be said that the implementation machinery provided for in the Convention was achieving the purposes for which it had been set up.

4. The Committee’s present report covered its ninth and tenth sessions, which had been devoted to the consideration of the reports submitted by the States parties to the Convention. The Committee had considered 59 reports from 50 States parties in all. It had also considered the information communicated by 22 States parties in accordance with decision 3 (VII)¹ adopted by the Committee

* Resumed from 2062nd meeting.

¹ See *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 18, chap. X, sect. A.*

relating to the implementation of article 4, paragraphs (a) and (b), of the Convention regarding the adoption of immediate and positive measures to eradicate all incitement to racial discrimination.

5. The Committee had continued to follow the practice it had initiated at its fourth session of requesting the Secretary-General to notify the States parties concerned of the dates on which their reports were to be considered by the Committee. In 1974, 38 States parties out of 50 had appointed representatives to participate in such meetings. The Committee had decided to inform the States parties which had not sent representatives, through the Secretary-General, of the decisions adopted and the views expressed during the consideration of their reports. The Committee had also requested the Secretary-General to send reminders to States parties which had not submitted periodic reports as provided in the Convention before the deadline and also those States whose reports, in the Committee's view, did not entirely meet the requirements of article 9 of the Convention or did not contain enough information. Information on that point was to be found in chapter IV and annex IV of the report.

6. The essence of the Committee's work was to be found in chapter IV, which summarized the Committee's discussion of the reports submitted by 50 States parties. It showed the value not only of the information submitted in those reports but of the dialogue between the States parties to the Convention and the Committee with regard to the implementation of the Convention. Such a dialogue was all the more important at the present juncture since it offered the most effective means of achieving the aims of the Organization through persuasion. Having considered the third periodic report of the Syrian Arab Republic, the Committee had adopted decision 1 (X) (see A/9618, chap. VII, sect. B), in which it asked the General Assembly to take the necessary steps to enable the Government of the Syrian Arab Republic to take over full responsibility for the implementation of its obligations under the Convention on its whole national territory.

7. Pursuant to article 15 of the Convention, the Committee had considered, at the two sessions covered by the present report, copies of petitions and reports and other information relating to Trust Territories, Non-Self-Governing Territories and all other Territories to which General Assembly resolution 1514 (XV) applied (*ibid.*, chap. V). As in 1973, the Committee had set up four working groups to consider the documentation communicated to it by the Trusteeship Council and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. It had adopted several decisions drawing the attention of the General Assembly and the Special Committee to the views and recommendations it had formulated with regard to certain situations, as it was empowered to do under article 15 of the Convention.

8. The Committee had also considered what role it should play in the Decade for Action to Combat Racism and Racial Discrimination. It had welcomed resolution 3057 (XXVIII), in which the General Assembly had approved the Programme for the Decade, and resolution 3134 (XXVIII), in which the General Assembly expressed

the conviction that the Committee would contribute to the achievement of the objectives of the Decade.

9. At its ninth session, the Committee had decided, in response to General Assembly resolution 3134 (XXVIII), that it would make every effort to contribute to the success of the Decade by carrying out the tasks entrusted to it under the Convention. It had also decided to keep the question of the Decade on its agenda throughout the Decade and had requested the Secretary-General to keep it informed of the activities undertaken under the Programme. In response to that request, the Secretary-General had communicated to the Committee the reports (E/5474, E/5475) on the activities undertaken or planned in connexion with the Decade which he had submitted to the Economic and Social Council at its fifty-sixth session, and which the Third Committee had already considered under Subitem (a) of the agenda item. The Committee on the Elimination of Racial Discrimination had also been informed of resolution 1863 (LVI) of the Economic and Social Council on the Decade. Several members of the Committee had suggested that both the Committee and its individual members should take an active part in the activities planned under the Programme and the Committee had adopted decision 2 (X) on that subject (see A/9618, chap. VII, sect. B).

10. The Committee's decision 1 (IX) on the distribution of summary records of the Committee's public meetings and, at their request, the reports and other information submitted by States parties under article 9 of the Convention, was of great interest from a public information point of view (*ibid.*, sect. A). The Committee's records would be available to the public, as would the States parties' reports if they so wished. The information provided by States on the methods they used to combat racial discrimination and on their success or failure would certainly be useful to other States and all those seeking effective methods of combating racial discrimination.

11. Mr. WITH (Norway) said that earlier in the year his delegation had met with CERD in connexion with the latter's discussion of the second Norwegian periodic report (see A/9618, paras. 120-123) submitted in accordance with article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination, and had been favourably impressed with the thorough and conscientious way in which the members of that Committee, who were chosen in their personal capacity, carried out their tasks. Their competence and impartiality created an atmosphere of confidence which was of vital importance, since the usefulness of the Committee's work depended on its ability to develop a direct and open dialogue with the States parties to the Convention. Norway took a great interest in developing and strengthening the United Nations machinery for dealing with violations of human rights and hoped that CERD would set an example which might be followed in the future by other committees of a similar nature with regard to the methods of work to be adopted in order to facilitate the implementation of international instruments on human rights. His delegation therefore supported the continued efforts of CERD to fulfil its mandate by seeking to ensure that the reports submitted by States parties were as comprehensive as possible in accordance with their obligations under article 9 of the Convention. It also felt

that CERD should make efforts to establish a close working relationship not only with the States parties to the Convention, but also with other United Nations bodies and with the specialized agencies. Moreover, Norway favoured general distribution of the Committee's documentation, and therefore welcomed the decision taken at its ninth session concerning the distribution of summary records of its public meetings and of reports and other information submitted by States parties under article 9 of the Convention.

12. The Committee was a body well suited for contributing to the Decade for Action to Combat Racism and Racial Discrimination, and should co-operate closely with other organizations taking part in the activities of the Decade. His delegation considered that it would be appropriate to take initiatives to make the Convention and the action of CERD better known to the public. In conclusion, he expressed the hope that more Member States would ratify and accede to the Convention, and that States which had not yet become parties to it would take urgent action to enact appropriate legislation in conformity with the aims and purposes of the Convention.

13. Mr. FIRN (New Zealand) said that New Zealand had ratified the International Convention on the Elimination of All Forms of Racial Discrimination in 1972 and had submitted its first report under article 9 of that Convention earlier in the current year. One of the most important results of the review of its national law and practice which New Zealand had undertaken before ratifying the Convention had been the adoption of the Race Relations Act, which, together with the administrative and other measures adopted to give effect to the Convention, reflected the importance New Zealand attached to eradicating all manifestations of racial discrimination and to promoting racial harmony. Details of those measures were given in New Zealand's report to the Committee (*ibid.*, paras. 99-101), which had been prepared in accordance with the guidelines adopted by the Committee, and New Zealand had been gratified by its favourable reception.

14. The Committee was to be congratulated on its continuing efforts to eliminate racial discrimination. It had a novel function: it was the mainstay of the first human rights convention adopted under United Nations auspices which set up special machinery for implementation. If the goals of the Convention were to be achieved, the States parties must enter into a constructive dialogue with the Committee. As was apparent from the Committee's records and its report, however, there had been a conflict between the emphasis placed on sovereignty by certain countries in their relations with the Committee and a desire on the part of other countries that the Committee should carry out its functions more effectively. His delegation welcomed the fact that many States had fulfilled their reporting obligations, but it regretted that a few States had been dilatory in furnishing their reports, notwithstanding reminders. His delegation urged those States to comply with the requirements of the Convention and to co-operate with the Committee as soon as possible.

15. Lady GAITSKELL (United Kingdom) said that the Committee on the Elimination of Racial Discrimination was a model for the United Nations role in promoting and

protecting human rights. Her delegation noted with appreciation the value the Committee itself placed on its dialogue with the Third Committee. The Committee was a body of impartial experts deriving its powers from the Convention itself and it was jealous of its independence. The United Kingdom welcomed that independence. It was happy to note, however, that CERD had given careful consideration to the views expressed in the Third Committee in the debate the previous session. Her delegation welcomed that dialogue as warmly as did CERD itself. The United Kingdom's own views on the obligations of States parties under article 5 of the Convention were to be found in paragraph 19 (*b*) of the report. Article 5 formed the basis for those activities in which racial discrimination was outlawed, but the list was not exhaustive and she trusted that the Committee would not consider itself bound by the headings to be found in that article.

16. Turning to the report itself, she said that the Committee had taken a significant step in its decision to cease classifying reports as "satisfactory" or "unsatisfactory", a judgement which the Committee itself admitted to be based not so much on the content of the reports as on the fulfilment of the reporting requirements laid down in paragraph 1 of article 9 of the Convention. Her delegation shared the view that such a classification might be misleading; a report classified as satisfactory might be taken to indicate that the human rights situation in the reporting country itself was also satisfactory, which was not necessarily the case. It therefore welcomed the decision that the Committee would concentrate henceforth in its evaluation of the reports on the legislative, judicial, administrative and other measures which gave effect to part I of the Convention or, equally important, those which failed to do so.

17. Her delegation welcomed the Committee's decision 1 (IX) regarding the release of the summary records of the Committee's public meetings and of the reports of States parties if they so requested. That would serve to publicize the work of the Committee, provide interested bodies and persons with the opportunity to scrutinize the Committee's work and contribute to the dialogue between the international community and individual States.

18. Turning to the Committee's procedures, she strongly emphasized that if the Convention was to operate effectively, States parties must submit their reports on time. The States mentioned in paragraph 74 of the report did not appear to be giving serious attention to their obligations under the Convention. As to the Committee's reports themselves, she welcomed the Committee's decision to concentrate on the substance of the States parties' reports; its thoroughness and professional expertise were demonstrated by the synopsis of its proceedings (*ibid.*, paras. 75 to 251). She welcomed the practice of inviting country representatives to attend the Committee's meetings when their country's reports were being considered. That gave a bird's-eye view of the way in which different countries were tackling the same problems.

19. With regard to the decisions that the Committee had taken at its ninth and tenth sessions, her delegation had already commented on the substance of decision 1 (X), concerning the situation on the Golan Heights, in previous years. With regard to decision 2 (X), concerning the Decade

for Action to Combat Racism and Racial Discrimination, her delegation supported the Committee's readiness to associate itself with the Programme but it preferred the Committee to adopt a strict constructive attitude towards its obligations. Her delegation had been disappointed to note that in operative paragraphs 2 and 5 the Committee had gone beyond its terms of reference; she noted, however, that there had been disagreement within the Committee on that decision. Her delegation welcomed the proposal in paragraph 4 (a) of that decision regarding the publication of a brochure explaining the Convention and the work of the Committee. Lastly, the aim of the Committee should be to encourage improvement and change where they were warranted. In the view of her delegation, the Committee was to be commended for continuing to fulfil its mandate with competence and vigour, despite the pressures to politicize its work.

20. Mr. HUSSAMY (Syrian Arab Republic) said that the role of the Committee on the Elimination of Racial Discrimination in implementing the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination and also in contributing to the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination could not be underestimated. The increasing number of countries which had ratified the Convention was very encouraging and showed that Member States were increasingly concerned about putting an end to racial discrimination, especially in areas where both racial discrimination and foreign occupation still prevailed.

21. The Syrian Arab Republic had been a party to the Convention for more than five years and had always been inspired by the spirit and letter of that instrument. At the national level, the new Constitution of 1973 embodied nearly all the rights set forth in article 5 of the Convention. At the international level, the Syrian Arab Republic had always acted promptly, in accordance with article 9 of the Convention, in submitting reports and in providing additional information required by the Committee. The third periodic report of the Syrian Arab Republic had been examined by the Committee and was discussed in paragraphs 202-207 of the report.

22. The Syrian Arab Republic had always respected its obligations under the Convention but it had been unable to implement it in all parts of its territory because of the Zionist occupation. The occupying authorities were practising all forms of racial and religious discrimination against the Syrian Arabs and were violating their basic rights; over the seven and a half years of Zionist occupation of the Golan Heights the situation had greatly deteriorated. The actions of the Zionist authorities constituted a premeditated policy of colonial expansion.

23. He drew attention to the report of the Special Committee to investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,² which was being considered by the Special Political Committee under agenda item 40, and in particular to its conclusion in chapter VI and the conclusions about the destruction of Quneitra in chapter V (D). In that instance

the Israeli authorities had clearly acted in violation of articles 47 and 53 of the Convention relative to the Protection of Civilians in Time of War.³ Moreover, Israel, an entity based on racial and religious discrimination, was not a party to the International Convention on the Elimination of All Forms of Religious Discrimination and had so far refused to ratify it. It was therefore appropriate that CERD should concern itself with the situation in the Golan Heights. He drew attention in that connexion to its decision 4 (VII)¹ and 1 (X) expressing concern over that situation. Article 8 of the Convention had provided for the formation of CERD so that the provisions of the Convention could be implemented. The Committee should therefore assume its responsibilities in the very important question of the situation in the Golan Heights, where a foreign authority, which was not a party to the Convention, was practising racial and religious discrimination in a part of the territory of a State which was a party to that instrument. By not ratifying the Convention, Israel was seeking immunity from its provisions and was challenging the very basis of human rights.

24. Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics) noted that the International Convention on the Elimination of All Forms of Racial Discrimination had provided CERD with the necessary guidelines and appropriate authority for the fulfilment of its tasks. The Committee's report on its ninth and tenth sessions (A/9618) showed that it had quite rightly concentrated its efforts on consideration of the reports submitted by States parties under article 9 of the Convention, and of the copies of petitions, copies of reports and other information relating to Trust and Non-Self-Governing Territories in conformity with article 15 of the Convention.

25. His delegation whole-heartedly supported decision 1 (X) of the Committee and hoped that the necessary steps envisaged in operative paragraph 3 would be taken by the General Assembly. During 1974, CERD had been actively concerned with the struggle against racism and *apartheid*, and its activity had complemented the efforts being made by the Security Council and the General Assembly towards the eradication of those shameful policies. The Committee's decision to include the item "Decade for Action to Combat Racism and Racial Discrimination" in its agenda showed its desire to contribute to the activities of the Decade. He drew attention in particular to the Committee's resolution 2 (X), adopted on the initiative of experts from the socialist and developing countries, operative paragraph 5 of which was especially significant. His delegation believed that in adopting those decisions, the Committee had acted in full accordance with the aims and purposes of the international Convention.

26. The Committee had undoubtedly achieved much, but at the same time his delegation hoped that it would search more intensively and actively for ways and means to eradicate all forms of racial discrimination, acquaint itself more fully with certain resolutions of the General Assembly and its organs and seek support for its work in the legitimate aspirations and hopes which characterized the contemporary balance of forces on the international scene, as expressed by the overwhelming majority of

² A/9817.

³ United Nations, *Treaty Series*, vol. 75, No. 973.

Member States. The United Nations and its numerous organs had repeatedly expressed resolute condemnation of those who practised and preached the policy of racial discrimination and *apartheid*. In that connexion, it was deplorable that certain States which engaged in energetic propaganda depicting themselves as defenders and supporters of human rights should at the same time provide massive supplies of arms to South Africa and Southern Rhodesia, where the racists were destroying thousands of Africans fighting against racial discrimination and *apartheid*.

27. His delegation hoped that the Committee on the Elimination of Racial Discrimination would continue to carry out its functions strictly in accordance with the provisions of the Convention; the General Assembly would thus be justified in expecting from the Committee new and more effective decisions aimed at the speediest elimination of all forms of racial discrimination.

28. Mr. MARMURI (Libyan Arab Republic) expressed appreciation of the efforts of the Committee on the Elimination of Racial Discrimination in preparing the Report under consideration, and welcomed the spirit which had inspired members of the Committee in their work. In connexion with paragraph 69 of the Report, he said that the Libyan Arab Republic had submitted its third periodic report, in accordance with article 9 of the Convention, in October 1974. It had also submitted its first and second periodic reports on time, and it would continue to co-operate with the Committee in the realization of its aims.

29. With regard to paragraph 33 of the report, his delegation supported the idea that the Committee should be more closely associated with the Programme for the Decade for Action to Combat Racism and Racial Discrimination, and should take action on the steps provided for in paragraph 12 (a) (iii) of the Programme.

30. Miss ILIĆ (Yugoslavia), introducing draft resolution A/C.3/L.2141, said that Botswana, Jordan and Nigeria were to be included among the original sponsors of the draft resolution.

31. She wished to add a new operative paragraph 6 to the draft resolution, which would read:

“Commends the practice of the Committee, inaugurated with its adoption of General Recommendation III, of welcoming and seeking information from States Parties to the Convention regarding their respective implementation of the relevant resolutions of competent United Nations organs concerning relations with the racist régimes of southern Africa.”

32. In operative paragraph 7, which would now become paragraph 8, the words “bilateral, regional and multilateral” should be replaced by “international instruments and”.

33. Mr. BAL (Mauritania), referring to the comments contained in chapter II of the Committee’s report (A/9618) concerning the decisions taken by the General Assembly at its twenty-eighth session, noted with surprise that while the General Assembly’s favourable reception of the fourth

annual report of CERD⁴ was welcomed as an encouraging sign of the increasingly positive relationship between that body and the Assembly, there was still some divergence of opinion about the importance which CERD should attach to the views expressed by Member States in the Third Committee regarding the activities, decisions and actions of CERD. In that connexion, he drew attention to the views expressed by Mr. Ingles in paragraph 17 of the report, to the effect that CERD should focus its attention on the decisions of the General Assembly rather than on the individual opinions of members of the Third Committee which had not been endorsed by the Assembly; otherwise, Mr. Ingles had continued, there was a danger that the dialogue might become a confrontation. It was encouraging to note, however, that that view had been disputed in the same paragraph by Mr. Dayal, who had indicated that it was difficult to do justice to the Assembly’s debates without mentioning some of the opinions of individual members, and denied that CERD would be exceeding the limits of its functions if it referred to those opinions.

34. With reference to the consideration of copies of petitions, reports and other information relating to Trust and Non-Self-Governing Territories and to all other Territories to which General Assembly resolution 1514 (XV) applied, he pointed out that, on the subject of Southern Rhodesia, CERD had noted with regret that the persistent call for a change of attitude on the part of the illegal régime seemed to have no effect, and in particular that the régime attempted to attract massive white immigration into the country with the object of changing its demographic composition. It had also noted the reported upsurge in repression by the South African authorities in Namibia, including restrictions on the freedom of movement, torture in prisons and inhuman conditions of detention. The statements made by some members of the Committee seemed to suggest that such matters could be dealt with by the adoption of procedural resolutions. His delegation disagreed with that view, and therefore supported draft resolution A/C.3/L.2141, which concentrated on substantive issues. However, it would like the text to be a balanced one and to include specific mention of the various petitions relating to Trust and colonial Territories, particularly in Africa. In that connexion, he indicated that sponsors of the draft resolution whom he had contacted had raised no objection to such a provision.

35. Mrs. PALTÍ (Israel) said that a detailed reply to the allegations of the representative of the Syrian Arab Republic had been given by the representative of Israel, Ambassador Doron, in his statement to the 928th meeting of the Special Political Committee on 8 November 1974. In any case, such allegations were strange coming from a State which deprived its own inhabitants of their fundamental human rights.

36. Lady GAITSKELL (United Kingdom), referring to the comments made by the representative of Mauritania concerning white immigration to Southern Rhodesia, pointed out that the figures showed a considerable decline in such immigration over the past few years, and that she could supply them to the representative of Mauritania if he so desired.

⁴ Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 18.

37. Mr. BAL (Mauritania) thanked the representative of the United Kingdom for that useful information, of which his delegation had duly taken note. He pointed out, however, that his statement was based on the report of CERD, which had regretted the attempt of the illegal régime to change the demographic composition of Southern Rhodesia by massive white immigration.

38. Mr. HUSSAMY (Syrian Arab Republic), referring to the statement made by the representative of Israel, said that it was ridiculous for the delegation of an enemy which had been condemned for many violations of human rights to accuse the Syrian Arab Republic of such practices, and challenged that delegation to cite a single United Nations resolution supporting its claim.

*Various questions dealing with the
International Women's Year*

39. The CHAIRMAN said that the submission of the second part of the Committee's report on agenda item 12,⁵

⁵ See *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 12, document A/9829/Add.1.

which was principally concerned with its discussions on the International Women's Year, to the General Assembly had been delayed because the various regional groups had not yet made known the names of the States which would make up the Consultative Committee for the Conference of the International Women's Year, the creation of which had been provided for in the draft resolution that the Committee had adopted on the topic at its 2080th meeting (A/C.3/L.2118/Rev.2).⁶ The only group that had submitted a list of names was that of Latin America.

40. Mr. SAYAR (Iran) announced that his country had decided to contribute \$US30,000 to the fund for voluntary contributions for the International Women's Year established in accordance with Economic and Social Council resolution 1850 (LVI). Part of that sum would be devoted to meeting the costs of the meeting of the Consultative Committee which would advise the Secretary-General on the preparation of an international plan of action to be finalized by the Conference when it met in 1975.

The meeting rose at 12.30 p.m.

⁶ *Ibid.*, para. 37, draft resolution III.

2105th meeting

Monday, 2 December 1974, at 3.20 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2105

AGENDA ITEM 53

Elimination of all forms of racial discrimination (continued) (A/9603, chap. I, chap. V, sect. C.1; A/9618, A/9666 and Add.1-6, A/9719, E/5474, E/5475, A/C.3/L.2141 and Corr.1):

(b) Report of the Committee on the Elimination of Racial Discrimination (continued)

1. Mr. JOB (Yugoslavia) said that his delegation, after studying the report of the Committee on the Elimination of Racial Discrimination (A/9618) and hearing the statement at the previous meeting by the Director of the Division of Human Rights, who had introduced the item under discussion, was more than ever convinced that the decision to consider the matter separately was completely justified.

2. Yugoslavia had always attached the greatest importance to the question of racial discrimination and to the efforts of the United Nations to eliminate all forms of discrimination based on race, colour, nationality or other distinctive characteristic. It had therefore ratified the International Covenants on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) at an early date. In accordance with the provisions of article 9 of that Convention, his Government had regularly sent in the reports which, as a State party, it was required to submit to the Secretary-General. The Seminar on the Promotion and Protection of the Human Rights of National Ethnic and Other Minorities had been held from

25 June to 8 July 1974 at Ohrid, Macedonia, under the auspices of the United Nations, and a report on it¹ was now available to members of the Committee. Yugoslavia, as a multinational State, paid great attention to those questions in its internal and foreign policy. His Government believed that any discrimination, as formulated in article 1, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, seriously compromised friendly relations between States and constituted a serious threat to peace. For that reason, it was important that States should abide by the obligations they had contracted under existing instruments on the subject or under bilateral, regional or multilateral treaties. In particular, *apartheid*, which constituted a scandalous and criminal form of racial discrimination, could not be tolerated. The members of the Committee on the Elimination of Racial Discrimination should be commended for the determination with which they had sought to contribute to the realization of the Decade for Action to Combat Racism and Racial Discrimination. In that connexion, his delegation was sure that the decolonization process in Africa, which had been given additional impetus by the changes in Portugal, would continue ineluctably, bringing freedom to peoples still under colonial domination and doing away with the final vestiges of racism and discrimination.

3. The work and the report of the Committee were praiseworthy in every way. It was very encouraging that

¹ ST/TAO/HR/49.

more than 80 States had ratified the Convention, and it was to be hoped that others would soon follow suit. However, discrimination would not automatically be eliminated simply because the Convention had been widely ratified. That result could be achieved only by supplementing effective legal measures with, among others, political, social and cultural measures.

4. The report of the Committee on the Elimination of Racial Discrimination reflected its careful consideration of the reports submitted by the States parties in accordance with article 9 of the Convention. In conformity with that Committee's general recommendation IV,² his Government had provided data on the demographical composition of its population. He trusted that other Governments would also provide the supplementary information that had been requested.

5. With reference to minorities, he wished to comment on the part of the Committee's report in which it expressed concern over the apparent failure of Austria to implement the provisions of articles 4 (a), 4 (b), 5 (e) (vi), 5 (f) and 7 of the International Convention on the Elimination of All Forms of Racial Discrimination, with the result that those who read the report might not have a clear picture of the position of the Slovenian and Croatian minorities in Austria. The fact that the representative of Austria had told the Committee on the Elimination of Racial Discrimination that "there were no distinct national or ethnic groups in Austria although there were religious and linguistic minorities" (A/9618, para. 135) caused concern to his delegation which could not content itself with that statement or accept the further statement that minorities were "completely free to develop their culture and use their languages and had every opportunity to do so" (*ibid.*, para. 137). That statement was in contradiction with paragraph 134, according to which some members of the Committee "noted with concern that the report stated that there was no provision in Austrian law for a right to equal participation in cultural activities (as provided for in article 5, paragraph (e) (vi), of the Convention)". Furthermore, the Law on Minority Schools in Carinthia of 19 March 1959 had abolished compulsory bilingual education, and the minority language was no longer taught except at the express request of the parents, which had to be made each year. With reference to the official use of the Croatian and Slovenian languages, the report stated, again in paragraph 135, that "certain disparities were noted between the provisions of some of the international treaties by which Austria was bound and those of its own laws, with respect to minorities", and that "the explanation given in the report... appeared to indicate that certain obligations under an international treaty had been abridged or limited by a federal law". It was well known that many representatives of the Slovenian and Croatian minorities frequently expressed their dissatisfaction with Austria's failure to implement fully the provisions of the State Treaty concerning minorities. He stressed that his Government had, since 1955, repeatedly drawn the attention of the Austrian Government to the fact that minorities were exposed to permanent pressure and various threats in violation of the State Treaty and that contrary to the statement made by

the representative of Austria, also mentioned in paragraph 137 of the report, the position of both minorities had been constantly deteriorating. There were currently in Austria organizations with neo-nazi and racist policies, such as the Karntner Heimat Dienst organization; the existence of such organizations was expressly forbidden under the terms of article 7, paragraph 5 of the State Treaty and of article 4 (b) of the Convention. It was disturbing to note that although a special census of minorities was planned in Austria for 1981, the measures required for improving the position of minorities were being postponed pending the results of such a census. Experience had shown that such censuses could be used as instruments of pressure and intimidation against minorities. Furthermore, observance of the rights of minorities must in no case depend on their numbers. The common purpose of all members of the Committee must be to ensure that declarations concerning respect for human rights should be accompanied by the strict application of international obligations in that respect.

6. With reference to the third periodic report by Bulgaria, it was stated in paragraph 240 of the Committee's report that it

"noted with regret that information on the ethnic composition of the population, as envisaged in general recommendation IV, had not been provided. It was observed that large national minorities such as Turks and Macedonians lived in Bulgaria and that it would be important to have information on their situation with respect to the provisions of the Convention".

He pointed out in that connexion that following a population census held in Bulgaria in 1956, the official figure for the number of Macedonians had been 178,862 but that the existence of a distinct Macedonian national minority in Bulgaria had not been recognized. It was to be hoped that the Government of Bulgaria would provide satisfactory information on that subject in reply to the request of the Committee on the Elimination of Racial Discrimination.

7. In the matter of minorities, his delegation had been motivated only by a desire to protect their rights as provided for in international treaties and agreements. Yugoslavia had always believed that the settlement of the problem of minorities on the basis of respect for their rights could not but help to build bridges of understanding, co-operation and friendship between countries, thus promoting rapprochement between nations and the advent of an era of international peace.

8. Mrs. GRINEVICH (Byelorussian Soviet Socialist Republic) welcomed the work carried out by the Committee on the Elimination of Racial Discrimination, since action to combat racism in all its forms was an important aspect of the activities of the United Nations. At its ninth and tenth sessions, the Committee had considered a series of documents containing information on the situation in the Territories which were still under the colonial yoke and in which racism and discrimination were rampant. In particular, it had considered a working paper relating to Southern Rhodesia and South Africa. It was deplorable that in those countries the indigenous population was still being violently

² See *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 18*, chap. X, sect. B, decision 1 (VIII).

repressed, subjected to brutality and torture and denied freedom of movement. The Committee had stated that it was in favour of the application of stricter sanctions against régimes which practised such a policy. It had once again appealed to all members of the international community to implement fully the measures provided for in the relevant resolutions and decisions of the General Assembly and the Security Council with a view to the elimination of racial discrimination and *apartheid*. The Byelorussian SSR supported those measures and welcomed the decision of the Credentials Committee to reject the credentials of South Africa.³ The colonial peoples that had, after long struggle, regained their freedom in Africa were raising the question of the total elimination of colonialism on that continent. It must be recognized that racism and colonialism would have been eliminated long ago if the countries which were the first in loudly condemning them practised what they preached. Her delegation supported all the decisions taken by the Committee with regard to action to combat racism and racial discrimination, including in particular the decisions relating to the Golan Heights because the Syrian Arab Republic, a State party to the Convention on the Elimination of All Forms of Racial Discrimination, was not able to fulfil its obligations under the Convention.

9. Her delegation supported draft resolution A/C.3/L.2141 and joined with the delegations which had appealed to the States not parties to the Convention to accede to it and ratify it. The Byelorussian SSR was a party to that Convention and, as such, fully respected the commitments it had undertaken. Racial discrimination had always been considered inadmissible—and that was an absolute principle—in the Byelorussian SSR, where, as in the Soviet Union as a whole, the principle of equality was applicable to all citizens, irrespective of their nationality, race or any other distinctive characteristic. The encouragement of racial discrimination was punishable by law under articles 97 and 71 of the Byelorussian Penal Code. The creation of privileges for the benefit of a specific category of citizens was punishable by imprisonment from six months to three years or by exile for three years. She was, however, happy to state that she had no cases of the application of article 71 of the Penal Code to report because the question of racial discrimination did not arise in her country. The Byelorussian SSR would always support the peoples who were waging a just struggle against oppression, racism and racial discrimination. She hoped that the Committee on the Elimination of Racial Discrimination would continue, as it had always done, to struggle resolutely against that scourge.

10. Mr. KANKA (Czechoslovakia) said that his country had taken an active part in the international community's efforts to eliminate racism and had always endeavoured to provide effective assistance to peoples struggling against the oppression of racist régimes. Despite the efforts made by the United Nations, racism and racial discrimination continued to exist in various forms. Every day, the world learned of shocking abuses committed in South Africa, where a shameful régime was using murder and the suppression of the national liberation movements to preserve its political power and economic domination based on the plundering of natural resources and the exploitation of

peoples. By adopting the International Convention on the Elimination of All Forms of Racial Discrimination, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights, the peoples of the world had gained important instruments for their struggle against racism and racial discrimination. At its twenty-eighth session, the General Assembly, in its resolution 3057 (XXVIII), had adopted the Programme for the Decade for Action to Combat Racism and Racial Discrimination, which provided for the implementation of a number of measures in the political, economic, social and cultural fields and in the field of education and training and the adoption of other documents aimed at the elimination of racial discrimination. The promotion and encouragement of respect for human rights and fundamental freedoms were among the primary objectives of the Charter; for that reason, the United Nations must make renewed efforts to give effect to those principles. Such results could be achieved only by the adoption of further concrete measures for the elimination of racial discrimination, particularly when it took the form of *apartheid*. It was the moral and political duty of every State to implement the measures adopted for that purpose and to ensure that in its territory the law provided all citizens with guarantees against any possible manifestation of racism and racial discrimination.

11. The legal system of the Czechoslovak Socialist Republic contained specific provisions guaranteeing respect for the principle of equality, without distinction as to race or colour, nationality or ethnic origin, in accordance with article 20 of its Constitution. In that connexion, the legal guarantees went even beyond the requirements of international agreements relating to human rights.

12. The efforts now being made by the peoples of the world to maintain international peace and security in the current atmosphere of détente gave reason to hope for further social progress and to hope that racism and racial discrimination, which impeded such progress, would be finally eliminated through the combined efforts of the international community.

Miss Dubra (Uruguay), Vice-chairman, took the Chair.

13. Mrs. PALTÍ (Israel), speaking in exercise of the right of reply, said that the persecution of Jews in Syria had been reported in detail in various newspapers and periodicals by independent observers. She would therefore confine herself to quoting the words of the Chairman of the International League for the Rights of Man.

14. Mr. BADAWI (Egypt), speaking on a point of order, said he wished to be sure that the statement of the representative of Israel would deal with the item under discussion, namely the report of the Committee on the Elimination of Racial Discrimination. The representative of Israel was referring to a statement made by the Syrian Arab Republic as a State party to the International Convention on the Elimination of All Forms of Racial Discrimination: the question was whether she wished to submit information, in place of the Syrian Government, or to criticize what the representative of that Government had said.

15. Mrs. PALTÍ (Israel) noted that the Chairman of the International League for the Rights of Man had said, at the

³ *Ibid.*, Twenty-ninth Session, Annexes, agenda item 3, document A/9779, paras. 14 and 15.

International Conference for the Deliverance of Jews in the Middle East, held in Paris on 3 July 1974 under the presidency of the President of the French Senate, that "what is involved is a violation of international covenants and agreements, covenants which Syria has ratified and which it now blatantly violates". The treaties referred to were the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. The resolution adopted by the Conference had noted with satisfaction that other Arab countries had considerably liberalized their policy concerning Jewish citizens, and called on the Government of the Syrian Arab Republic to comply with the Universal Declaration of Human Rights and to take immediate steps to ensure that all Jews who wished to leave the country should be allowed to do so without hindrance; that all Jews who wished to continue to reside in the Syrian Arab Republic should be allowed to live in full enjoyment of their civic and civil rights, and in particular that restrictions of movement and all interference with their religious, economic and cultural rights should be immediately terminated; and that all Jews imprisoned as a result of discriminatory measures should be released. Finally, the Conference had reaffirmed its belief that the granting to all citizens, Jewish and non-Jewish alike, of all the rights and freedoms laid down in the Universal Declaration of Human Rights would prove the best means of bringing about lasting peace and brotherhood among the peoples of the Middle East.

16. Mr. BADAWI (Egypt) noted that Israel had once again insisted on making a statement irrelevant to the issue and sought to impose its will on others.

17. Mr. NEYTCHEV (Bulgaria), speaking in exercise of the right of reply, said that the *Demographic Yearbook* contained data based on the 1965 census concerning the ethnic composition of the population of Bulgaria. The results of the next census, which would take place in 1975, would be communicated in due time to the Committee on the Elimination of Racial Discrimination.

18. Mr. JOB (Yugoslavia), speaking in exercise of the right of reply, expressed the hope that Bulgaria would transmit data on the ethnic composition of its population, and in particular on the Macedonian minority, as the Committee on the Elimination of Racial Discrimination had requested.

AGENDA ITEM 56

Human rights and scientific and technological developments: report of the Secretary-General (A/9645, A/C.3/L.2143, 2144)

19. Mr. SCHREIBER (Director, Division of Human Rights), introducing the item the Committee was about to consider, summed up the situation. The International Conference of Human Rights, held at Teheran in 1968, had been responsible for raising in specific terms the question of human rights and scientific and technological developments. That initiative had been the result of two considerations: scientific developments opened vast possibilities for economic, social and cultural progress, and consequently for decisive advances in the field of human rights, but they also involved certain dangers for the rights of individuals or

groups, and hence their use raised complex ethical and legal problems. The Conference had therefore felt that such problems required interdisciplinary studies which would make it possible to draw up appropriate standards. In the same year, at the end of its twenty-third session, the General Assembly had drawn conclusions from the work of the Teheran Conference and, in its resolution 2450 (XXIII), had invited the Secretary-General to undertake a study of the problems in connexion with human rights arising from developments in science and technology, in particular from three specific standpoints: respect for privacy of individuals and the integrity and sovereignty of nations in the light of advances in recording and other techniques; protection of the human personality and its physical and intellectual integrity, in the light of advances in biology, medicine and biochemistry; and uses of electronics which might affect the rights of the person and the limits which should be placed on such uses in a democratic society. The General Assembly also decided that, in general, it was necessary to establish an appropriate balance between scientific and technological progress and the intellectual, spiritual, cultural and moral advancement of humanity. Resolution 2450 (XXIII), which had been the starting point for the work envisaged, had been followed by other resolutions adopted on the Third Committee's recommendation or on the recommendation of the Commission on Human Rights. Those resolutions contained recommendations to Governments concerning desirable approaches and policies in that field and guidelines with regard to the aspects of the question on which it seemed that attention should be focused. That was the purpose of resolution 10 (XXVII) of 18 March 1971 of the Commission on Human Rights,⁴ which had been confirmed and expanded upon by General Assembly resolution 3026 B (XXVII) of 18 December 1972. The note by the Secretary-General issued in document A/9645 gave information on the progress of the work which had been undertaken in accordance with those resolutions and which had related mainly to economic, social and cultural rights and to the specific aspects referred to in General Assembly resolution 2450 (XXIII).

20. The Commission on Human Rights considered the question of human rights and scientific and technological developments at its thirteenth session.⁵ So far, in respect of the impact of scientific and technological progress on economic, social and cultural rights, three preliminary reports had been submitted to the Commission on the right to work, the right to an adequate standard of living and the right to rest and leisure and the right to social security. Final reports would be submitted to the Commission on Human Rights in 1976. A report had been submitted by UNESCO on the right to education and to culture at the Commission's thirtieth session; WHO would present a report on the right to health at the Commission's thirty-first session, in February 1975. With regard to the specific subjects mentioned in General Assembly resolution 2450 (XXIII), the report on respect for the privacy of individuals and the integrity and sovereignty of nations in the light of advances in recording and other techniques had already been circulated. A second report, on uses of electronics, had been partly published and would be

⁴ See *Official Records of the Economic and Social Council, Fiftieth Session, Supplement No. 4*, chap. XIX.

⁵ *Ibid.*, *Fifty-sixth Session, Supplement No. 5*, chap. II.

completed by the thirty-first session of the Commission on Human Rights. It was expected that a third report, on the protection of the human personality and its physical and intellectual integrity in the light of advances in biology, medicine and biochemistry would be submitted at the same time. The more general report on the balance which should be established between scientific and technological progress and the advancement of humanity should be ready in 1976. That report involved very complex evaluations covering multiple factors, and it would probably be necessary to call on leading figures in the scientific world and specialists in the humanities and to form a small group of qualified experts. All the reports which had been submitted so far were based on essential technical advice which had been gathered either from a liaison group appointed by the Advisory Committee on the Application of Science and Technology to Development, the competent specialized agencies, or expert consultants, as the case might be.

21. Moreover, in accordance with General Assembly resolution 3150 (XXVIII), the Secretary-General would submit to the General Assembly, at its thirtieth session, a report on the problem of the protection of broad sectors of the population against social and material inequalities, as well as other harmful effects which might arise from the use of scientific and technological developments. Finally, in accordance with the request which had been made to him by the Commission on Human Rights at its thirtieth session in resolution 2 (XXX),⁶ the Secretary-General would submit to the thirty-first session of the Commission a document analysing the observations which Governments had been invited to make about the studies which had been prepared, and also the views and observations sought from Governments and specialized agencies on the use to which science and technology could be put for the various purposes specified in the resolution.

22. In its resolution, the Commission had stated its intention of considering, in the light of that analysis, the guidelines which could be adopted in order to define international standards. It had also decided to continue the consideration of the item at future sessions.

23. Mr. COMMENAY (France) observed that people were currently questioning concepts which had previously been considered sacrosanct and doubted the benefits of science and progress, in which nevertheless there was blind faith.

24. The first preambular paragraph of draft resolution A/C.3/L.2143, submitted by Australia, Ecuador, France, Iran, Japan, the Philippines and Tunisia, recalled the important role that had been played by the Proclamation of Teheran of 13 May 1968,⁷ adopted by the International Conference on Human Rights, in awakening world opinion to the positive and negative aspects of scientific and technological progress. Paragraph 18 of the Proclamation had moreover been reproduced almost word for word by the General Assembly in the second preambular paragraph of its resolution 2450 (XXIII), which had advocated thorough and continuous interdisciplinary studies, both national and international, which might serve as a basis for

drawing up appropriate standards to protect human rights and fundamental freedoms in various spheres. All the other resolutions quoted in the second and fourth preambular paragraphs of the draft resolution, including General Assembly resolutions 2721 (XXV) and 3150 (XXVIII), had urged the elaboration of norms in order to establish a balance between scientific and technological progress, the intellectual and moral advancement of mankind and the improvement of the general living conditions of individuals, groups and peoples. General Assembly resolution 3150 (XXVIII) had stressed the urgent need to make full use of the scientific and technological developments for the welfare of man and to neutralize its present and possible future harmful consequences; and General Assembly resolution 3148 (XXVIII) had viewed the problem from the point of view of the preservation and further development of cultural values.

25. While in keeping with the general aim of those resolutions, draft resolution A/C.3/L.2143 went beyond them by extending the basic concept of balance to new areas. The sponsors had considered that it was essential to take into account, in the context of the question under discussion, one of the major problems of contemporary times, that of development, bearing in mind that the threat posed by scientific and technological progress was largely proportionate to the degree of development. That approach to the problem could, however, prove dangerous to the extent that it might serve to justify the state of under-development in a pseudo-scientific manner. Some people might be tempted to say that, since the under-developed countries and regions had the good fortune to be unaware of the disadvantages of progress such as, for example, pollution and uncontrolled urbanization, they should be protected from progress. That one-sided approach to the problem was erroneous because the enlightened citizens of the developing countries, as they had proclaimed on many occasions, wanted in turn to attain scientific and technological progress and to use it to improve their living conditions. It was to be hoped that the battle against under-development would be won precisely through the sharing of the benefits of progress and that an increasing number of countries and individuals would in turn be threatened, as it were, by the development of science and technology.

26. As the preamble to draft resolution A/C.3/L.2143 noted, the introduction of modern technology into the developing countries could pose specific problems of adaptation which the institutions in the United Nations had begun to analyse. It had been pointed out at the eighteenth session of the General Conference of UNESCO, held in Paris from 17 October to 23 November 1974, that in some countries science and technology all too often remained the privilege of minority groups. Often too, the forms of science and technology introduced into those countries reflected foreign cultural values and therefore disrupted traditional structures and national characteristics. In the end, a division of labour which could increase the dangers of scientific and technological progress in the least protected countries was liable to be introduced. It was to be feared, for example, that some countries, because of the opposition of their own population, might set up highly polluting industries in the developing countries which, in their desire to improve their industrial plant, would be less

⁶ *Ibid.*, chap. XIX.

⁷ *Final Act of the International Conference on Human Rights* (United Nations publication, Sales No. E.68.XIV.2), p. 13.

careful about measures to protect the population. Those dangers could be avoided through the efforts specified in the sixth preambular paragraph of the draft resolution.

27. He hoped that he had explained sufficiently clearly how the two concepts of balance and of universality which were applied to scientific and technological progress should be understood. All the efforts made in that sphere by various delegations, including his delegation, had a constructive approach in that they aimed at social progress and justice and, in a general way, at the protection of human rights.

28. Operative paragraphs 1 and 2 of the draft resolution indicated what measures should be taken. At the request of several delegations, the sponsors had decided to replace the word “modify” in paragraph 2 by the words “adapt, if necessary”, and to reword the end of that sentence to read: “and invites Governments which already have experience in that field, to transmit to the Secretary-General the information available to them”. The sponsors had also thought it appropriate to specify that the fundamental rights to be safeguarded belonged not only to individuals or persons, but also to groups or organizations, in other words, to legal entities, which could also be the victims of the misuse of technical and scientific progress. The collecting of qualified opinions proposed in operative paragraph 3 was necessary, in view of the diversity, complexity and technical nature of the subjects to be studied, to ensure sound and careful progress; at the same time, the competent bodies of the United Nations, and particularly the Committee on Science and Technology for Development and the Advisory Committee on the Application of Science and Technology to Development should be consulted. Those provisions were, moreover, repetition taken from General Assembly resolution 2450 (XXIII). The request to the specialized agencies in paragraph 4 was also not unprecedented. In particular, UNESCO had devoted part of its discussions, at the eighteenth session of its General Conference, to a programme of studies concerning the human aspect of scientific progress, including the improper exploitation of science. The preparation by the Commission on Human Rights of a programme of work to be transmitted to the Economic and Social Council at its sixtieth session in 1976, mentioned in paragraph 5 of the draft resolution, might provide a valuable stimulus and encouragement for States which still lacked experience in that area, and might help them to set up the structures necessary to explore that new field, drawing on the work of the United Nations and on the experience of other countries, as necessary.

29. In defence of the proposal contained in operative paragraph 6 of the draft, he recalled that there was a strong causal relationship between the different aspects of a single phenomenon. The sponsors of the draft had decided that it was necessary to draw the attention of the competent organs to the question of the protection of human rights, during a future United Nations conference on science and technology which might be convened in 1978 or 1979, and for which preparations would be made in 1975 by an intergovernmental working group of the Committee on Science and Technology for Development in conformity with Economic and Social Council resolution 1897 (LVII). The decisions which the competent organs might take would necessarily have repercussions, even indirectly, on human rights.

30. He again drew attention to the ninth preambular paragraph of draft resolution A/C.3/L.2143 which, in his opinion, indicated the real scope of the subject; it was vital to act without delay. The universality of the real or potential danger created by the misuse of scientific and technological progress was equalled by the universality of the guarantee and application of human rights. As the most recent UNESCO General Conference had stressed, it was at the international level that the problems relating to the human aspects of scientific progress should be studied, observed and brought to public attention. It was a task which would require much time, and which should therefore be undertaken without delay.

31. The CHAIRMAN announced that Guatemala had joined the sponsors of draft resolution A/C.3/L.2143.

32. Mr. PARTHASARATHY (India) recalled that the suggestion for a study of the subject under consideration had been put forward initially by the United Nations Institute for Training and Research. Acting on that suggestion, the International Conference on Human Rights, held in Teheran in 1968, had adopted its resolution XI⁸ which referred to the benefits as well as the dangers of scientific progress to human rights. The misuse of certain scientific discoveries and of their application constituted a threat to human rights and raised complex ethical and legal problems. The Conference had recommended that the United Nations and its related organizations should undertake thorough and continuous interdisciplinary studies at both the national and the international level.

33. As a developing country, India believed that scientific and technological progress opened up new vistas for the prosperity and happiness of its people and immense possibilities of improving the general standard of living. The application of new scientific technology would make it possible for developing countries to put into effect rapidly the noble principles expressed in article 25 of the Universal Declaration of Human Rights.

34. Science and technology were in themselves neutral, and such dangers as they represented for mankind depended solely on the use to which they were put. His delegation was quite aware of the need to ward off those dangers. However, the inherent positive contributions of scientific and technological progress to improving the lot of mankind throughout the world should not be overlooked.

35. There was urgent need for scientific studies on environmental pollution by chemicals, smoke, dust, toxic materials and other industrial wastes, and for measures to control problems arising from unchecked industrial growth. The production, sale and distribution of narcotic drugs and other harmful chemicals should be controlled more firmly, and the political aspects of the expansion of powerful industries, and their effect on human rights, should also be studied.

36. In India, as in many other countries, the positive results of recent breakthroughs in science had been seen. The green revolution had come to fruition in a number of countries and production had increased. Breakthroughs in

⁸ *Ibid.*, p. 13.

science and technology would make it possible to overcome malnutrition and endemic famine in the long run. Ignorance was the main problem. The possibility of harnessing new scientific developments in that field were enormous. Developing countries faced a twin problem: the quantitative problem of providing basic education not only for many children but also for over 800 million adults, and the need to provide higher education and technical education at all levels; and also the qualitative problem of replacing the traditional aims of education with objectives attuned to current manpower needs and national development aims. In that context, technology had a most significant role to play. Those objectives might be achieved at the village level, by the use of community educational centres where people could educate themselves with the help of radio and television broadcasts, at a fraction of the cost and time of conventional classroom education.

37. In 1975, his country would start an experimental programme of satellite instructional television. The project envisaged broadcasting educational television programmes by satellite to 5,000 points in India which would each be provided with a receiving set. The programmes would also be oriented towards developing practical knowledge by conveying information on a number of subjects of interest to the rural population of India. They would help to strengthen the integration of the country. Without the invention of satellite broadcasting, the programmes could not reach every corner of the country where communications were often not very good.

38. There was no doubt that science and technology were capable of being misused. The developing countries, however, feared that in the process of attempting to avoid those dangers, the positive benefits of scientific and technological developments might inadvertently be stifled. The objective should be to strike the right balance by maximizing the potential benefits while minimizing the potential dangers of scientific and technological developments.

Mrs. Marico (Mali) resumed the Chair.

39. Dr. MALAFATOPOULOS (World Health Organization) said that the active role played by the World Health Organization and its co-operation with the United Nations on the question of human rights and scientific and technological progress were governed by a resolution adopted by the twenty-third World Health Assembly in May 1970⁹ reaffirming that the health aspects of human rights in the light of scientific and technological progress were within the competence of WHO. The World Health Organization had also submitted to the United Nations General Assembly at its twenty-fifth session a preliminary memorandum on that question¹⁰ and it had just completed a study dealing with developments in biology and medicine and their impact on human rights, in particular the right to health. That study, which covered various questions, would be considered by the WHO Executive Board in January 1975 before being transmitted to the Secretary-General for presentation to the Commission on Human Rights and other interested United Nations bodies. In addition to that report, the WHO Director-General was currently con-

sidering, pursuant to General Assembly resolution 3150 (XXVIII), the preparation of a study on health aspects of human rights and advances in biology and medicine. In the study an attempt would be made to reflect the degree to which scientific and technological advances had furthered the attainment by all peoples of the highest possible level of health, the objective embodied in article 1 of the Constitution of the World Health Organization.

40. In November 1973 WHO had organized at Geneva, together with UNESCO and the Council for International Organizations of Medical Sciences, a symposium on the social and ethical implications of progress in biology and medicine whose conclusions had recently been published by WHO. It had contributed a major study entitled "A survey of international and national codes and legislation in selected areas". It had also participated in the United Nations Symposium on Population and Human Rights held at Amsterdam from 21 to 25 January 1974 and had presented a working paper on health and human rights.

41. He assured the Committee that WHO would continue to co-operate with it in considering health aspects of human rights and scientific and technological developments.

42. Mr. JOHANSSON (Sweden) stressed how essential it was to protect the individual from the risk of improper use of certain scientific and technological innovations. The experience of his country in that new field might, he felt, be useful to other delegations.

43. His Government considered that the report of the Secretary-General on respect for the privacy of the individual and the integrity and sovereignty of nations in the light of advances in recording and other techniques,¹¹ which had been before the thirtieth session of the Commission on Human Rights, analysed in depth the problems involved and provided an excellent basis for formulating international standards to protect personal integrity. In Sweden preparation of legislation to protect the individual against secret and improper listening was well under way, and the Government was studying proposals for a new law prohibiting secret and improper photographing.

44. Referring to the report of the Secretary-General on uses of electronics which might affect the rights of the person and the limits which should be placed on such uses in a democratic society,¹² he stressed that automatic data processing, which had been in use for only 20 years, could pose a serious threat to personal integrity. The individual was not in a position to use or control automatic data processing methods, and it was therefore important that access to such methods should not be reserved for the few but should be shared by society as a whole. In order to safeguard personal integrity, Sweden had adopted a Data Act, which had entered into force on 1 July 1974, and had established a Data Inspection Board to supervise the use of computer techniques for personal registration. That was the first national law covering the use of data processing techniques on information regarding individuals, within both the public and the private sector. However, many

⁹ Resolution WHA23.41.

¹⁰ A/8055/Add.1.

¹¹ E/CN.4/1116 and Corr.1 and Add.1-3 and Add.3/Corr.1 and Add.4.

¹² E/CN.4/1142 and Corr.1 and Add.1.

terms still had to be defined, including the concept of "personal integrity". It was because of the unforeseeable possibilities of such a technique that Sweden had decided to adopt the Data Act in spite of considerable limitations left to the discretion of the Data Inspection Board.

45. Such problems were not exclusively national problems. A European network of data communication was being planned, and already large quantities of information were transmitted by telephone or by satellite from one country to another or between different parts of the world. International agreements were therefore necessary. In that connexion, the study being undertaken by the Data Inspection Board on officials responsible for registers in Sweden and on the extent to which such officials used computers abroad and on foreign agencies, private as well as official, which had access to data processed in Sweden would make it possible before long to take account of certain experiences concerning the flow of information from one country to another. The United Nations should continue to consider the question in order to ensure that electronic data processing techniques would be used exclusively for the benefit of mankind.

46. His delegation fully supported draft resolution A/C.3/L.2143 and the revisions to it. It had not had time to consider fully draft resolution A/C.3/L.2144, but it was already aware that it would have difficulty in supporting certain paragraphs.

47. Mrs. SHAHANI (Philippines) said that her delegation, which was a sponsor of draft resolution A/C.3/L.2143, felt that the Committee had a responsibility to protect human rights in the context of scientific and technological progress. The Philippines was greatly concerned with protecting the privacy of communications and correspondence, which was, moreover, guaranteed under article IV of the Constitution.

48. Like other developing countries, the Philippines wanted scientific and technological advances to be applied to development. "Third world science" had a part to play in that connexion and her delegation was glad that the representative of India had referred to scientific activities in his country. The special needs of developing countries regarding science and technology and the transfer of technology were mentioned in the sixth and seventh preambular paragraphs and in operative paragraph 1 of draft resolution A/C.3/L.2143. In addition, the Second Committee was currently considering a draft Charter of Economic Rights and Duties of States,¹³ article 13 of which very clearly stressed the importance of science and technology for development.

49. The Third Committee, however, was mainly concerned with people and the risks for human rights of the use of science and technology. As the representative of France had said, science and technology were good not in themselves but only in the way in which they were used. The developing countries should be aware of the dangers involved so that they could avoid the mistakes made by the developed countries and the risk of alienation through

mechanization and could ensure that science and technology were used to improve the quality of life.

50. Her delegation had taken note with satisfaction of the report of the Secretary-General on the uses of electronics which may affect the rights of the person and the limits which should be placed on such uses in a democratic society, chapter III of which described the threats and problems from the point of view of human rights created by computerized personal data systems: inaccuracy and obsolescence of data, access to and sharing and centralization of personal data, accumulation of personal data, the importance of computer personnel and so forth. As the representative of WHO had stressed, advances in chemistry, biology and medicine also presented some risks. Her delegation noted that the report of the Secretary-General was based almost exclusively on observations by developed countries, and it suggested that the study of the question of human rights and progress in science and technology should not be limited to electronics but should be expanded to cover the scientific world as a whole and to take account of the experience of developing countries and "third world science". It recognized the need for international standards for the protection of human rights in the field of science and technology.

51. Mr. CABANAS (Spain) said that the problem of human rights and scientific and technological progress should not be considered from too general a viewpoint as that could lead to undertaking all kinds of studies, which would not have the desired practical effects. The problem involved both the rights of the person and the integrity of States. With regard to the individual, consideration should be given separately to the effects of technological progress in its various forms, any improper uses should be condemned and a programme should be developed based on the consideration of certain groups of problems relating to human rights. In that context, draft resolution A/C.3/L.2143 was very constructive and merited support, for it encouraged States to promote technological progress while at the same time protecting human rights and it committed the international community to adopt a programme and international standards.

52. Mr. VELA (Guatemala) said that science and technology were basically of a practical nature, since their usefulness to man consisted in their applications, which must be in the service of man. However, so much attention had been devoted to building a scientific civilization that man had been to some extent overlooked. Technology had developed enormously, but ethics had not progressed at the same pace. When man became the slave of scientific and technological progress, he no longer understood the meaning of his existence and he lost the sense of his own destiny. Accordingly, the fourth preambular paragraph of draft resolution A/C.3/L.2143 reaffirmed the need to ensure a balance between scientific and technological developments, the intellectual, spiritual and moral advancement of humanity and the improvement of the living conditions of individuals, groups and peoples. The sixth preambular paragraph placed emphasis on development. Guatemala considered that science and technology must be an instrument of development for the developing countries, which should draw up a programme adapted to their level of development and their personality.

¹³ Subsequently adopted by the General Assembly as its resolution 3281 (XXIX).

53. However, there should above all be a balance between man and his environment. Scientific and technological progress threatened to exhaust natural resources, with terrible consequences for mankind. Attention should also be given to the possible consequences of the development of certain techniques: all information media, in particular radio and television, could give rise to abuses and impose false cultural values. Man himself was baffled by the civilization which he had created, and it would be necessary for him to rely on ethical principles to defend himself against the abuses of technology.

54. His delegation felt that draft resolution A/C.3/L.2143, of which it was a sponsor, was balanced and constructive. If it was adopted, the General Assembly would, at its following session, be in a position to take decisions and adopt practical norms.

Composition of the Consultative Committee for the Conference of the International Women's Year

55. Mrs. SHAHANI (Philippines) pointed out that the General Assembly still had not received the second part of the report of the Third Committee on agenda item 12.¹⁴ It had therefore been unable to take a decision on draft resolution III in that report, relating to the Consultative Committee for the Conference of the International Women's Year, the adoption of which had been recommended by the Committee. Her delegation wished to know the results of the consultations undertaken by the Chairman in accordance with paragraph 2 of the draft resolution.

56. The CHAIRMAN said that her consultations with the Chairmen of the regional groups had thus far produced results only in respect of the group of African States and of the group of Latin American States, the latter of which had, however, submitted the names of only two countries for the three seats allotted to it on the Consultative Committee. She had received nothing from the other regional groups. If no results were achieved within the next two days, she would have to explain to the Assembly why she would be unable to appoint the 18 States members of the Consultative Committee.

57. Miss CAO-PINNA (Italy) asked, in connexion with the consultations concerning the composition of the Consulta-

tive Committee for the Conference of the International Women's Year to which the Chairman had just made reference, whether a reply had been given to the group of Western European and Other States which wished to be allotted additional seats.

58. The CHAIRMAN said that that question should not become the subject of a general debate in the Third Committee. Nevertheless, she pointed out that, although it was not her responsibility to take any decision concerning the composition of the Consultative Committee, the number of members of which had already been fixed at 18 in draft resolution III recommended for adoption by the General Assembly, she would continue her consultations with a view to settling the matter, which she would discuss directly with the Chairman of the group of Western European and Other States. Only when the consultations had been completed could the possibility of submitting an amendment to the draft resolution in question be envisaged. However, the allotment of one or more additional seats to a given group of countries was bound to raise problems with other groups of countries.

59. Miss DUBRA (Uruguay) said that the number of seats on the Consultative Committee was determined according to the established principle of equitable geographical distribution. If a group of countries wanted to be allotted one or more additional seats, other groups of countries would certainly demand larger representation.

60. Mrs. WARZAZI (Morocco) reminded the representative of Italy that the composition of any committee must meet the principle of equitable geographical distribution prevailing in the United Nations. If the Group of Western European and Other States succeeded in obtaining one or more additional seats, other groups of countries would be entitled to demand equal treatment. She therefore found it quite pointless to engage in a debate on the matter. Consequently, she felt that the utmost caution should be exercised in the consultations on the question, and suggested that the Chairman should, in that connexion, take into account the many cases of the establishment of consultative committees or other expert groups in the various organs and commissions within the United Nations system.

¹⁴ See *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 12, document A/9829/Add.1.

The meeting rose at 6 p.m.

2106th meeting

Tuesday, 3 December 1974, at 10.55 a.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2106

AGENDA ITEM 53

Elimination of all forms of racial discrimination (*continued*) (A/9603, chap. I, chap. V, section C.1; A/9618, A/9666 and Add.1-6, A/9719, E/5474, E/5473, A/C.3/L.2141/Rev.1):

(b) Report of the Committee on the Elimination of Racial Discrimination (*continued*)

1. Mr. SPEEKENBRINK (Netherlands) said that the continuing and developing dialogue between the Committee on the Elimination of Racial Discrimination (CERD) and both the States parties to the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) and the Third Committee was a notable achievement that was in no small measure the result of the way in which CERD and its individual members had gone about their work. The dialogue between the Third Committee and CERD quite properly took as its point of departure the fact that CERD was an independent organ. Such independence was an essential prerequisite for the functioning of that organ, and any attempt to influence or to interfere with its work would only weaken it.

2. The dialogue between CERD and the individual States parties to the Convention within the context of the study of the country reports was also gaining in depth and intensity. The decision taken some years earlier to invite representatives of the country concerned to participate in those discussions had been an important step forward. During the current year the Committee had again taken a number of decisions designed to strengthen that dialogue. One of those decisions, decision 1 (X) (see A/9618, chap. VII, sect. A), which his delegation had supported, concerned the distribution of the records of the proceedings and the reports of the member States. More important was the decision, recorded in paragraph 80 of the report of the Committee, to cease to classify the reports as "satisfactory" or "unsatisfactory". That classification, which was basically of a procedural nature and concerned with the extent to which the established reporting practices were applied rather than with the extent of compliance with the anti-discrimination requirement laid down in articles 2 to 7 of the Convention, had been to some extent misleading.

3. The report also showed that CERD had given attention to the way in which it could deal with questions concerning the foreign relations of member States. Article 3 of the Convention seemed to indicate a restrictive answer in that it made specific mention of "territories under their jurisdiction". However, CERD itself had considered that delicate question when it had adopted its general recommendation III.¹ Yet, it had been careful to qualify the competence

which it believed itself to have by recognizing that the matter fell entirely within the discretion of the individual member States. The question therefore seemed to be whether a member State was willing to supply in its reports information not specifically required by its treaty obligations.

4. There was, however, a disturbing trend in the report. In that connexion, he referred to decision 2 (X) of CERD (*ibid*, sect. B) concerning its work in the context of the Decade for Action to Combat Racism and Racial Discrimination. While his delegation could fully sympathize with the desire of CERD to participate actively in the Decade, it believed that CERD's contribution should be directly related to the functions which it carried out under the Convention, and it must ensure that its activities in combating the massive cases of racial discrimination did not impinge on its other obligations. Unfortunately, however, in decision 2 (X) CERD had not wholly succeeded in striking the necessary balance and had raised the question whether it did not stray outside its terms of reference. Nevertheless, in assessing the way in which it could contribute to the Decade, CERD had quite rightly recognized the importance of article 14 of the Convention. It would be a notable achievement if, at an early stage of the Decade, CERD was able to exercise its mandate under that article. That would contribute in no small measure to the attainment of the goals proclaimed in General Assembly resolution 3057 (XXVIII). His delegation therefore wished specifically to support paragraph 4 (d) of decision 2 (X), and invited the Committee to consider endorsing it. To that end, it also wished to submit an amendment to draft resolution A/C.3/L.2141/Rev.1. Operative paragraph 10 of that draft resolution should become operative paragraph 11 and a new paragraph 10 worded in the following manner should be added: "Endorses the recommendation of the Committee to draw the attention of States Parties to the Convention to the usefulness of the implementation of article 14 of the Convention as a means of promoting the effectiveness of the Convention". That new paragraph 10 would reproduce paragraph 1 (d) of decision 2 (X) of CERD.

5. Mr. BADAWI (Egypt) said that the reports of CERD provided a useful survey of the efforts of the international community to eliminate all forms of racial discrimination. Three important and encouraging developments should be noted: first, the number of States parties to the Convention was increasing; secondly, CERD was performing its tasks satisfactorily; and thirdly, the General Assembly was discussing the report of CERD as a separate item and a fruitful dialogue had been established between those two bodies.

6. With reference to the report of CERD on its ninth and tenth sessions (A/9618), he drew attention to chapter V,

¹ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 18, chap. IX, sect. B, decision 1 (VI).

regarding consideration of copies of petitions, reports and other information relating to Trust and Non-Self-Governing Territories and to all other territories to which General Assembly resolution 1514 (XV) applied. In that chapter CERD had expressed its satisfaction with the new policy of Portugal towards the Territories under its administration and the hope that there would be an orderly transfer of Power as soon as possible to the representatives of the liberation movements in those Territories. On the negative side, however, CERD had noted the deterioration of the situation in Southern Rhodesia and the attempt by the illegal régime to change the demographic composition of that country by attracting massive white immigration. There was a need for stronger sanctions against the Smith régime, and he hoped that the international community would comply strictly with the relevant United Nations resolutions in that connexion. The information provided by the Secretary-General concerning developments in those Territories and that received from other interested bodies would enable CERD to continue to fulfil its mandate under article 15 of the Convention.

7. The Committee was following with great interest the operation of the Programme of the Decade for Action to Combat Racism and Racial Discrimination [General Assembly resolution 3057 (XXVIII), annex] and had decided to include that subject as an item on its agenda throughout the Decade. CERD was clearly competent to participate in the implementation of the Programme and offered a valuable store of experience from which the Secretary-General could draw in order to ensure its success.

8. Referring to the appeal to States parties to the Convention to provide information concerning their relations with the racist régimes of southern Africa, under general recommendation III of the Committee, he said that it was quite justified in view of article 3 of the Convention, as was the interest of CERD in territories subjected to imperialist or foreign occupation. That interest was also in accordance with articles 9 and 15 of the Convention. In that connexion, he noted that in its decision 1 (X) relating to information supplied by the Syrian Arab Republic, CERD had expressed concern at the fact that a State party to the Convention had been prevented from fulfilling its obligations thereunder in a part of its territory, and that that unacceptable state of affairs had lasted for more than seven years.

9. Egypt, which had been one of the first countries to sign and ratify the Convention, intended to play an active role in the operation of the Programme for the Decade and would continue to co-operate with CERD and to contribute to international and regional efforts to combat racial discrimination, particularly *apartheid*, which was the worst form of racial discrimination. His delegation considered that every effort should be made to consolidate the experiment of CERD, which represented an attempt by the international community to apply the principles of the Charter on behalf of the dignity and equality of all human beings. In conclusion, it wished to urge all countries to implement the relevant United Nations resolutions and decisions relating to the item under consideration, so as to ensure that in future the twin scourges of racial discrimination and *apartheid* would cease to exist.

10. Miss VOLLMAR (Germany, Federal Republic of) said that her country had for many years been, and continued to be, convinced of the particular importance of the Convention and of the functions of CERD, under article 8 of the Convention, as an effective instrument to combat all forms of racial discrimination wherever they might occur. Her delegation considered that the key provision of the Convention was article 3, which stipulated that States parties should undertake to prevent, prohibit and eradicate racial discrimination and *apartheid* in the territories under their jurisdiction. In that respect, much still remained to be done. Moreover, in view of the importance of the task of CERD, its role should be fully acknowledged during the Decade. For the same reason, it was regrettable that item 53 (b) was being discussed by the Committee so late in the session.

11. Her delegation agreed with most of the paragraphs of draft resolution A/C.3/L.2141/Rev.1, but had some problems with the wording of operative paragraphs 6, 7 and 10. It had difficulties in reconciling the new paragraph 7 and the use of the words "concentrating its efforts" in paragraph 6 and of the words "foreign policies" in paragraph 10 with the legal obligations flowing from the Convention, and in particular from its key provision in article 3. It was understandable that the sponsors of the draft resolution and the experts comprising the membership of CERD should wish to see that body join the struggle already going on in the many competent organs of the United Nations family against flagrant and large-scale manifestations of racial discrimination. The question remained, however, whether, and to what extent, such an activity could be undertaken within the legal framework of the Convention and, in particular, whether such a reorientation of the Committee's activities might not divert it from its main task under the Convention, namely the elimination of all forms of racial discrimination. Moreover, her delegation could find no provision in the Convention imposing on States parties the obligation to include in their reports under article 9 information regarding the external relations with third countries. It was only with those reservations in mind that her delegation would be able to vote for draft resolution A/C.3/L.2141/Rev.1.

12. Mr. HAASTRUP (Nigeria) commended CERD on its continuing efforts to improve the quality of its work. Its reports reflected the spirit of co-operation which characterized its relations with other United Nations bodies. Noting that in the election of the members of CERD consideration was given to the representation of the different forms of civilization as well as of the principal legal systems, he said that although there was a certain measure of disagreement among them about the consideration to be given to proposals put forward in other United Nations bodies, their pledge of impartiality ensured that their opinions were expressed in good faith.

13. The Committee on the Elimination of Racial Discrimination had always been very courteous in dealing with questions touching, however lightly, on the exercise of the sovereign rights of the States parties to the Convention. It had therefore not insisted that those States should provide information not specifically required by the Convention, but it had requested such information as was deemed necessary to ensure the implementation of the Convention.

Its guidelines were based on articles 2 to 7 and 9 of the Convention, which imposed certain obligations on all States parties. Moreover, it should be noted that the definition of racial discrimination given in article 1 was of wide scope, and referred to any distinction based on ethnic origin. It therefore justified the efforts of CERD to obtain information concerning the demographic composition of States parties. Furthermore, article 3 required all States parties to condemn racial segregation and *apartheid*, which implied refraining from any action which might aid or abet such practices. In view of that provision, it would be difficult to charge CERD with exceeding its powers by requesting information from States parties concerning their relations with the racist régimes of southern Africa, and he expressed the hope that the Committee would uphold that request.

14. Referring to some of the controversial clauses of the Convention, he noted that the periodic reports had revealed some divergencies of opinion concerning the due regard to be paid to the principles embodied in the United Declaration of Human Rights, as laid down in article 4 of the Convention, and drew attention to article 29 (3) of the Declaration, which prohibited the exercise of rights and freedoms in a manner contrary to the purposes and principles of the United Nations.

15. Some representatives had expressed concern about the way in which the periodic report of the Syrian Arab Republic had been dealt with by CERD, but his delegation shared that Committee's view that the situation in the Golan Heights was a consequence of Israel's defiance of General Assembly and Security Council resolutions and that, because of that illegal situation, the Syrian Arab Republic had been prevented from fulfilling its obligations under the Convention in a part of its territory. His delegation therefore considered that decision 1 (X) of CERD and operative paragraph 8 of draft resolution A/C.3/L.2141/Rev.1 were quite appropriate.

16. Referring to article 14 of the Convention, he said that the authors of that instrument had placed trust in the good faith of States parties to the Convention when they had decided to make article 14 non-mandatory by providing that CERD would be competent to exercise the functions provided for in that article only when at least 10 States parties to that Convention were bound by declarations in accordance with paragraph 1 of that article. His delegation considered that the members of CERD were entirely objective and that it was the appropriate body to deal with cases under article 14. It was sure that CERD would not tolerate any frivolous complaints from individuals or groups of individuals and it therefore considered that the States parties to the Convention should give the Committee the authority to investigate such complaints as a means, for example, of exerting pressure on countries such as South Africa. In that connexion, he noted that one representative in the Third Committee had referred to operative paragraph 5 of decision 2 (X) of CERD and had stated that CERD was not competent to endorse the recommendation made by the Special Committee on *Apartheid* that the General Assembly should continue to decline to accept the credentials of the representatives of the Republic of South Africa. His delegation was, however, of the opinion that CERD was competent to endorse that recommendation because it was its duty to take all possible measures to

discourage the practices of racial discrimination and *apartheid*.

17. His delegation was glad that relations between the Third Committee and CERD were cordial. CERD should be given broad authority to interpret countries' attitudes with regard to racial discrimination and the Third Committee should assist and co-operate with it in that task. In that same spirit, he hoped that all the members of the Committee would be able to support draft resolution A/C.3/L.2141/Rev.1, of which his delegation was a sponsor. Moreover, his delegation welcomed the appeal made by CERD in decision 2 (X) to Member States which had not yet acceded to the Convention to do so without delay and hoped that the States parties to the Convention which condemned racial discrimination would follow the example of Portugal and actively promote the elimination of racial discrimination in Southern Rhodesia, Namibia and South Africa.

18. Mrs. SHAHANI (Philippines) said that her country was a party to the International Convention on the Elimination of All Forms of Racial Discrimination and that one of its most distinguished diplomats and legal experts, Ambassador Ingles, was a member of CERD. It was seriously committed to the implementation of conventions to which it was a party, as shown in paragraphs 153 and 155 of the report of CERD (A/9618).

19. With regard to the relationship between the Third Committee and CERD, she said her delegation had been somewhat surprised that one representative in the Third Committee had interpreted the statement made by Mr. Ingles in CERD (*ibid.*, para. 17) to mean that Mr. Ingles felt no importance should be attached to the discussion of racial discrimination by individual members of the Third Committee. What Mr. Ingles had meant was that CERD should give higher priority to the resolutions adopted by the Third Committee than to the individual opinions expressed in that Committee because its resolutions represented the official decisions of the Third Committee and the General Assembly.

20. Her delegation had become a sponsor of draft resolution A/C.3/L.2141/Rev.1 in order to show its abiding interest in the work of CERD and ensure that the dialogue between the CERD and the Third Committee would continue to be fruitful and harmonious.

21. Mr. RAZA (Pakistan) said that his country had been one of the first signatories to the International Convention on the Elimination of All Forms of Racial Discrimination and that a Pakistani had been elected a member of CERD in 1972. Member States appreciated the way in which CERD had discharged its responsibilities and welcomed the adoption of the new procedure for the consideration of reports submitted by States parties under article 9 of the Convention because it included an invitation to States parties to be present at and take part in the discussions of CERD when their reports were being considered. When Pakistan's third periodic report had been considered (*ibid.*, paras. 156 and 157) CERD had noted with satisfaction that the Government of Pakistan had amended the Pakistan Penal Code in order to implement the provisions of the Convention. Racial discrimination had been made punishable in Pakistan

and the new Constitution of 1973 contained provisions recognizing the rights enumerated in articles 5 and 6 of the Convention. CERD had, however, regretted the lack of information on the ethnic composition of Pakistan's population and also on development in the private sector. His delegation had not yet had time to refer those omissions to its Government, but would supply the necessary information to CERD in due course.

22. Pakistan had consistently condemned policies of racism and the very idea of racial discrimination was anathema to its people, who were guided by the precepts of equality and brotherhood preached by Islam. Pakistan was anxious to strengthen the role of CERD and the fact that 81 States had ratified or acceded to the Convention was encouraging. His delegation urged the remaining Member States of the United Nations to ratify that instrument.

23. Mrs. HSUEH Jen-wu (China) said that the Chinese Government and people had always resolutely supported the just struggle of the peoples of the world against colonialism, racism and racial discrimination. Her delegation would therefore vote in favour of draft resolution A/C.3/L.2141/Rev.1. She recalled that her delegation had already clearly stated its position with regard to the International Convention on the Elimination of All Forms of Racial Discrimination at the Committee's 2061st meeting.

24. Mr. GRAEFRATH (German Democratic Republic) said that his delegation attached great importance to the fact that the Committee on the Elimination of Racial Discrimination had extensively concerned itself with defining its contribution to the Decade for Action to Combat Racism and Racial Discrimination; it was certain that its experience would contribute greatly to the effectiveness of action taken during the Decade. In that connexion, his delegation commended its practice of seeking information from Member States on how United Nations resolutions concerning the racist régimes in southern Africa were being implemented. It considered that the obligations arising from the International Convention on the Elimination of All Forms of Racial Discrimination implied the duty of States to pursue a foreign policy that did not encourage racist régimes, and to take action to ensure that juridical and natural persons residing in their territory did not engage in activities which amounted to encouragement of racist régimes in other countries.

25. His delegation had also been impressed with the great care with which CERD had taken note of the discussions in the Third Committee. In that connexion, he observed that draft resolution A/C.3/L.2141/Rev.1 was designed to support and promote the activities of CERD and to stress the aspects of its future work which were particularly important to the General Assembly.

26. The amendment proposed by the Netherlands delegation referred to a provision of the Convention which was not in force and it therefore did not concern the work of CERD for the time being. Special declarations by at least 10 States were required to bring article 14 into force, and only four declarations had so far been made. It was therefore not possible to speak of the usefulness of the implementation of article 14 for the effectiveness of the

Convention. Furthermore, CERD should avoid creating the impression that the individual right of petition vis-à-vis States parties to the Convention was a central issue in the struggle against racism. Indeed, some States which had vigorously advocated the inclusion of article 14 in the Convention had not even ratified the Convention. The main problems limiting the effectiveness of the Convention were still that some States which were known to have grave racial problems were not parties to it, and furthermore that a number of States, in defiance of repeated appeals by the United Nations, continued to support racist régimes and to prevent the application of United Nations decisions concerning such régimes. The sponsors of the draft resolution could therefore not accept the Netherlands amendment, and his delegation would vote against it.

27. Mr. TUERK (Austria) said that his Government deplored the practices of racial discrimination which still existed in some parts of the world and hoped that an even greater number of States would in the very near future become parties to the International Convention on the Elimination of All Forms of Racial Discrimination. His country had consistently held the view that the effective protection of human rights and fundamental freedoms was an essential condition for a world of peace, and that in that context the elimination of all forms of discrimination was particularly important. CERD provided a valuable mechanism through which Member States were reminded of the necessity of continuously reviewing their policies in relation to racial discrimination, and in that way the effectiveness of the provisions of the Convention was greatly enhanced.

28. The Austrian Government considered that the system under which representatives of the Governments concerned participated in the meetings of CERD when their reports were being discussed was extremely useful; it had therefore sent an expert to the Committee's meetings when the Austrian report was being discussed. It also fully supported the Committee's decision 1 (IX), as it believed that as much information as possible regarding the elimination of all forms of racial discrimination should be made available for general use.

29. With regard to the statement made by the representative of Yugoslavia at the previous meeting, he said that the Austrian Government was equally concerned about the protection of minorities and had constantly shown the utmost interest in all questions relating to that matter both within the United Nations and elsewhere. His Government had therefore been pleased to be able to be represented at the world-wide Seminar on the Promotion and Protection of the Human Rights of National, Ethnic and Other Minorities held at Ohrid, Yugoslavia, from 25 June to 8 July 1974, organized by the Division of Human Rights of the United Nations in co-operation with the Yugoslav Government. His delegation agreed with the statement of the representative of Yugoslavia that minorities could be bridges between nations—indeed, they should be bridges, serving not to divide nations but to provide a link between neighbouring countries and contribute to friendship and mutual understanding between them.

30. With regard to paragraph 135 of the Committee's report (A/9618), he explained that article 7 (3) of the State Treaty of 1955 applied only to the administrative and

judicial districts of Carinthia, Burgenland and Styria, where there were Slovene, Croat or mixed populations. That article provided for the rights of Austrian nationals of the Slovene and Croat minorities in the districts in question. The Austrian Government believed that the provisions of the article had been fully implemented, with the exception of the provision relating to topographical terminology and inscriptions, the application of legislative measures concerning which had given rise to certain difficulties. The implementation of the Austrian State Treaty, including the question of the census, was entirely an internal affair of Austria; it was the sovereign right of any State to ascertain the language of its citizens, and such censuses were regarded as a normal procedure in many countries. In that connexion, he drew attention to the data on the demographic composition of the population of Yugoslavia contained in annex V of the Committee's report. In order to determine the geographical areas where legislation providing special rights for minorities was to be applied, it was necessary first to ascertain in which localities minorities existed. It was clear that one of the most objective and most generally applied ways to secure the necessary data was a census, and that in carrying out such a census all possible measures would be taken by the competent authorities in order to prevent any form of pressure being put on persons belonging to a minority. In that connexion, he wished to inform the representative of Yugoslavia that a detailed reply had been transmitted to Belgrade on the previous day, in answer to the Yugoslavian Government's note of 29 October. However, he wished to state that Austria firmly rejected allegations that it tolerated neo-Nazi activities and activities hostile to the minorities on the part of certain private Austrian organizations.

31. The Austrian Government was trying to reach an understanding with the representatives of the Slovene and Croat minorities. A special commission had been set up to study questions relating to the Slovene minority in Carinthia, and standing bodies had been established to ensure contact between the Government and the Croat and Slovene minorities. The Austrian Government was aware of the importance of ensuring the effective application of legislative and administrative measures to protect minorities and was also aware of the fact that rights granted to minorities had to be constantly re-examined in the light of social changes and when necessary revised in a way that favoured the minority. Any assertion that the situation regarding minorities in Austria had deteriorated was completely unfounded.

32. Questions relating to the Slovene and Croat minorities in Austria were only part of the manifold relations between Austria and Yugoslavia. The Austrian Government had consistently attached the greatest importance to friendly and good-neighbourly relations with Yugoslavia, and it hoped that the good relations which had hitherto existed between the two countries would be maintained and even further developed. Austria had every reason to believe that Yugoslavia was motivated by the same desire.

33. With regard to draft resolution A/C.3/L.2141/Rev.1, his delegation, while having certain reservations on some of its aspects, considered it to be on the whole satisfactory and would vote in favour of it.

34. Mr. FIRN (New Zealand) pointed out that operative paragraph 9 of draft resolution A/C.3/L.2141/Rev.1 was ambiguous. He therefore proposed that the word "of" should be added between the words "the Convention and" and "other international instruments", and that the words "to which they are party" be added after the words "and agreements".

35. Miss ILIĆ (Yugoslavia) said that the amendment proposed by the representative of New Zealand was acceptable to her delegation. The sponsors of the draft resolution were unable to accept the Netherlands amendment; if, therefore, the representative of the Netherlands did not wish to withdraw it, it would have to be put to the vote.

36. Mr. BASCIO (Grenada) proposed that the word "religion" should be included among the forms of discrimination referred to in operative paragraph 9.

37. Miss ILIĆ (Yugoslavia) said that the proposal put forward by the representative of Grenada did not fit into the framework of the draft resolution because religious discrimination had not been mentioned in the International Convention on the Elimination of All Forms of Racial Discrimination.

38. The CHAIRMAN said that a separate vote had been requested on operative paragraph 8 of draft resolution A/C.3/L.2141/Rev.1. She therefore invited the Committee to vote on that paragraph.

Operative paragraph 8 of draft resolution A/C.3/L.2141/Rev.1 was adopted by 68 votes to 3, with 18 abstentions.

39. The CHAIRMAN invited the Committee to vote on the new operative paragraph 10 proposed by the representative of the Netherlands.

The Netherlands amendment was rejected by 33 votes to 32, with 18 abstentions.

Draft resolution A/C.3/L.2141/Rev.1, as a whole, as orally amended, was adopted by 100 votes to none, with 1 abstention.

40. Mr. NOTHOMB (Belgium) said that although his delegation had voted in favour of draft resolution A/C.3/L.2141/Rev.1, it would have abstained in a separate vote on operative paragraph 7 had one been taken, as it considered that that paragraph went beyond general recommendation III¹ of the Committee on the Elimination of Racial Discrimination. It had abstained in the separate vote on operative paragraph 8, as it considered it to be outside the competence of the Third Committee. His delegation hoped that during the Decade for Action to Combat Racism and Racial Discrimination, the Committee on the Elimination of Racial Discrimination would continue to apply itself to all the tasks entrusted to it and not only to consideration of the situation in the Territories which were still colonies. The Committee should also consider the efforts of the independent countries to promote the elimination in their own territory of all forms of racism and racial discrimination which still persisted, particularly by adopting measures aimed at educating the public, and especially young people;

that did not emerge sufficiently clearly in operative paragraph 6 of the draft resolution.

41. Mrs. MASSON (Canada) said that her delegation had abstained in the vote on operative paragraph 8 of draft resolution A/C.3/L.2141/Rev.1, because it considered that the terms of decision 1 (X) of CERD raised doubts as to whether it was proper for CERD to discuss a question which was primarily political and as to whether all the elements of the problem had been duly taken into consideration. Her delegation also had reservations with regard to operative paragraph 10; it considered that the provisions of the Convention were applicable only in the territory under the jurisdiction of a State Party.

42. Lady GAITSKELL (United Kingdom) said that her delegation continued to give strong support to the Committee on the Elimination of Racial Discrimination in its proper field of work, but in determining what that should be it adopted a strictly constructionist approach which was unfortunately not always shared by other Members. That detracted from the standard of work, as reflected in the Committee's report. Her delegation would therefore have preferred it if the draft resolution had been limited to the first five operative paragraphs; it considered that the draft resolution strayed rather far afield in singling out some of the more controversial aspects of the Committee's work. It doubted whether the emphasis in operative paragraph 6 of the draft resolution and in particular the reference to articles 3, 9 and 15 of the Convention were wise even though they were based on the views of the Committee itself. Likewise, her delegation could not accept operative paragraph 7, as it considered that there was no obligation on the part of States parties to include in their reports under article 9 of the Convention details of their relations with the régimes of southern Africa. It was clear from the discretionary nature of the wording of the relevant recommendation that that had been fully accepted by the Committee when it had adopted the recommendation. In the view of her delegation, the relations of States parties with the régimes in southern Africa or with any other country were not directly relevant to the implementation of the Convention. That view had consequences for its attitude to operative paragraph 10. Her delegation also had reservations on operative paragraph 8, which failed to cover all the significant aspects of the question of the Golan Heights and which referred to General Assembly resolution 2784 (XXVI) which her delegation had not been able to accept; it had therefore abstained in the vote on that paragraph.

43. Accordingly, while her delegation's concern for the work of the Committee on the Elimination of Racial Discrimination had led it to support the draft resolution as a whole, that should not be construed as endorsement of operative paragraphs 6, 7, 8 and 10.

44. Mr. BAKER (United States of America) said that his delegation had serious reservations about operative paragraph 8 of draft resolution A/C.3/L.2141/Rev.1. However, it had voted in favour of the draft resolution so as to indicate its continuing support for the work of the Committee on the Elimination of Racial Discrimination.

45. Mr. PETROV (Bulgaria) said that although his delegation had voted in favour of draft resolution A/C.3/L.2141/

Rev.1, it had reservations on operative paragraph 9, as it considered that the wording was insufficiently precise, particularly after the incorporation of the amendments; it would have been preferable to have specified that the international instruments referred to were instruments which had been adopted by the United Nations.

46. Mr. CATO (Ghana) said that the fact that his delegation had not spoken during the general debate on the item under discussion was no indication of any lack of interest in the aims of the Convention or in the work of the Committee on the Elimination of Racial Discrimination. Since its accession to the Convention in 1966, Ghana had submitted three reports to CERD and would continue to co-operate with it.

47. He wished to announce that his Government had offered to act as host to the international conference to be held during the Decade for Action to Combat Racism and Racial Discrimination.

48. Mr. LUGO (Nicaragua) said that his delegation had abstained in the vote on operative paragraph 8 of draft resolution A/C.3/L.2141/Rev.1 because that paragraph was concerned with a political question; it had voted in favour of the Netherlands amendment as it considered that the amendment improved the text; and it had voted in favour of the draft resolution as a whole.

49. Mrs. PALTÍ (Israel) said that while her delegation whole-heartedly supported all measures aimed at the elimination of racial discrimination in any part of the world, it had been unable to vote in favour of draft resolution A/C.3/L.2141/Rev.1 because of the inclusion of operative paragraph 8.

50. Lady GAITSKELL (United Kingdom) recalled that, at the 2104th meeting, she had referred to the level of white immigration into Southern Rhodesia. In section A.1 on Southern Rhodesia in paragraph 262 of the report of CERD, it was stated that the régime of Southern Rhodesia had been trying to attract massive white immigration, but that paragraph did not mention the fact that such immigration had actually been declining in the past five years. In that connexion, she pointed out that there had been 5,050 immigrants to Southern Rhodesia in 1969, 6,340 in 1970, 9,400 in 1971, 8,820 in 1972 and 1,680 in 1973. Moreover, there had been a net loss of 95 immigrants as of September 1973.

51. Mr. BAL (Mauritania) thanked the representative of the United Kingdom for replying to the concerns that he had expressed at the 2104th meeting.

AGENDA ITEM 56

Human rights and scientific and technological developments: report of the Secretary-General (continued) (A/9645, A/C.3/L.2143, 2144)

52. Mr. ARIZAGA (Ecuador) said that his delegation at the previous meeting had listened with interest to the introductory statement by the Director of the Division of Human Rights and to the statement by the representative

of France, who had submitted draft resolution A/C.3/L.2143, of which his own delegation was now a sponsor. The note by the Secretary-General on human rights and scientific and technological developments (A/9645) was an instructive synthesis of the work carried out by the United Nations since 1968, when the General Assembly had adopted resolution 2450 (XXIII) inviting the Secretary-General to undertake, with the assistance, *inter alia*, of the Advisory Committee on the Application of Science and Technology to Development, a study of the problems in connexion with human rights arising from developments in science and technology. Since that time, the international community had been dealing in greater depth with that question and had proposed programmes and plans of action designed to prevent human rights from being endangered by scientific and technological developments.

53. There were excellent reasons to approach the question of scientific and technological developments with some caution because they would bring either good or evil to mankind. They could be an asset if their main objective was the promotion of man's well-being, but they could be an evil if their use limited man's freedom or led to an invasion of his privacy. It should also be borne in mind that the use of technology involved the serious danger that man might be replaced by machines. It could, however, also be said that science and technology were the catalytic agents of history and had made important contributions to change for the benefit of all mankind.

54. Ecuador and other countries of Latin America had now undertaken the long and difficult task of overcoming underdevelopment. One of the most complex problems they faced was the achievement of scientific and technological progress. Science and technology must be the patrimony of all mankind and should be used in a positive way for the benefit of the people of all countries. He was of the opinion that the transfer of technology from the industrialized countries to countries still struggling to achieve development was a historical necessity. The transfer of technology, which would, for example, contribute to the exploitation of the natural resources of the developing countries, must, however, be carried out in conditions of respect for the national sovereignty of every country. Similarly, if science and technology were to be used in the service of all mankind, the international community must be concerned about the protection of human rights and, in particular, the right to health and life, which must not be endangered by the improper use of science and technology. In that connexion, artificial insemination, the artificial production of life, euthanasia and the invasion of privacy by electronic means were examples of scientific and technological developments which could endanger human rights. Draft resolution A/C.3/L.2143 took account of all the aspects of scientific and technological developments to which he had referred and his delegation therefore hoped that it would be adopted unanimously.

The meeting rose at 1.05 p.m.

2107th meeting

Tuesday, 3 December 1974, at 3.20 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2107

In the absence of the Chairman, Miss Dubra (Uruguay), Vice-Chairman, took the Chair.

AGENDA ITEM 56

Human rights and scientific and technological developments: report of the Secretary-General (*continued*) (A/9654, A/C.3/L.2143-2147)

1. The CHAIRMAN announced that Nicaragua had become a sponsor of draft resolution A/C.3/L.2143.

2. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that scientific and technological progress and its impact on people's living conditions constituted one of the most important problems of the time. The positive effects of scientific and technological progress could be seen in various fields of human activity, whether industrial, agricultural or cultural, and humanity would continue to witness major new discoveries. However, the facts showed that there were certain negative sides to such progress, such as the arms race, the development of mass means of destruction, increased possibilities of interference in the internal affairs of States, the exhaustion of natural resources and growing unemployment. All those problems

caused justified concern and deserved special attention in order to determine whether they were permanent or merely temporary difficulties. Clearly the negative aspects were most obvious in the societies based on the exploitation of man by man, where scientific developments were used to harm the vital interests of the workers. It was therefore absolutely essential to use scientific and technological developments for the benefit of workers, for the strengthening of international peace and security and the improvement of living conditions.

3. The many problems currently arising in that field were becoming increasingly international in character and it was those international aspects that must be considered by the United Nations. Such consideration could be fruitful only if the functions and purposes of the United Nations were clearly and exactly known, since the Organization must not interfere in the internal affairs of sovereign States. His country attached great importance to the question of the proper use of scientific and technological developments. It had adopted measures to end the arms race and had taken the initiative of submitting to the General Assembly a draft convention concerning the prohibition of action to influence the environment and climate for military and other purposes incompatible with the maintenance of interna-

tional security, human well-being and health; most States had supported the draft convention.¹ The principles were reflected in Soviet legislation which was designed to defend human rights in a situation of rapidly developing science and technology. Considering the background of the item under discussion it was, however, clear that there were differences of opinion on the matter. Some countries tried to use new scientific and technological developments in order to interfere in the internal affairs of States. That was why increasing mention was being made of industrial espionage, a practice which was common mainly among economic systems based on competition. Measures taken to limit such practices depended on the features of each country and were unfortunately often of only slight effect. But it was not incumbent on the United Nations to resolve such particular problems, which were essentially the responsibility of individual States.

4. The function of the United Nations, in conditions of scientific and technological development, was to determine basic principles to ensure that such developments were used in the interests of international peace and security and for the well-being of humanity. It was in that spirit that his delegation introduced, on behalf of the sponsors, a draft declaration on the use of scientific and technological progress in the interests of peace and for the benefit of mankind, which appeared in document A/C.3/L.2144. That basic principle was clearly stated in the fifth preambular paragraph and in operative paragraph 1 of the draft declaration. Paragraph 3 dealt with observance of the principle of non-interference in the internal affairs of States and it also mentioned the obligation on all States to refrain from any act of that kind which would constitute a flagrant violation of the Charter of the United Nations and the principles of international law. Paragraphs 4 and 5 respectively dealt with the social effects of scientific and technological developments on the working masses and the necessary measures, including legislative measures, to ensure that the utilization of scientific and technological achievements promoted the fullest realization of human rights and fundamental freedoms. The aim of the draft declaration was to group together all the principles already laid down in many international documents and reflected in international practice. The achievement of further developments would bring many fresh problems; therefore it would not be premature to introduce any measure to prevent the negative impact of scientific and technological progress from becoming irreversible. That was why his delegation had considered it necessary to submit the draft declaration which it hoped would receive considerable support.

5. Mr. BAROODY (Saudi Arabia) said that the adoption by the Committee of draft declaration A/C.3/L.2144 might set a dangerous precedent. The Commission on Human Rights was normally responsible for drawing up declarations and conventions. It was not incumbent upon the Committee to do so, except in the case of a very general declaration of principle. A similar problem had arisen with the draft declaration on the elimination of all forms of religious intolerance and the Soviet delegation, like his own, had abstained during the voting on the draft resolution adopted by the Committee at the conclusion of the

consideration of agenda item 54. Religious discrimination was, however, a much less important matter than the use of scientific and technological developments. As he had repeatedly said, he thought that declarations could not be formulated until a thorough study had been made of the question and its effects considered. The case in point seemed particularly difficult, since no expert opinion had been heard and the Committee did not have the necessary technical competence. Scientific and technological developments were so swift that they were very soon outdated; furthermore their positive or negative aspects depended on the use made of them. In his opinion, it was not within the purview of the Committee to decide on the impact of development and to draw up rules on the matter. That was why he could not support the draft declaration submitted by the USSR. He proposed that the matter should be referred immediately to the Commission on Human Rights which, in accordance with usual procedure, would submit to the Committee the findings of the study it would make. The Committee could then decide whether a draft declaration was called for and whether it could take a decision in that respect.

6. In the draft declaration under consideration, the USSR, which was one of the most advanced of the great Powers in scientific and technological matters, particularly with regard to arms, assumed the right to determine what should or should not be done to ensure the maintenance of international peace and security. In that connexion, he paid tribute to the memory of U Thant who had worked all his life truly for the cause of peace, and recalled that peace nurtured life and war was another name for death. There was nothing to suggest that a declaration such as that proposed by the Soviet delegation would make it possible to channel the use of science and technology towards the interests of peace and the benefit of mankind. That was why he proposed that the matter be referred for study to the Commission on Human Rights.

Mrs. Marico (Mali) took the Chair.

7. Miss VOLLMAR (Federal Republic of Germany) said that technical developments were not an end in themselves but must serve the people. Man was constantly opening up new fields of science and technology, not to become a slave of his new knowledge but to ease the conditions of human life and guarantee all people freedom and human dignity. Everyone must try to ensure that efforts to protect human rights kept pace with scientific and technological progress.

8. Her Government was of the opinion that exchanges of information and the transmission of news helped countries to know each other better and contributed to the elimination of prejudices. Satellites should be used as much as possible to promote human rights and, in particular, freedom of information and opinion. Moreover, science and technology had a role to play in protecting jobs and improving working conditions.

9. The consideration of the question of human rights and scientific and technological developments must not be too general and should relate in particular to the protection of the individual's private life against the side-effects of certain types of technology. For example, it was necessary to regulate the use of computers for the processing of personal

¹ Subsequently adopted by the General Assembly in its resolution 3264 (XXIX).

data. The Federal Parliament had before it a bill designed to ensure that personal data would not be used improperly and the Government had submitted a report in which the various aspects of the problem were considered in detail. The study of the positive and negative effects of scientific and technological developments on human life and, in particular, on social change, had been intensified and two bodies had been established for that purpose, namely, the Commission on Economic and Social Change and the German Industrial Council on Rationalization.

10. The sole purpose of scientific and technological developments must be to improve living conditions. Her country would continue to take part in the formulation and application of international principles and guidelines and would support draft resolution A/C.3/L.2143. Since it was of the opinion that draft declaration in document A/C.3/L.2144 did not attach enough importance to the need to protect the individual against the side-effects of scientific developments and invasions of his privacy, it had, together with the United Kingdom, submitted an amendment in document A/C.3/L.2147. In the English text, the words "to limit or to interfere" should be replaced by the words "from limiting or interfering".

11. Mr. AZIZ (the International Labour Organisation) reported on the experience of the ILO, which had adopted a number of conventions and recommendations relating to the fundamental rights embodied in its Constitution, the Declaration of Philadelphia, the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, as indicated in the two reports² which had been before the Commission on Human Rights at its twenty-ninth session. The International Labour Conference had considered the question of automation and technological developments and their effects on employment and working conditions.

12. With regard to the right to work, the ILO studies had shown that technology did not, as had been feared, cause massive unemployment. It even created new employment. Thus, the proportion of white-collar and service workers was increasing in relation to the proportion of blue-collar workers and, in general, the demand for non-skilled labour was declining, regional changes were taking place in the distribution of resources and some skills were becoming obsolete, with the result that it was necessary to ensure the retraining of employees. Older workers were most affected by technological developments because, if they lost their jobs, they had less chance of finding other employment.

13. With regard to the right to equitable and satisfactory conditions, scientific and technological developments contributed to the improvement of working conditions. Thus, the working environment was usually cleaner, better lit, better ventilated and safer. Machines did work that was previously done by men and there were now methods of measuring harmful chemical and physical agents and evaluating the hazards that they involved. At its fifty-ninth session, held at Geneva from 5 to 25 June 1974, the International Labour Conference had, moreover, prepared a Convention and a Recommendation concerning Prevention and Control of Occupational Hazards Caused by Carcino-

² E/CN.4/1084 and E/CN.4/1115.

genic Substances and Agents.³ Audio visual means of telecommunication had improved safety in plants and work sites; computers were used to solve ventilation problems in mines; the mass media were making the public aware of safety and health problems. Ergonomics was being applied both in developed and developing countries to adapt machines and production processes to man's needs. However, workers often complained about the nervous tension caused by the faster pace of work, noise, the need for constant concentration and increased responsibilities. They also complained about boredom and the feeling of being isolated in the midst of so many machines.

14. With regard to the right to equal pay for equal work, rapid advances in communications had made the general public aware of inequalities in payment and discrimination against some workers, particularly women, some racial groups, and disabled and older persons. Modern methods of recruitment by computer tended to prevent such discriminatory practices. Women were perhaps the group which had benefited most from scientific and technological developments. Thus, many tasks which had, in the past, required physical strength were now accessible to them, and it had been pointed out that automated jobs involving close attention and care were often performed better by women than by men. In developing countries, women had been relieved of many traditional women's tasks in the home and could seek gainful employment.

15. With regard to the right to form and join trade unions, it was becoming increasingly difficult for trade unions to determine the best way of protecting their members. They were therefore often obliged to hire technological experts, and computers were playing an increasingly important role in collective bargaining settlements.

16. With regard to the right to rest and leisure, modern technology had made it possible to reduce working hours and increase leisure time, thus giving workers more time for cultural pursuits and their families. Science and technology had, however, had an adverse effect on the rest and leisure time of certain categories of workers.

17. Mrs. WATANABE (Japan) said that the report of the Secretary-General on the uses of electronics which might affect the rights of the person and the limits which should be placed on such uses in a democratic society⁴ was very informative and would provide an excellent basis for discussion. Of course, the continuation and expansion of the study by the Secretary-General was desirable, but that type of study required a great deal of time and care.

18. The development of telecommunications systems, simultaneous satellite broadcasting and the use of computers were bringing about rapid changes in the daily life of twentieth-century man and had become necessary to ensure the maintenance of international peace and security, improve living conditions and offer better educational and employment opportunities to a larger number of persons. Japan also considered that scientific and technological developments were doing a great deal to raise standards of

³ See International Labour Office, *Official Bulletin*, vol. LVII, 1974, No. 1, Convention No. 139 and Recommendation No. 147.

⁴ E/CN.4/1142 and Corr.1 and Add.1 and 2.

living. The increasing use of computers, particularly in the administrative departments of ministries, was helping to increase efficiency. Taking into account the controversies to which the use of computers had given rise, the Japanese Administrative Management Agency, which was responsible for promoting and co-ordinating the development of data processing systems, had considered the question of the protection of the individual's privacy. In June 1974, it had requested its advisory body, the Commission for Administrative Management and Inspection, to study measures which the Government might take for that purpose. The Commission was to submit its recommendations in March 1975 and, on that basis, the Administrative Management Agency intended to introduce the necessary laws and regulations for the protection of privacy.

19. Her delegation was convinced that all measures, however limited they might be, taken by Governments contributed to the efforts of the international community to ensure that scientific and technological developments did not endanger human rights and fundamental freedoms. It was in that spirit of co-operation that Japan had joined the sponsors of draft resolution A/C.3/L.2143, of which operative paragraph 4 was particularly pertinent. With regard to the ILO, her delegation took a keen interest in the question of paid educational leave, which had been considered at the fifty-ninth session of the International Labour Conference. A survey conducted by the Japanese Industrial Structure Commission in 1973 had revealed that 83.9 per cent of persons engaged in intellectual work gave lack of time as one of the reasons for the difficulties they encountered in educating or training themselves, while only 36.9 blamed lack of funds. Her Government therefore considered that training and educational systems for workers must be reviewed in order to make possible the full development of their potential.

20. Mr. LIJADU (United Nations Educational, Scientific and Cultural Organization) said that science and technology were seen as great hopes for human progress, yet at the same time they created a serious threat facing contemporary man. One result of that paradox was the mistrust of science and its application which had developed, particularly in industrialized countries, and most notably among young people. He drew the Committee's attention to some of the points raised at the eighteenth session of the General Conference of UNESCO in 1974 in the course of the discussion on the problem of social control of science and technology, and also to the long-range programme of research and action entitled "Science in the contemporary world: the human implications of scientific advance".⁵

21. One of the concerns of the General Conference had been the relative lack of scientific and technological progress in developing countries: scientific knowledge remained the privilege of the few, and the situation had been further aggravated by the "brain drain". Moreover, certain technologies could not easily take root in certain societies because they reflected values which were alien to them, and disrupted traditional structures without allowing the community to explore and choose alternative technologies; furthermore, the application of imported technol-

ogies had done little to fulfil the needs of those communities.

22. The General Conference had also recognized that many of those problems had parallels in the rich nations: in working out the human implications of scientific and technological advances, all nations were developing nations. The industrialized countries had met with little success in controlling the arms race and faced enormous difficulties in halting the deterioration of the environment. The General Conference had drawn attention to the world-wide threat of technologies which could be used for the manipulation of human beings, both as individuals and as entire communities. Awareness of those problems was the first step towards controlling the uses of technology. Often, scientists and engineers themselves were quite unaware of the possible dangers of their work and the general public could not react because it was uninformed. Young people played, and would continue to play, a decisive role in the future of science and technology. It was essential to prepare all people to contribute to the management of science and technology and, for that, science education early in every child's life and the involvement of citizens in creative scientific work and of scientists and engineers in every aspect of the development process were necessary.

23. The General Conference of UNESCO in the resolution already mentioned had authorized the Director-General to organize meetings and carry out studies, in co-operation with relevant governmental, intergovernmental and non-governmental organizations, to examine the implications for man of scientific and technological advance. That implied studies to assess trends in science and technology in relationship to society, and to examine the notions of impartiality, objectivity and neutrality of science. The General Conference had also adopted a recommendation on the status of scientific researchers,⁶ which set out a number of criteria for defining the ethical issues which confronted scientists.

24. The resolution also authorized the Director-General to organize meetings and to carry out studies to establish means of reducing the gap between the developing nations and those more advanced in the domain of science and technology, and to use to that end, all means placed at his disposal to enable developing nations to obtain easier and less costly access to science and to modern technology which took account of the specific characteristics of those nations. The studies envisaged would examine the effects of science and technology on traditional cultures and the possibility of applying alternative and more appropriate technologies to the development of those societies. Finally, the Director-General was authorized to improve public understanding of the meaning and importance of scientific and technological advances and their relationship to society, through communications to the press and to audio-visual media agencies concerning those questions. That final provision was extremely significant in that no human activity was more evidently a product of science and technology than mass communication. As the agency specifically charged with promoting the free flow of information and the development of communication, UNESCO had undertaken actions designed to encourage

⁵ See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Eighteenth Session, Volume 1, Resolutions*, resolution 2.11.

⁶ *Ibid.*, recommendation 40.

regulation of that highly sophisticated and potentially dangerous technology. It was not enough that the media should instruct or amuse their users: they should continue to make practicable one of the most fundamental of human rights—the right to be heard.

25. The CHAIRMAN said that, if she heard no objection, she would take it that the Committee decided to close the list of speakers on item 56 that afternoon at 5.30.

It was so decided.

26. Mr. RAZA (Pakistan) said that human rights could only be safeguarded by the total elimination of war and by the utilization of all available resources to promote the economic, social, cultural and moral advancement of the human race. That would only be possible if all nations applied and strictly observed the recommendations and resolutions of the United Nations, and if universal disarmament were achieved. It was essential for human dignity that guidelines should be laid down to enable individuals to enjoy the right of privacy.

27. His delegation was of the view that outer space should be internationalized and that space exploration should not be used for aggressive purposes. The fruits of space exploration should be shared by all nations, irrespective of the state of their technological development. Developing countries, such as his own, needed special assistance in that field. Since their economies depended largely on agriculture, they were vitally interested in the scientific methods applied to agricultural operations by the main food-producing countries of the world, such as the United States, the USSR and China.

28. Scientific technology should be used only to meet the requirements of national security, the maintenance of law and order and the promotion of scientific knowledge; it should never be used to infringe upon the privacy and rights of individuals. His delegation therefore supported draft resolution A/C.3/L.2143, as amended by the representative of France at the 2105th meeting.

29. Mr. FAKTOR (Czechoslovakia) said that scientific and technological progress had developed at such a rate in recent years that it violated fundamental human rights and might even endanger the very existence of human society. As had been pointed out at the thirtieth session of the Commission on Human Rights, the arms race, the plundering of natural resources and the abuse of technological achievements to interfere with the sovereign rights of States were all in violation of the Charter of the United Nations. The achievements of science and technology were used by the imperialist States against the national liberation movements and in aggressive wars, as in Indo-China and the Middle East. Scientific and technological progress should be used for the benefit of all mankind and ought not to be a source of wealth and power. The phenomenon whereby scientific and technological progress widened the gap between the poor and the wealthy and between the developing and the industrially advanced countries was a product of capitalist society; in the socialist States, the achievements of science and technology were used for the well-being of all, on the basis of equal rights. The Constitution of the Czechoslovak Socialist Republic guar-

anteed that both society and every individual were protected against any negative influence of technology, and particularly against the abuse of technology to restrict human rights and freedom. His country, like the other socialist States, was co-operating in the field of science and technology with the developing countries and with the advanced capitalist States on a basis of equality and mutual advantage.

30. Scientific and technological progress should serve the interests of all mankind. The international community had a duty to adopt such measures as would oblige Governments to do everything in their power to prevent the abuse of science and technology for the exploitation of man by man, for imperialist wars, or to violate human rights and fundamental freedoms or offend the dignity of the human personality. His country was a sponsor of the draft declaration on the use of scientific and technological progress in the interests of peace and for the benefit of mankind in document A/C.3/L.2144, and was prepared to participate actively in the implementation of all measures which would contribute to the expansion of co-operation in science and technology for the benefit of all States on a basis of equality, in order to eliminate economic and social inequities.

31. Mr. HSING Sung-yi (China) said that draft resolution A/C.3/L.2144 on the possible dangers to mankind of scientific and technological progress was in fact submitted by one of the two super-Powers which themselves posed the greatest threat to world peace and security. It was well known that the representatives of "socialism" used scientific and technological progress to develop weapons of mass destruction, engage in arms expansion and incessantly carry out aggression against the countries and peoples of the third world. However, they hypocritically tried to masquerade as disciples of peace in the United Nations, for example by proposing a so-called international convention prohibiting the use of scientific and technological progress to influence the environment and climate in the First Committee (agenda item 103) and a "declaration" on the use of scientific and technological progress for the benefit of mankind. Their aim was in fact to deceive the public and divert attention from their arms expansion, especially that of nuclear arms.

32. His delegation fully understood the legitimate aspirations of certain third world countries with regard to the subject under discussion. It considered, however, that the General Assembly should not examine a text which the Soviet delegation called a "declaration" and tried to impose on the other members of the Committee in the hope of deceiving world public opinion.

33. Mr. RIOS (Panama) said that the working papers and draft resolutions before the Committee dealt with culture, scientific progress, spiritual values and, strangely enough, material values. Nevertheless, a clear purpose emerged from that accumulation of concepts, namely the need to preserve and develop cultural particularities in order that everyone could benefit from the cultural values they represented and fully develop his personality. Consequently, the Committee should state clearly what was meant by development of personality, culture and spiritual values and define more clearly what was covered by those concepts. The provisions

of the Charter of the United Nations were in fact a series of principles which were gradually compelling recognition as the moral standards of the modern world, on the basis of which man tried, with the help of science and technology, to establish a more just and peaceful society which offered to all the possibility of living in comfort and dignity on a basis of equality. Inspiration should therefore be drawn from the spirit and letter of the Charter. It would then be realized that, when speaking of human rights and scientific and technological progress, it was essentially, according to the striking expression used by a Panamanian journalist, a question of dignity and proteins. For the United Nations and consequently for UNESCO, therefore, culture was not a mere social phenomenon but had an ethical and humanistic dimension, since it also reflected an aspiration to achieve a certain ideal of mankind. In that sense, culture was, on the one hand, the sum of the theoretical and practical knowledge, of customs, and of forms and styles which enabled a man or a society to develop fully and, on the other hand, the sum of the values which showed man and society the way towards a full life, well-being, harmony, justice and freedom. In order to confine itself to the specific aspects of the question under consideration UNESCO must try to reduce as much as possible the harmful consequences of scientific and technological developments on the forms of social life or cultural particularities which constituted a positive factor for the progress of mankind. Whatever the matter under consideration, only the elements which furthered the ideals of the United Nations were worthy of preservation; UNESCO must therefore try to avoid wasting its energies in vain efforts to protect certain cultural particularities which were based on injustice and which, under the cloak of tradition and picturesqueness, only served to perpetuate it. He again wished to emphasize the need to use a strict terminology when speaking of values and concepts which had a definite meaning in the language of the social sciences. His delegation would try to examine from a practical viewpoint and in a precise manner the final texts on the question of human rights and scientific and technological developments submitted to the Committee.

34. Mr. BAKER (United States of America) expressed his appreciation to the Director of the Division of Human Rights for his able introduction at the 2105th meeting of the item under consideration and to the Secretariat for having prepared document A/9645. He emphasized the importance which his delegation attached to the item under discussion and its belief that the Committee could and should usefully guide the other United Nations bodies concerned in that matter. As was pointed out in document A/9645, a great deal of work had already been done and the Secretariat and the specialized agencies were to be commended on it. But much still remained to be done. It was debatable whether the subject had yet reached the stage for the formulation of international rules or standards. In that connexion, his delegation believed that deliberate and studied progress was far preferable to precipitate action.

35. Two documents were at present before the Committee. The first was draft resolution A/C.3/L.2143, submitted by the representative of France. His delegation would vote in favour of it because it presented the question in an entirely appropriate manner and he hoped that it

would receive the general support of the Committee. The second document (A/C.3/L.2144) had been presented by the representative of the USSR. As he had indicated earlier, his delegation was doubtful of the merits of attempting, at that point in the Committee's consideration of the matter, and in the time remaining at the current session, to enunciate meaningful international rules or standards. It would seem preferable to refer the draft declaration to the Commission on Human Rights which would have time to consider it carefully. His delegation fully appreciated the efforts of the sponsors of the draft declaration, which perhaps represented a useful starting point for future work.

36. Nevertheless, his delegation, which hoped that the draft declaration would enjoy wide support at the right time, would like to discuss with the sponsors a number of amendments, which he read out.⁷

37. However, he emphasized that his delegation would prefer the question of the declaration to be deferred until such time as the Committee had more time to consider the issues involved in the light of the additional documentation which was to be made available.

38. Mr. KOMISSAROV (Byelorussian Soviet Socialist Republic) said that his delegation attached particular importance to the question under discussion. General Assembly resolution 3150 (XXVIII) and resolution 2 (XXX)⁸ of the Commission on Human Rights, to quote only the most recent, showed to what extent that attitude was justified. Those documents already indicated in what light the question of human rights and scientific and technological developments should be studied. The Secretariat, however, seemed to pay more attention to certain secondary aspects of the matter, because of all the studies it had made (see A/9654), only three concerned the question under consideration. The main task was to work out measures aimed at ensuring that scientific and technological developments were used in the interests of peace and for the benefit of humanity; it was essential to ensure that they were not used by certain countries to interfere in the internal affairs of other States and to suppress national liberation movements, instead of contributing to the economic development of all peoples. The work of the Committee was at present taking place in an atmosphere of international détente which clearly showed that it had been possible to solve several international problems successfully in recent years; that atmosphere should make it possible to devote attention to the main question of the use of scientific and technological developments in the interests of the whole of mankind. Unfortunately, it was only too well known that in some countries those developments were used for very different purposes, the arms race in particular. Moreover, it was obvious that full enjoyment of human rights could not be guaranteed in society based on inequality and injustice, as the General Assembly had concluded at its sixth special session, devoted to consideration of the topic of raw materials and development. At that session, economists had painted a picture of a world in which the rich nations were becoming even richer through their selfish exploitation of the resources of countries which were thereby condemned to poverty. The World Congress of Peace Forces held in

⁷ Later circulated as document A/C.3/L.2148.

⁸ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5*, chapter XIX.

Moscow in October 1973 had launched an appeal to all peace-loving countries to unite for the purpose of eliminating racism and colonialism and ending the present scandalous situation whereby, in an era of lightning-swift scientific and technological progress, whole peoples were condemned to poverty, disease and unemployment and subjected to all kinds of pressures as a result of the collusion between the international forces of reaction and the support which they provided to fascist régimes.

39. The results of scientific and technological developments were essentially dependent on the use which was made of them and consequently, on the nature of the different social structures which applied them. The capitalist system could only accelerate the process of exploitation of raw materials, the evil consequences of which could already be measured. Socialist society, on the other hand, endeavoured to place scientific and technological developments at the service of mankind, using those developments to derive greater benefit from the enormous possibilities offered by the socialist structure, based on active worker participation and ever-increasing democratization. Planning was aimed in particular at using scientific and technological developments to improve the condition of the individual and to satisfy his material and spiritual needs. The West had assumed that his country, which had been so seriously affected by the Second World War, would not be able to recover; however, it had regained and surpassed its pre-war level of development and had improved the quality and increased the quantity of its products. In the first three years of the current five-year plan it had succeeded, *inter alia*, in increasing the pensions and wages of 1.5 million people.

40. His delegation considered that the draft declaration in document A/C.3/L.2144 covered all aspects of the question of human rights and scientific and technological developments. It mentioned all the advantages which might be derived from those developments and expressed the concerns which, conversely, they might arouse. It was thus a document of great importance which was fully in conformity with the principles and purposes of the Charter of the United Nations. His delegation was convinced that adoption of that document would be an important step forward, for fundamental human rights and freedoms would be considerably strengthened thereby.

41. Mr. SMIRNOV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, regretted that the statement by the representative of China had introduced a discordant note in the discussions in the Committee. It contained no constructive elements and it reflected the deliberately negative attitude which China took towards the item under consideration and many other items. The representative of China had drawn his usual conclusions and had attempted to persuade the members of the Committee that the Soviet Union used the United Nations as a forum for propaganda; nothing could be further from the truth, as the members of the Committee well knew. The Soviet Union had always co-operated most willingly in the work of the Organization and had been the initiator of a number of solutions to various problems. It had taken the initiative in proposing that an end should be put to the arms race by effecting a 10 per cent reduction in national defence budgets and placing the funds thus saved at the disposal of

the developing countries. Furthermore, it was his country which had proposed the convening of a world conference on disarmament. The draft declaration, of which his country was a sponsor, stated in paragraph 1 that all States should promote international co-operation to ensure that the results of scientific and technological developments were used in the interests of strengthening international peace and security. Paragraph 3 of that document stated that all States must refrain from any acts involving the use of scientific and technological achievements for the purpose of violating the sovereignty of other States, interfering in their internal affairs, waging aggressive wars, suppressing national liberation movements or pursuing a policy of racial discrimination. The representative of China had drawn the conclusion that the Soviet Union was trying to impose its views on other members of the Committee. That conclusion was manifestly incorrect. The members of the Committee were well aware that his country would always be prepared to co-operate extensively with them and would associate itself with all their efforts to ensure respect for human rights.

42. Mr. HSING Sung-yi (China) said that he had considered it his duty to show how Soviet socialist imperialism was making use of an item of the Committee's agenda in an attempt to impose a so-called declaration. Following that statement, the representative of the Soviet Union had slandered China in terms which his delegation could not but repudiate. The representative of the Soviet Union was vainly seeking to hide the ugly features of socialist imperialism by masquerading as the defender of human rights and the cause of humanity. The Soviet Union, in its pursuit of hegemony, had engaged in a frantic arms race and preparations for war; it perpetrated acts of intimidation and subversion in pursuit of its expansionist policies throughout the world. Taking advantage of the difficulties of certain third world countries, it had become an arms merchant and, under the guise of scientific and technological co-operation and economic assistance, it sought to acquire political control and plunder the economies of third world countries through intimidation and blackmail. Those countries should know that China's friendly relations with them could not be jeopardized by such slander. The attitude of the Soviet Union deceived no one. Whatever disguise it assumed, a wolf was always a wolf.

43. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the members of the Committee should not tolerate the offensive accusations of the representative of China. There was no need to emphasize the hypocrisy of those accusations. The facts spoke for themselves; suffice it to say that whereas his own delegation had adopted a constructive attitude to the item under consideration in an effort to contribute to the progress of the Committee's work, the Chinese delegation had not put before the Committee a single proposal.

44. Mr. COMMENAY (France) announced that the sponsors of draft resolution A/C.3/L.2143 had submitted a revised version of that document to the officers of the Committee which would be circulated to delegations at the next meeting. The revised draft took account of the numerous suggestions which had been submitted to the sponsors by delegations which had shown an interest in the draft. He would provide further clarification in that respect at a later stage.

AGENDA ITEM 53

Elimination of all forms of racial discrimination (*continued*) (A/9603, chapter I, chapter V, section C.1; A/9618, A/9666 and Add.1-6, A/9719, E/5474, E/5475)
(b) Report of the Committee on the Elimination of Racial Discrimination (*continued*):

EXPLANATION OF VOTE

45. Mr. ABDEL-KERIM (Chad) said he wished to make it clear that his delegation had voted in favour of paragraph 8

of draft resolution A/C.3/L.2141 concerning the report of the Committee on the Elimination of Racial Discrimination at the previous meeting.

46. Mr. SCOTLAND (Guyana) regretted that he had been absent during the vote on draft resolution A/C.3/L.2141. If he had been present, he would have voted in favour of the draft resolution.

The meeting rose at 5.55 p.m.

2108th meeting

Wednesday, 4 December 1974, at 3.20 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2108

In the absence of the Chairman, Miss Dubra (Uruguay), Vice-Chairman, took the Chair.

AGENDA ITEM 56

Human rights and scientific and technological developments: report of the Secretary-General (*continued*) (A/9645, A/C.3/L.2143/Rev.1, 2144-2148)

1. Mr. DE AZAMBUJA (Brazil) said that he wished to make a few general remarks while expressing his delegation's views on the two draft resolutions before the Committee (A/C.3/L.2143/Rev.1 and A/C.3/L.2144). Both texts contained provisions which had his delegation's whole-hearted support, but they presented the issue in an unbalanced way. The decisive importance of science and technology to developing countries was placed in a somewhat secondary position compared with the actual or potential dangers to human rights posed by the use of certain scientific and technological developments. At the stage of development reached by Brazil, the benefits far outweighed the detrimental side-effects which the industrialized societies seemed to be experiencing after having made full use for several decades of every instrument that science and technology could offer. The Brazilian delegation believed that science and technology were primarily a force for the good of mankind and only secondarily, and when applied in a distorted way, a threat to human rights and human dignity. Further, it was for each State to take the necessary measures to ensure that the extraordinary potential of science and technology should not be misused.

2. Operative paragraph 2 had already been amended in a constructive way in draft resolution A/C.3/L.2143/Rev.1, but his delegation would like paragraphs 4 and 5 to be amended also, by the deletion of the reference to the "formulation of international standards". Such a formulation was outside the competence of the specialized agencies and the Commission on Human Rights, and it should first be given further consideration at governmental level. In addition, some of the preambular paragraphs, particularly

the ninth, were too vague. With those modifications, the draft resolution should gain widespread acceptance.

3. Document A/C.3/L.2144, which contained a draft declaration on human rights and scientific and technological developments in the interest of peace and for the benefit of humanity, was much more ambitious. It was unfortunate that the emphasis in the text was rather on the dangers attending the improper use of science and technology than on their far-reaching benefits for the developing world. The draft deserved careful consideration and Governments should have the opportunity to comment on it. Since the time available to the Committee was limited, it would be best to keep the draft under consideration and, perhaps at the next session of the General Assembly, adopt a balanced declaration that would take into account the three main lines of thought so far expressed: the view of the developing world that the intensive and unrestricted use of science and technology was an indispensable factor in development; the concern expressed by one group of States over the risks of the misuse of scientific and technological developments to foster international dissension and aggravate social injustice; and, lastly, the preoccupation of another group of States over the harmful side-effects that science and technology could produce in an industrialized society.

Mrs. Marico (Mali) took the Chair.

4. Mr. MARMURI (Libyan Arab Republic) said the objective that was of primary importance in the present-day world was the conservation of mankind's cultural and scientific values; but cultural, national and religious intolerance and racial discrimination still existed, particularly in Africa and Palestine, where colonialist agencies were doing everything in their power to destroy the culture and frustrate the aspirations of the colonized peoples. As a result of imperialist exploitation, the social structures had disintegrated and had been replaced by others.

5. The Libyan Arab Republic, which had suffered from the cultural and social domination of the colonialists, had

been host to several international conferences in an effort to find effective means to achieve understanding, without any exploitation of one country by another, free of any ideology that would tempt men to eschew religion and nationalism, without which man lost his worth and dignity.

6. The contemporary world was faced with an arms race between a handful of colonizers which threatened to destroy the whole world while whole populations were dying of hunger. The problem posed by imperialism and its institutions was still the same. The countries that had tried to rectify the situation by demanding fair prices for their natural resources had been accused of irresponsibility and threatened with military intervention. There had even been campaigns to saddle them with the responsibility for inflation. Such practices could not be ignored. Was the world's future to depend on a minority which did not wish to take on its obligations to the third world? The millions of dollars spent on espionage and the manufacture of weapons of mass destruction would be more than enough to solve all the economic problems. The establishment of a new economic order that would guarantee security and well-being for all, thanks to a balanced distribution of scientific and technical developments, was of vital importance to the contemporary world.

7. Mrs. MASSON (Canada) said that Canada, aware of the scope and importance of the problem of human rights and scientific and technological developments, had passed legislation at both the provincial and the Federal level to solve some of the problems indicated in the reports of the Secretary-General mentioned in document A/9645: democratization of health services, consumer protection, establishment of a federal agency to co-ordinate anti-pollution measures. It had striven to adapt Federal and provincial legislation to the many sweeping changes brought about by technology and thus protect working people. Several provincial governments, and the Federal Government, had adopted provisions obliging employers to inform employees of their approaching dismissal some time before the dismissal became effective. That rule applied regardless of the reason for the dismissal, so that it covered the risks that were inherent in rapid technological development. The Women's Employment Office of the Ministry of Labour had pointed out that automation, which rendered physical force unnecessary, had opened jobs to women which had formerly been inaccessible to them. The Canadian Government was also concerned about the threat to privacy represented by the computer: the Ministries of Communications and of Justice had published a report on that subject which contained the conclusions of a working group that had been asked to study the consequences to citizens of the utilization of data banks. The working group had recognized how important it was to the individual not to have personal information passed on to third parties without his knowledge, or even against his will, except in accordance with the law where the interests of society overrode those of the individual. The report also emphasized the fundamental role of the Government as the main collector of data and saw a possible threat to culture in the fact that much personal information was not covered by Canadian law because it was stored in the computer's memory outside Canada. Control measures had been suggested, and the Canadian Government was envisaging ways and means of resolving the conflict between scientific and technolo-

gical developments and the need to protect human rights and cultural values.

8. Mr. EVANS (Australia) expressed the hope that at the thirtieth session of the General Assembly, the Committee would give a higher priority to the very important question of human rights and scientific and technological developments. Science and technology had become a two-edged sword. All countries had a responsibility to recognize and to identify the problems created by scientific and technological progress, to share the knowledge gained in that field at the national and the international level and to ensure that such developments were used for the good of mankind. At the same time, scientific and technological developments must be used to improve living conditions, ensure social, economic and cultural progress and, above all, to promote respect for human rights. It had been with those points in mind that, in resolution 2450 (XXIII), the General Assembly had invited the Secretary-General to undertake a study of certain problems in connexion with human rights arising from developments in science and technology. His delegation was encouraged by the preliminary work done by the Commission on Human Rights, the Advisory Committee on the Application of Science and Technology to Development and the specialized agencies, and it looked forward to the results of the thirty-first session of the Commission on Human Rights, at which the Secretary-General would submit further reports pursuant to General Assembly resolution 2450 (XXIII). It recognized that those reports would not provide answers to all the problems, but they would help to identify them and they might contain positive suggestions which would be of assistance to Governments in drawing up their national programmes.

9. His delegation was very anxious to know what action other Governments had taken or were contemplating, and it believed that it could in turn make a contribution. His Government was particularly preoccupied by the question of the protection of privacy. In 1973, a committee of enquiry had been set up to consider what legislative measures were desirable to ensure the fulfilment of the relevant provisions of article 17 of the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex). That committee's work had been concerned particularly with the collection and storage of data relating to individuals by public and private bodies, especially in the fields of health and consumer credit, and with the prohibition or regulation of the use of photographic, electronic and other devices. Australia was also concerned about the protection of the human personality and its physical and intellectual integrity, in the light of advances in biology, medicine and biochemistry. The Department of Health had just completed its reply to the Secretary-General's note on such topics as organ transplantation, artificial insemination, the implications for human rights of pre-natal genetic prognosis and of the proliferation of drugs and the measures necessary to safeguard the health and life of patients exposed to electrical, electronic, mechanical and other technical devices during diagnostic or therapeutic procedures. Those issues had significant moral, ethical and religious implications, and every effort must be made to formulate guidelines and to develop international standards. To achieve that, it was necessary to assemble all observations and data and to organize a system of information exchange and analysis. That exchange could take place

within the United Nations and its specialized agencies, which also had a fundamental role to play in the formulation of international standards.

10. Australia was one of the sponsors of draft resolution A/C.3/L.2143/Rev.1 and hoped that other delegations would be able to support the draft resolution without fearing that the proposed standards might hinder their development. Experience has shown—thalidomide being a case in point—that the search for acceptable standards was fully justified.

11. His delegation believed that the thrust of draft resolution A/C.3/L.2144 corresponded to the views it had just expressed but felt that caution was necessary. It would be premature to adopt at the current session such an important declaration, which deserved much more thorough consideration.

12. Mr. GRAEFRATH (German Democratic Republic) said that scientific and technological development formed part of social development and therefore could not be considered separately; the major scientific and technological developments were taking place under the direct influence of societies and States, and, depending on the kind of influence exerted, those achievements—whether they were in nuclear energy, psychotropic substances, electronics or modification of the climate and the environment—were used to the benefit or the detriment of mankind. The question of the protection of human rights therefore arose in connexion with the possibility of the misuse or improper use of scientific and technological achievements. His delegation realized that the sponsors of draft resolution A/C.3/L.2143/Rev.1 had already rephrased operative paragraph 1 to that effect. Without underestimating the importance of the individual scientist's moral or ethical responsibility, which was mentioned in paragraph 3, he stressed that that responsibility was also influenced by the State.

13. In recent years States had tried to define in international conventions their responsibility with regard to the use of scientific and technological developments for the benefit of mankind. Recently, the First Committee had adopted almost unanimously a draft resolution, submitted at the initiative of the Soviet Union, on the prohibition of action to influence the environment and climate for military and other purposes incompatible with the maintenance of international security, human well-being and health.¹ Action to influence geophysical and meteorological phenomena for military purposes undoubtedly posed grave threats to life on earth.

14. Therefore the question of the protection of human rights in the context of scientific and technological progress was not confined to the protection of the private sphere. The problems had become so complex that it was necessary not only to take measures at the national level but also to determine principles with regard to the use of scientific and technological progress in the interests of peace and for the benefit of mankind on the basis of the principles of the Charter of the United Nations, the International Covenants on Human Rights and the Declaration on Principles of

International Law concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV)). That was the purpose of the declaration proposed in document A/C.3/L.2144, which took into account the work so far accomplished.

15. His delegation believed that work on the subject should be carried on in a more co-ordinated manner; it therefore welcomed the proposal contained in paragraph 5 of draft resolution A/C.3/L.2143/Rev.1, which requested the Commission on Human Rights to draw up an appropriate programme of work. However, the wording of the objectives of the programme in question was somewhat ambiguous and might result in overemphasizing the elaboration of standards in comparison with other activities or unilaterally confining the elaboration of standards to certain areas owing to the phrase “which would appear to be sufficiently analysed”. It would be advisable for the sponsors to delete the end of the sentence, beginning with the words “with a view to undertaking”, or at least to include a reference to resolution 2 (XXX) of the Commission on Human Rights.² In any case, the Commission on Human Rights was free to elaborate a working programme and to determine its priorities. His delegation reserved the right to comment further on draft resolution A/C.3/L.2143/Rev.1.

16. Mr. NOTHOMB (Belgium) said that his delegation had fully appreciated the excellent introduction made by the Director of the Division of Human Rights to the question under consideration at the 2105th meeting. The need to consider the question was acute in the current era, when technology, which had become technocracy, was developing at a fast and furious rate. His delegation particularly appreciated draft resolution A/C.3/L.2143/Rev.1, submitted by France and sponsored by countries from all parts of the globe, including several from the third world. The draft resolution, which was totally devoid of political references, was completely realistic: it took into account, on the one hand, the prospects opened up by scientific and technological developments for the realization of human rights and for economic, social and cultural development, and, on the other hand, the threats to fundamental rights represented by the abuse of certain scientific discoveries, and it tried to find a just balance between those two phenomena. It was necessary to correct the abuse of unrestrained technological development in some countries without, at the same time, slowing down the advance of other countries towards the technological development which they so greatly desired. The draft resolution called for efforts both on the national level and on the level of international co-operation and judiciously called for the assistance of the specialized agencies of the United Nations. His delegation believed that it would also be useful to call on the competent non-governmental organization.

17. His Government was particularly concerned about the defence of respect for the privacy of individuals in the light of advances in the techniques of recording, listening and electronics, and also about the protection of the human personality and its physical and intellectual integrity, in the

¹ Subsequently adopted by the General Assembly as resolution 3264 (XXIX).

² See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5*, chap. XIX.

light of advances in biology, medicine and biochemistry—problems which had been raised in paragraph 1 (a) and (b) of General Assembly resolution 2450 (XXIII). A preliminary draft law on samples, grafts and transplants of human origin and on autopsies was in course of completion in Belgium, and another preliminary draft law concerning the protection of certain aspects of private life was being studied by the Council of Ministers. Moreover, following the recent revision of the Belgian Constitution, the framework of a new organization of the social and economic regions of Belgium had been established that should be generally favourable to the protection of the quality of life. The Belgian Government also included a Secretary of State for the Environment, whose activities gave reason to hope that in the future the ecological environment would be better protected against the harmful effects of modern industrial life.

18. At the European level, establishment of the programme of work envisaged in draft resolution A/C.3/L.2143/Rev.1 would have the advantage of facilitating better co-ordination of the work of the United Nations with that of the Council of Europe, the Committee of Ministers of which was currently studying a draft programme relating to human rights for the years 1975-1980. His delegation therefore hoped that the draft resolution under consideration, which was socially oriented, dynamic and practical, would be adopted unanimously by the Third Committee, especially since the sponsors had agreed to amend it to conform to the proposals and suggestions of certain delegations. Concerning the draft declaration contained in document A/C.3/L.2144, his delegation shared the view expressed by Australia.

19. Mr. COMMENAY (France) said that the sponsors of draft resolution A/C.3/L.2143, which had been joined by Costa Rica, had undertaken an extensive exchange of views with a number of delegations. Those consultations had achieved positive results that had made it possible to prepare a second version of the draft (A/C.3/L.2143/Rev.1). The first preambular paragraph mentioned the provisions of resolution 2450 (XXIII) concerning the studies to be carried out in order to draw up appropriate standards to protect human rights. Because of that insertion, it had been possible to give the second preambular paragraph a more general character, which was more to the satisfaction of certain delegations. The third preambular paragraph had been shortened, and in the fifth preambular paragraph the word “genuine” had been deleted from the expression “genuine new international economic order” because certain delegations had felt that it might give rise to problems of interpretation. The notions of economic and social progress and of the promotion of human rights had been introduced in order to emphasize the relationship between economic progress and social progress. Lastly, it had been decided to make the argument in the ninth preambular paragraph both more scientific and more universal by deleting the reference to frontiers and by placing the greater or lesser degree of difficulty in foreseeing progress in its proper context, namely, the margin of error of forecasting techniques.

20. Operative paragraph 1 had been changed considerably, and its new form should satisfy a number of delegations which had wished to make the resolution conform more

closely to the general lines that had emerged, *inter alia*, in the course of the discussion of resolution 3150 (XXVIII). It was pointed out in that paragraph that the harmonious advance of scientific and technological developments had to meet two social requirements: the need to safeguard human rights, taking into account the context of the country considered, and the need to ensure that scientific and technological developments were in conformity with the principles of international law, particularly those set forth in the Charter of the United Nations and in the Conventions concluded under the Organization's auspices. It had seemed necessary in paragraph 3 to refer to the Commission on Human Rights, which would have to participate directly in the work to be undertaken. The word “deontology” in the English translation had caused some difficulties for certain delegations; in classical Greek it meant “science of what should be done”, and it corresponded to the English expression “code of ethics”, which was widely used in the work and resolutions of the Third Committee. The best-known deontological codes were those of medicine and pharmaceuticals. Considerable progress in solving the problem before the Committee could be made by studying the internal rules which existed in most professions and which were often of a factual nature, so that they could win wide approval. In connexion with paragraph 4, the sponsors had responded to the concern expressed by certain delegations which had pointed out that the General Assembly should have the final decision in the process of preparing the international standards. The new draft only envisaged entrusting the specialized agencies with the task of preparing the recommendations. Paragraph 5 had been altered very slightly; its new text specified more precisely the object of the programme of work, namely, the formulation of standards. A further improvement might perhaps be made, to meet certain criticisms, by inserting the words “in particular” after the words “with a view to undertaking” in paragraph 5. Consultations were in progress among the sponsors on that question. Lastly, paragraph 6 had been redrafted and contained a reference to Economic and Social Council resolution 1897 (LVII) concerning possible preparations for a future international conference on science and technology. It merely invited the organs entrusted with the preparatory work to take into consideration the question ensuring human rights, since certain delegations had felt that it was premature to prejudge the agenda of such a conference, which would not be convened before 1978 or 1979.

21. The sponsors of the draft resolution believed that, in the light of the thorough and extensive exchanges of views which had taken place, the revised draft resolution should be adopted without difficulty by the Third Committee.

22. The CHAIRMAN said that Honduras had joined the sponsors of draft resolution A/C.3/L.2143/Rev.1.

23. Mr. SMIRNOV (Union of Soviet Socialist Republics) said the current discussion made it clear that the majority of delegations attached great importance to the question under consideration. Two distinct schools of thought appeared to have emerged. Some delegations wished to solve the problem at once, or at least to adopt immediately an approach which his delegation considered to be based on too narrow an outlook. Operative paragraphs 4 and 5 of draft resolution A/C.3/L.2143/Rev.1 referred to the possi-

bility of formulating international standards in areas which would appear to be sufficiently analysed. The Secretary-General's note (A/9645) was, however, primarily concerned with certain particulars of the problem which did not seem essential to his delegation, and probably not to the representatives of the developing countries either. The latter would doubtless feel that before becoming concerned about respect for individual privacy in the face of technological progress in recording devices, it might be more useful to explore the possibilities of having telephones installed; before envisaging measures to protect the individual from biological, medical and biochemical developments, it might be better to set up health services and medical teams; and rather than worry about exhaust fumes, it would be more appropriate to acquire some tractors. His delegation believed that it was always preferable to put the horse, or rather the horsepower, before the cart. The experience of Soviet Russia showed that without technological progress it was difficult or impossible to solve the problem of economic and social development and provide full safeguards for the social and economic rights of man.

24. That conviction had led the Soviet Union and the other sponsors of document A/C.3/L.2144 to follow a different concept in submitting their draft declaration. They had attempted to use a more global approach by concentrating entirely on the vital problems and by calling on all States for efforts to promote international co-operation to ensure that the results of scientific and technological developments were used in the interests of strengthening international peace and security and also calling on them to refrain from any acts involving the use of scientific and technological achievements for the purpose of violating the sovereignty of other States, interfering in their internal affairs, waging aggressive wars, suppressing national liberation movements, or pursuing a policy of racial discrimination. In his delegation's view, that approach to the question answered more fully the aspirations of the majority of the Members of the United Nations. It was grateful to the delegations which had collaborated with it; in that connexion, he thanked the Federal Republic of Germany for submitting document A/C.3/L.2147, which had made it possible to detect certain inaccuracies in the English language version of document A/C.3/L.2144. His delegation wished to stress that the sponsors of the draft declaration were fully prepared to enter into consultations with any delegations that so desired in order to draft an acceptable text of the declaration which the Committee could study.

Miss Dubra (Uruguay), Vice-Chairman, took the Chair.

25. Mr. POEDJIOETOMO (Indonesia) said that Indonesia, like many countries of Asia, was aware of the importance of the problems posed by scientific and technological developments in relation to human rights. However, his country, as well as many other third world countries, was not faced with the same problems as the Western world where that subject was concerned. Developing nations which had been under foreign rule for generations wished to assert their own national identities. Nevertheless, due to the absence of powerful socio-economic reserves, the traditional cultures of many of those countries had become vulnerable. The survival of those cultures was fundamental to the full development of the personality of the peoples of countries in question, yet they were in danger of being

eroded by the spectacular achievements of modern science and technology. The rural exodus could only serve to accelerate that process. Therefore, just as people must learn to adapt themselves to new conditions, cultural values must evolve in order to perpetuate themselves under new and more generalized forms. The new values usually took shape in the towns, but they, in turn, influenced the villages, thus setting in motion a process of integrated development leading to modernization.

26. The problem for Indonesia, which, like most Asian countries, had a strong cultural basis, was to prevent the degrading impact of the complicated effects of modern technology which were grafted on to the effects of colonialism. It seemed that in Indonesia, traditional cultural forms were being adapted to rapidly changing conditions without too many difficulties. That was an essential factor for a society with extremely diverse characteristics resulting from the many influences it had undergone. Indonesia realized that it could not reject social and economic progress and modernization but the path it took to achieve those objectives must be left to it to choose. His country was well aware, however, of the importance of the problems faced by Western countries in the sphere of scientific and technological developments, particularly with regard to national security and protection of the human person and his physical integrity; it was opposed to the use of electronics for spying purposes and the use of technical means for exerting psychological pressure, and was concerned at the possible detrimental effects of genetic manipulation. With regard to the problem posed by the homogenization of cultures, his country feared that weaker civilizations and the rights of minorities might be affected by the development of satellite communications which would facilitate, in particular, the dissemination of biased information for propaganda purposes. Indonesia hoped, nevertheless, that the process of adaptation and education that necessarily went along with scientific and technological progress would bring about a real democratization of culture and make it possible to bridge the cultural gap between nations so as to enable them all to withstand "future shock". With regard to the draft resolutions that were before the Committee, he reserved the right to make his delegation's comments known at a future meeting.

27. Mr. CATO (Ghana) said his delegation was most interested in the question that was before the Committee. It had carefully studied draft resolutions A/C.3/L.2143/Rev.1 and A/C.3/L.2144, each of which had important features. With regard to the draft declaration contained in document A/C.3/L.2144, his delegation had the impression that there was a general trend in favour of more careful study and it therefore proposed the adoption of a decision which might be worded:

"The Third Committee, having considered the draft declaration entitled 'Declaration on the use of scientific and technological progress in the interests of peace and for the benefit of mankind', decides to defer any further consideration of the draft declaration to its thirtieth session, as a matter of priority, and requests the Secretary-General to bring the draft declaration to the attention of Member States for any comments or suggestions that they may wish to make on it."

His delegation felt that decision might be acceptable to the majority of members of the Committee.

28. Mr. ALFONSO (Cuba) said his delegation had always been most interested in the item under consideration, which it felt was of the greatest importance for developing and developed countries alike. It had shown that interest by participating, at the previous session, in the elaboration of the text of resolution 3150 (XXVIII) and during the debate at the current session when the Committee had decided on the order in which it would consider the items on its agenda.

29. Referring to the draft resolutions that were before the Committee, he said it was unfortunate that the Spanish version of draft resolution A/C.3/L.2143/Rev.1 was not yet available. He thanked the sponsors of the draft, particularly the French delegation, for the spirit of co-operation they had shown. Document A/C.3/L.2144 was most commendable and his delegation was fully in sympathy with its content. It would therefore be prepared to support that draft declaration. The amendments contained in document A/C.3/L.2146 did not entirely satisfy his delegation, at least in the Spanish version. As it was worded, the proposed new paragraph 4 would seem to be susceptible of misinterpretation; it was important to avoid further accentuating inequalities in the developing countries, in particular where inequalities between the different strata of the population were very marked. He intended to consult with the Moroccan delegation in order to determine whether the difficulty was a purely linguistic one. His delegation had carefully studied the amendment proposed in document A/C.3/L.2147 because it considered it extremely important to protect human rights and fundamental freedoms from the misuse of scientific and technological progress, particularly on the part of State bodies. That issue was especially important for countries that were still under the colonial yoke and were struggling for their independence. That was why, in accordance with paragraph 93 of annex V of the rules of procedure of the General Assembly, he asked that his delegation should be added to the list of sponsors of the draft. Reverting to the draft declaration in document A/C.3/L.2144, he said that, although he fully associated himself with the ideas expressed in it, the draft deserved to be examined in greater depth, particularly by the developing countries. He therefore supported the Ghanaian proposal which, if accepted, would give all Member States the opportunity to make known their comments on the draft declaration at the thirtieth session. It would then be possible to adopt the draft on the basis of full awareness of the relevant considerations.

30. Mr. WILSON (Liberia) said his delegation fully supported the Ghanaian proposal and hoped the Committee would do likewise.

31. Mr. BROAD (United Kingdom), reverting to draft resolution A/C.3/L.2143/Rev.1, said that the English wording of operative paragraph 6 was awkward and proposed that the order of the clauses should be changed to read:

“Invites the organs referred to in paragraph 2 of Economic and Social Council resolution 1897 (LVII), in the event that it is decided to convene a further United Nations conference on science and technology, to take

into consideration, in their preparatory work, the question of ensuring human rights.”

32. The CHAIRMAN said that the Secretariat would take note of that change.

33. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) asked what had been the reaction of the sponsors of the draft resolution to the amendments to paragraph 5 proposed by several delegations, including that of the German Democratic Republic. He would like to know what would be the definitive wording of the text that the Committee would be voting on.

34. Mr. ALFONSO (Cuba) said that, since the Spanish version of the draft resolution had not been circulated, several members of the Committee had not been able to study it. He wondered whether it might not be better to wait until the text had been circulated in all the languages before putting it to the vote.

35. Mr. LÜTEM (Secretary of the Committee) said that following a request for a clarification from the representative of the Ukrainian SSR, the representative of France had introduced a change in operative paragraph 5 of draft resolution A/C.3/L.2143/Rev.1 by inserting the words “in particular” after “with a view to undertaking”.

Mrs. Marico (Mali) resumed the Chair.

36. The CHAIRMAN announced that, in accordance with the request of the representative of Cuba, the vote on draft resolution A/C.3/L.2143/Rev.1 would be deferred to the following meeting.

37. Mr. EVANS (Australia) proposed that the second part of the Ghanaian proposal relating to draft resolution A/C.3/L.2144 should be amended to read: “and requests the Secretary-General to bring the draft declaration, together with other relevant documents, to the attention of Member States”. He thought that States would wish to consider not only the draft declaration, but also all the proposed amendments and observations relating thereto.

38. Mr. CATO (Ghana) said that that idea was implicit in his proposal to transmit the draft declaration to Member States. Nevertheless, he accepted the Australian amendment.

39. Mr. SCHREIBER (Director, Division of Human Rights) asked the representative of Australia if he wished to include among the “relevant documents” the summary records of the meetings devoted to the draft declaration and the report which the Committee would submit to the General Assembly on the subject.

40. Mr. EVANS (Australia) said that his delegation wished to ensure that the largest possible amount of information would be transmitted to Governments. If they were not to be provided with summary records of the meetings, it would like them at least to be informed of their existence.

41. Mr. AL-QAYSI (Iraq) and Mr. DE AZAMBUJA (Brazil) considered that only the draft declaration and the proposed amendments should be transmitted.

42. Mr. SMIRNOV (Union of Soviet Socialist Republics), on behalf of his delegation and the sponsors of the draft resolution, supported the proposal of the representative of Ghana. With reference to the amendment proposed by the representative of Australia, he felt that it would be preferable to maintain the original text since the Secretary-General would transmit to Governments the texts of the proposed amendments, in addition to the draft declaration. However, that need not be indicated formally in the text of the decision, since it would then be necessary to transmit the amendment in document A/C.3/L.2145 submitted by the Netherlands, the content of which was embodied in the Ghanaian proposal.

43. Miss CAO-PINNA (Italy) said that it would be inadvisable to transmit to Member States the summary records of all the meetings devoted to consideration of the draft declaration; she felt, however, that it would be useful to indicate the symbols of those summary records.

44. Mr. SPEEKENBRINK (Netherlands) said it was true that his delegation's amendment, A/C.3/L.2145, which had been formulated to ensure the simultaneous discussion of the draft declaration with the efforts to arrive at "appropriate international instruments" on the basis of resolution 10 (XXX) of the Commission on Human Rights,³ was in essence the same as the proposal of the representative of Ghana; he therefore withdrew his delegation's amendment.

45. Mr. BROAD (United Kingdom) announced, on behalf of his delegation and of that of the Federal Republic of Germany, that Cuba had become a sponsor of the amendment in document A/C.3/L.2147 to draft resolution A/C.3/L.2144.

46. The CHAIRMAN said that if she heard no objection, she would take it that the Ghanaian proposal was adopted.

It was so decided.

47. The CHAIRMAN said that the Spanish text of draft resolution A/C.3/L.2143/Rev.1 had just been distributed, and asked the members of the Committee if they were ready to vote on that draft at the current meeting.

48. Miss JAUREGUIBERRY (Argentina) said that she had not had time to study the draft, and proposed that the vote should be postponed to the following meeting.

The proposal to postpone the vote on draft resolution A/C.3/L.2143/Rev.1 to the following meeting was adopted by 23 votes to 11, with 56 abstentions.

AGENDA ITEM 53

Elimination of all forms of racial discrimination (concluded) (A/9603, chapter I, chapter V, section C.1; A/9618, A/9666 and Add.1-6, A/9719, E/5474, E/5475)
(b) Report of the Committee on the Elimination of Racial Discrimination (concluded)

³ *Ibid.*

STATEMENTS IN EXERCISE OF THE RIGHT OF REPLY

49. Miss ILIĆ (Yugoslavia) said that her delegation considered that the Austrian Federal Government had not completely fulfilled its obligations under the State Treaty of 1955, particularly article 7, paragraph 2, of that Treaty, which dealt with the teaching of the Slovene and Croat languages in schools in Carinthia, Burgenland and Styria, and also with the establishment of schools for minorities (see A/9618, para. 135). Since the adoption of the Federal Act of 19 March 1959 on minority schools in Carinthia, which had abolished compulsory bilingual school instruction, and the 1959 act on schools in Burgenland, Slovene and Croat language instruction had become optional in many schools. That meant that the mother tongue of the minorities was treated as a foreign language, or was not even included in the school curriculum. Moreover, the number of secondary schools for the Croatian minority was quite insufficient.

50. Also, the provisions of article 7, paragraph 3, of the State Treaty stipulating that for administrative and judicial purposes the Slovene and Croat languages should be accepted as official languages in addition to German was not applied in practice in the district of Carinthia, and the use of the minority language had not been regulated at all in Burgenland.

51. Minorities had not achieved equal participation in the work of cultural, administrative and judicial institutions and bodies. Financial help to cultural societies and institutions run by minorities was minimal, and, despite the recent establishment of the provincial office for the minority's cultural rights in Carinthia, the possibilities offered for their cultural and language development were very limited.

52. Furthermore, her delegation could not agree with the statement made by the representative of Austria at the 2106th meeting to the effect that the implementation of the State Treaty, including the question of census-taking, was an entirely internal affair of Austria. The State Treaty which established Austria as a democratic and independent State was an international instrument to which many countries, including Yugoslavia, were parties. Despite the repeated complaints of the minorities, the Austrian Government had never seen fit to apply the provisions of the Treaty regarding the protection and promotion of the rights of Slovene and Croat minorities, and refused to acknowledge that fact.

53. Yugoslavia also deplored the special census of minorities which was included in the census of the total population. Such a census was used solely as a pretext for reducing the rights of minorities. The minorities themselves had repeatedly expressed their concern in that connexion.

54. With reference to the establishment of a special commission to study questions relating to the Slovene minority, she noted that that minority, in a memorandum to the Federal Government of the Republic of Austria, had made clear its desire to participate in the adoption of decisions concerning it. Its position was all the more precarious since it had to resist the pressure of organizations such as the Heimat dienst which incited hatred against the minorities.

55. In conclusion, she underlined once again that her delegation sought only to promote and protect the rights of minorities as provided for in international treaties and agreements, and that Yugoslavia had always been motivated by the desire to develop understanding, co-operation and friendly relations between nations, thus contributing to world peace.

56. Mr. TUERK (Austria) said that Austria had always been conscious of the concerns of Yugoslavia in connexion with minority problems and that the Austrian Government was therefore astonished by the accusations levelled against it by Yugoslavia, accusations which in its view were totally unfounded. All Austrian citizens enjoyed equal rights under the provisions of the Austrian Federal Constitution, and the Government had taken measures to implement article 7 of the State Treaty, which reaffirmed those rights and set forth specific minority rights. The Austrian Government had informed the Government of Yugoslavia of those measures in a note delivered to it on 2 December 1974.

57. He emphasized that the minorities had every opportunity to participate in the cultural and social activities and the economic life of Austria, on a completely equal footing with other Austrian citizens, and that their organizations received financial subsidies. The measures taken by Austria to implement article 7 of the State Treaty even went beyond the provisions of that article. Co-operation between Austria and Yugoslavia had hitherto proved to be a valuable contribution to détente in Europe, and the Austrian Federal Government was convinced that only a constructive discussion of the various problems between the two Governments would make it possible to settle them. That was what it had proposed to the Government of Yugoslavia in the above-mentioned note; it was currently awaiting proposals on the matter.

58. Miss ILIĆ (Yugoslavia) said that for the time being she was unable to provide the representative of Austria with any information on that point.

The meeting rose at 5.55 p.m.

2109th meeting

Thursday, 5 December 1974, at 3.30 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2109

In the absence of the Chairman, Miss Dubra (Uruguay), Vice-Chairman, took the Chair.

AGENDA ITEM 56

Human rights and scientific and technological developments: report of the Secretary-General (concluded) (A/9645, A/C.3/L.2143/Rev.1)

1. At the request of Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics) the CHAIRMAN put draft resolution A/C.3/L.2143/Rev.1 to the vote.

Draft resolution A/C.3/L.2143/Rev.1 as orally amended was adopted by 86 votes to none, with 8 abstentions.

AGENDA ITEM 57

Freedom of information (A/9657):

- (a) **Draft Declaration on Freedom of Information;**
(b) **Draft Convention on Freedom of Information**

2. Mr. SCHREIBER (Director, Division of Human Rights), introducing the item, recalled that the General Assembly had interested itself in freedom of information since the beginning of the Organization's activities. As early as 1946, the Assembly, in its resolution 59 (I), had called a Conference on freedom of information, which had met in 1948. Three draft conventions had resulted from that Conference, one on the gathering and international transmission of news, the second, on the establishment of an international right of correction and the third on freedom

of information. At its third session, in 1949, the General Assembly approved the Draft Convention on the International Transmission of News and the Right to Correction, the articles of which had been drawn from the first two draft conventions resulting from the Conference. It was decided not to open that Convention for signature until such time as a final decision had been taken with regard to the draft convention on freedom of information (see resolutions 277 A and C (III)). At its seventh session, in 1952, the Assembly adopted as a separated instrument the articles relating to the right to correction of the Draft Convention on the International Transmission of News and the Right to Correction, and opened it for signature. The Convention on the International Right to Correction (resolution 630 (VII), annex) entered into force in 1962.

3. So far, the General Assembly had not been in a position to take a final decision on the third draft convention, concerning freedom of information. At the fourteenth, fifteenth and sixteenth sessions of the General Assembly, the Committee had drawn up and adopted a preamble and four articles¹ on the basis of a new draft convention submitted by a committee established for that purpose by the General Assembly in 1950. For its part, the Economic and Social Council had in 1959 and 1960 prepared a draft declaration (Economic and Social Council resolution 756 (XXIX), annex) on which the General Assembly had yet to make a decision. At its twenty-eighth session, the Assembly had decided to inscribe the question of the

¹ See A/8340, annex I. For articles 5-19 of the draft convention, see annex II.

freedom of information on the agenda of its twenty-ninth session.

Mrs. Marico (Mali) took the Chair.

4. Mrs. DE ALBA (Dominican Republic) said that her delegation took great interest in the question under consideration. It considered, to use the words of General Assembly resolution 59 (I), that freedom of information was a fundamental human right and was the touchstone of all the freedoms to which the United Nations was consecrated. Every human being had the right to be informed, just as everyone had the right to express himself freely. Everyone had the right to seek and to disseminate the truth. The free exchange of ideas could only contribute to the cultural, social and economic development of all countries; it encouraged the maintenance of friendly relations by making it possible to clear up misunderstandings. However, like any other right, that right was accompanied by duties and responsibilities. Articles 2 and 5 of the draft convention dealt with that aspect. Unfortunately, since 1946, when the General Assembly had first dealt with the question, it had been able to adopt only the preamble and a few articles of the draft convention, and had not been able to take any decision on the draft declaration submitted by the Economic and Social Council. Her delegation felt that it would nevertheless be useful that there should be a legal foundation for supporting and defending the concept of freedom of information. There were countries in which that right was not recognized, and even those in which freedom of information did exist might benefit from instruments that enabled them to guide and direct that freedom in the general interest. Her delegation therefore hoped that the item would again be included in the agenda of the thirtieth session of the General Assembly so that members of the Committee might have time to consider the draft convention and the Economic and Social Council's draft declaration at their leisure and be in a position to submit final texts to the General Assembly.

5. Mr. VON STAUFFENBERG (Federal Republic of Germany) said that it would be a mistake to think that because the item under consideration had been debated by the General Assembly for many years it was a mere routine matter. Quite the contrary, it was a problem of the utmost importance, for freedom of information was an important factor for understanding among nations. As far back as 1948 the Universal Declaration of Human Rights had proclaimed that everyone had the right to freedom of opinion and expression. The Federal Republic of Germany applied that principle and had incorporated it in its basic law of 1949. In addition, in December 1973 it had ratified the two International Covenants on human rights (General Assembly resolution 2200 A (XXI), annex) which also recognized that right. The Federal Republic of Germany was convinced that in a world that had shrunk in size, as a result of advances in communications, exchange of information could only contribute to drawing nations closer together. It was difficult to imagine that in the contemporary world, in which countries were increasingly interdependent economically, some could remain isolated from the rest of mankind as far as information was concerned.

6. In addition, the impact of very rapid technological progress was being felt in the life of the individual, who, as

the world underwent fundamental changes, was receding into the background. His delegation was convinced that freedom of information could only contribute to strengthening the protection of the individual. Freedom of thought, which was one of the basic principles of the Federal Republic of Germany, could have no meaning without freedom of expression. Freedom of expression implied, for the individual, a critical and responsible spirit and that was possible only when the individual had free access to information, access across national frontiers. The Committee should strive, in the resolutions it adopted on the item, to ensure that the principle of freedom of information proclaimed in the Universal Declaration of Human Rights did not remain an empty clause.

7. It had been recognized within the framework of the Conference on Security and Co-operation in Europe that freedom of information made it possible to improve human contacts and that a free exchange of ideas across frontiers was an important element of détente. Despite the differences of views that existed between the participants in that Conference, they were trying to work out criteria for conduct which should improve communication between the citizens of their countries. If the Conference achieved its goal, and there was reason to hope it would, there would be a basis for further détente in Europe. The negotiations in Geneva would probably also have a favourable impact on future discussions in the United Nations on the item.

8. His Government was conscious of the difficulties which had emerged in formulating a draft convention. The adoption of a declaration reflecting a broad consensus on the principle of freedom of information might be sufficient for the moment, as a first step towards giving substance to the principle proclaimed in the Universal Declaration of Human Rights and the Charter of the United Nations. The Federal Republic of Germany, for its part, was prepared to do all in its power to make that a reality.

9. Mr. SEGEL (United States of America) said that it was regrettable that, although the General Assembly had decided in resolutions 2448 (XXIII) and 2722 (XXV) to give priority to consideration of the draft declaration on freedom of information, the item had been postponed time and again without any decision being taken. The Committee had again not had time during the current session to consider that very important matter, which affected the citizens of every country, and it would no doubt be obliged to postpone it to the thirtieth session of the General Assembly.

10. His delegation supported the draft declaration as it stood. As the declaration had been drawn up 15 years earlier, it might be useful to go over its content for the benefit of States which had not become Members of the United Nations in 1959 and were not familiar with the text.

11. The preamble started by citing article 19 of the Universal Declaration of Human Rights and went on to establish the relationship between freedom of information and the maintenance of world peace. It was, indeed, the free flow of information among States that made it possible to develop understanding among peoples, and that led to co-operation and even peaceful competition.

12. Article 1 of the draft declaration dealt with the individual's right to freedom of information, and article 2 with the responsibility of Governments to disseminate information both within and outside their frontiers. Article 3 dealt with the need for the information media to be independent of Governments in order to ensure that individuals had free access to sources of information. Article 4 dealt with the responsibilities and duties of the information media in connexion with the accuracy of the facts reported and respect for the rights and dignity of nations and individuals. Finally, article 5 defined the acceptable limitations on freedom of information in certain very specific cases.

13. The freedom of the press was a firmly established principle in the United States and had repeatedly made it possible for corruption to be revealed and fundamental liberties to be protected. The United States was therefore convinced that the passage of the draft Declaration by the United Nations would be of value to all mankind.

14. His delegation would continue to work within the Committee to achieve that goal.

15. Mr. COMMENAY (France) said that, as far as the item under consideration was concerned, United Nations representatives and experts could not, for once, be accused of contributing to the gross inflation of international law by being over-productive. The General Assembly had had the item before it since its first session, in 1946, and the draft convention and draft declaration on freedom of information had been under consideration for 23 and 15 years respectively. In the present case, the situation could be summed up in the title of a report by the International Press Institute: "The United Nations talks a lot and does little".

16. The conclusion should not be drawn that the subject, which had been considered of prime importance immediately after the Second World War, had become less important; quite the contrary. However, as a result of progress in technology, the concept of freedom of information had replaced the more traditional concept of freedom of the press, and article 19 of the Universal Declaration of Human Rights referred to freedom of information. The Convention on the International Right of Correction, which had entered into force in 1962, defined an information agency and described quite clearly what the field of information comprised. The development of new information media, particularly the prodigious success of radio and later of television, had fundamentally altered the context in which the problem was posed by creating or intensifying competition between news media and giving rise to new ways to cross frontiers, thus reaching an increasingly varied and numerous audience. At the same time, the number of national agencies had rapidly increased. Progress had been made towards freedom of information, particularly through a proliferation of bilateral agreements, but it appeared that still further progress could be made in that regard.

17. Freedom of information was subjected to factual and legal conditions. Competition, which alone enabled the individual to have at his disposal several points of reference and to make comparisons, obviously had to be dispensed

with in regions where funds were limited. But competition could also be restricted in countries with a high standard of living, as a result either of the normal operation of economic mechanisms or of political and social organization. Thus, a crisis had arisen in the press in recent years, for instance in France and the United Kingdom, and even in the United States. Yet the press was the supreme information medium, because it was in written form and the reader could ponder over it. That was a subject of concern in Europe, where many experts felt that the State should save the press by subsidizing it or giving it preferential tax treatment.

18. Thus, the operation of economic forces alone could impede freedom of information. Furthermore, freedom of information was always subject to legal conditions; in other words, it was largely dependent on the willingness of States to make it a reality and to protect it through an adequate institutional system. It was not necessary to reopen the old debate on the objectivity of information. It sufficed to consider that freedom of information, which was the natural extension of freedom of expression and freedom of opinion, implied the right of every individual to form his own opinion on matters of interest to him by having the fullest possible knowledge of facts and ideas concerning them. To that end, the individual must have at his disposal, wherever possible, several sources of information as well as the freedom to seek, receive or impart information or opinions regardless of frontiers. Finally, he must be able to express his opinion without pressure or constraint. The question was how that theory was to be put into practice. There were not only the economic difficulties he had referred to but other difficulties of a legal nature, because freedom of information, like any freedom, was subject to limits arising from the need to protect the rights of the State, the rights of the national and international community and the rights of groups and individuals.

19. Protection of the rights of the State, often embodied in the concepts of national security and public policy, was an idea which could vary according to circumstances, particularly in time of war, when special restrictions were necessary. Yet even in periods of calm, there were restrictions. Protection of the moral and spiritual interests of the international community was one of the most delicate tasks involved. Since such protection depended on the political, economic, social and cultural context in which it was afforded, it could take very different forms and could differ very widely in extent. During the previous debates on the item, some representatives had produced a whole list of excesses of which the press and other information media could be accused; such as incitement to violence, encouragement of licentiousness and attacks on the founders of religions. Care must be taken not to criticize everything as a matter of course, and such criticisms and the very existence of the wrongs which they denounced would seem to be evidence of freedom of information. However, freedom did not mean licence, and it should be remembered that every right had, as its corollary, a duty. Although protection of the international community in that respect might not seem to be an urgent necessity, it would be desirable to attend to it if peaceful relations were to be maintained between peoples, because States must counter the dissemination of any false or distorted news which might offend national dignity or

engender hatred or prejudice against other States or against persons or groups of different race, language, religion or philosophic beliefs. Freedom of information was also subject to restrictions resulting from respect for the rights, honour and reputation of others. It was important that the right of reply, which was a corollary of freedom of information, should be guaranteed at both the international and the national levels in order to protect individuals, organizations or the community against possible abuse by the information media.

20. Since February 1951, his delegation had frequently reiterated its support for the principle of a convention. It had taken part whole-heartedly in the work to develop and improve the draft. However, before it could be adopted, the text must be subjected to further study, with particular reference to the following: protection of the diversity of sources of information and means of expression, drafting of more precise provisions concerning the rules of professional ethics, strengthening of the concept of the right of reply, more precise consideration of the list of restrictions, and review of the provisions concerning entry into the territory of a State in which a specialized agency was situated with a view to bringing them into line with the rules in force in New York. His delegation already found many articles acceptable, but a sufficient number of States must be prepared to approve them.

21. His delegation had also taken part in the work on the draft declaration since April 1959. With the exception of the text on the right of correction, which it felt should be amended, his delegation found the draft submitted to the Committee acceptable and useful, in that it laid down certain general principles on which the Convention on Freedom of Information could be based. Unfortunately, the session seemed to be too far advanced to allow detailed discussion of the text of the draft convention.

22. The Assembly should, at the least, request the Economic and Social Council and its subsidiary organs to show greater diligence in studying the problem, so that progress could be made on the draft before the thirtieth session. Where the draft declaration was concerned, the Economic and Social Council should be entrusted with the task of making the necessary adjustments so that the final text could be approved, unanimously if possible, at the thirtieth session. The Third Committee should also take the initiative, at the current session, of appealing to all States to ratify the Convention on the International Right of Correction. Only a dozen countries had ratified it since 1952. It would be helpful if the Secretariat could inform the Committee of the most recent status of the question. Finally, of course, a request must be made to include the item in the agenda of the thirtieth session, and it might be well to assign higher priority to it forthwith, so that more time could be spent on its discussion.

23. Mrs. TAKLA (Egypt) said that Egypt had reorganized its information system in 1973 in order to make it more effective and to ensure the dissemination of information in a way which would meet the aspirations of the population. In that connexion, it had acted as host for two seminars on information in which Arab and non-Arab countries had participated. In addition, a regional centre for information studies had been established for the Arab countries.

24. Freedom of information did not mean simply eliminating censorship. It implied a choice between two solutions. Frequently, however, such a choice did not even exist, because information was sometimes difficult to obtain, too expensive or not objective. A study of the mass media carried out by UNESCO showed that in a number of countries the minimum information standards established with regard to the number of radio and television stations and the number of copies of newspapers available in relation to the number of inhabitants had not been attained. In some regions, mass media in the traditional sense of the term were actually unknown, and 32 million people around the world received no information at all. The cost of acquiring information was also sometimes too high. The UNESCO study had indicated that the cost of retransmitting information varied greatly by country and by continent. Egypt felt that the United Nations, and UNESCO in particular, had an important role to play in that area, perhaps by establishing a United Nations international press agency.

25. In considering that problem, account should also be taken of the problems presented by advances in communication technology. Thus, it was possible at the present time to build very powerful satellites which could even be equipped with nuclear reactors in the years to come, but that possibility existed only for the developed countries, which had the financial means to acquire such satellites. Again, in the retransmission of information, account must be taken of the individual culture of each country, particularly of the under-developed countries.

26. The draft declaration and draft convention on freedom of information could meet certain needs in that field; however, the essential thing was to create in each country a propitious climate for international co-operation and, by means of well-conceived information, to place international relations on a firm foundation.

27. Lady GAITSKELL (United Kingdom) said that, throughout the years that the item on freedom of information had been included in the agenda of the Third Committee, it had given rise to differing views. Some countries, like the United Kingdom, felt that everyone should have free access to all kinds of information, whatever its nature and its source; others believed that information should be very strictly controlled. The supporters of the latter viewpoint often justified it by invoking the principle of respect for the sovereignty of States and the right of a Government to prevent the free flow of information when it might be prejudicial to the interests of the State. There could, however, be a conflict of interest between the sovereignty of States and the basic human rights of the individuals of a State.

28. One of the most outstanding achievements of the United Nations had been the adoption of international instruments which recognized and evaluated the basic human rights of the individual. The right to freedom of information was set forth explicitly in the Universal Declaration of Human Rights and in the International Covenant on Civil and Political Rights. Although the exercise of that right might in certain cases be subject to restrictions, as was clear from article 19, paragraph 3, of the International Covenant, it was nevertheless difficult to

justify the extent of the restrictions which were still placed by some States on freedom of information and freedom of expression. Her delegation believed that those restrictions should be invoked only in particular circumstances for the most compelling reasons, for without freedom of information a democratic society could not flourish.

29. That was the reason why her delegation attached great importance to the negotiations currently taking place at Geneva regarding the Conference on Security and Co-operation in Europe. The United Kingdom had a long tradition of cultural exchange with its partners in the European Economic Community and other countries in Europe and was seeking to strengthen further its cultural links with the countries of Eastern Europe in order to promote the exchange of information and ideas.

30. It was in that spirit that the members of the Committee should continue to consider the question of freedom of information, which was one of humanity's spiritual freedoms. Freedom of information could not only serve to expose corruption and subjection wherever they existed but could also help to strengthen friendship and co-operation among States and to ensure peace in the world.

31. Mr. NOTHOMB (Belgium) expressed regret that the question of freedom of information, which had been included in the Committee's agenda for many years, was only being considered very hastily at the close of the session. Freedom of opinion and expression, which were solemnly proclaimed in the Belgian Constitution, was one of the pillars of Belgium's democratic system, and freedom of information was essential to respect for other human rights and fundamental freedoms. As was stated in the draft declaration recommended by the Economic and Social Council, freedom of information played an important role both in the establishment of peaceful and friendly relations among peoples and nations and in the development of international peace and understanding. The question of the free flow of information affected the fundamental right of every individual to have free access to information, whatever its source and its nature. Information should be at the service of the public, and the right to information should be exercised in conformity with the purposes and principles of the United Nations.

32. In view of the importance of the question, he found it deplorable that the Committee had not had time to continue its consideration of the 15 articles of the draft convention on freedom of information which had not yet been adopted. He hoped that the question of freedom of information would be considered at an earlier stage in the thirtieth session and that the draft declaration on freedom of information would be considered with sufficient thoroughness by the Economic and Social Council for it to be adopted unanimously by the General Assembly at its thirtieth session.

33. Mrs. WATANABE (Japan) recalled General Assembly resolution 59 (I), in which it had affirmed that freedom of information was a fundamental right and was the touchstone of all the freedoms to which the United Nations was consecrated and had invited all Members of the United Nations to a conference on freedom of information. Since

the adoption of that resolution, the General Assembly had had before it in 1959 the draft convention on freedom of information and in 1960 the draft declaration on freedom of information, recommended by the Economic and Social Council at its twenty-ninth session in resolution 756 (XXIX).

34. Her delegation believed that the United Nations should make every possible effort to take concrete action on the question of freedom of information, consideration of which had remained pending for too many years. The effectiveness of the Organization's work depended to a great extent on the mass media—the press, radio and television—which enabled it to keep peoples throughout the world informed of its activities and to give them an understanding of its objectives. It was clear that the United Nations could not function as it wished without the assistance of information media of all types throughout the world. In its resolution 1805 (LV), the Economic and Social Council had appealed to world public opinion and information media to encourage and support prompt and effective action by Governments to maintain world peace. In view of the mutual benefits which the United Nations and the information media derived from their co-operation, her delegation believed that the United Nations, for its part, should intensify its efforts to guarantee and protect freedom of information.

35. Japan had no difficulty in supporting the draft declaration on freedom of information. The canons of journalism adopted in 1946 in Japan by the Japanese Newspaper Publishers and Editors Association stipulated that the right to freedom of the press should be upheld as a fundamental human right. Japan believed, however, that the draft declaration should be reviewed, article by article if necessary, before the final version was approved, in view of the many years which had elapsed since its adoption by the Economic and Social Council.

36. Mr. BALOCH (Pakistan) said that his country's position on the draft declaration and draft convention on freedom of information was well known. He found it regrettable that the Third Committee had not been able to consider in greater detail the draft declaration on freedom of information and had contented itself with the adoption of procedural resolutions postponing consideration of the item until subsequent sessions.

37. With regard to the draft convention on freedom of information, the preamble and article 1 had been approved by the Committee at its fourteenth session and articles 2, 3 and 4 at its sixteenth session.

38. In that connexion, his delegation urged that the phrase "attacks on founders of religions", which appeared in article 2 of the draft convention and which reflected one of the recommendations made by Pakistan 15 years earlier with regard to the draft declaration, should also appear in article 5 of the draft declaration. The articles of the draft convention which remained to be discussed concerned the observance of high standards of professional conduct (article 5) and the right of a Contracting State to develop and protect national news enterprises, to prevent restrictive or monopolistic practices, and to control international broadcasting originating in its territory (article 7). The text

of the draft convention prepared by the special committee established by the General Assembly under the terms of its resolution 426 (V) had not yet been finalized. In pursuance of resolutions 1189 A (XII) and 1313 C (XIII), a number of Member States had made comments or proposals on specific articles. His delegation was particularly grateful that one of its suggestions had already been incorporated into the revised text of article 2. His delegation reiterated its suggestion that the words “and of the reasons therefor” should be deleted from article 11 (b), since that formula would limit the sovereign will of nations. It also supported the proposal made at the fourteenth session by the representatives of Colombia, Ecuador and Venezuela² to insert a new article 6 in the draft convention.

39. His delegation regretted the fact that the Committee had not been able to spend more time on the question of freedom of information and hoped that progress would nevertheless be made in that area.

40. Mr. BAROODY (Saudi Arabia), referring to the beginning of consideration within the United Nations of the question of freedom of information, said that in the aftermath of the Second World War a number of Member States had felt that a convention on freedom of information was necessary in order to regulate information and prevent it from becoming an instrument of propaganda. The Second World War had supposedly been waged in the name of democracy against the forces of evil, fascism and nazism. Millions of persons had died for democracy. In that connexion, he wished to point out that at the time “democracy” had been the exclusive possession of the colonial Powers and there had never been any question of extending its benefits to the colonies even though they had fought at the former’s side. Even before the end of the war, the apostles of democracy had changed their tone: Churchill himself had said that he had not become Prime Minister to preside over the liquidation of the British Empire. The forces of reaction had still been present at the signing of the Charter in San Francisco. After their victory, the Allies had divided into two blocs and the Soviet Union had become the bogey-man of the Western world. Information had been used to condition people’s minds, and free rein had been given to propaganda. Each camp had claimed to be in possession of the truth and had sung the praises of its own ideology, setting itself up as the champion of democracy. But was it really a question of democracy or rather of a perverted form of democracy? Small countries like Saudi Arabia had not wanted to be the victims of the great Powers or to be taken in by their propaganda. That was the *raison d’être* of the draft convention on freedom of information which had been submitted on the initiative of France and a number of Latin American countries.

41. Information could come in visual form (newspapers, silent films, pictures), auditory form (radio) or audio-visual

form (the cinema, television), and it was necessary to distinguish between information concerned with facts and information concerned with ideas. Unfortunately, the latter was by its very nature propagandistic since it involved opinion and indoctrination. In the case of such information, it was not easy to sort out the true from the false. Therefore, information concerned with ideas posed the greatest number of problems, since, although everyone had a right to his opinion, the free flow of information could become synonymous with indoctrination and serve to stir up nation against nation and even lead to war. Any mention of restrictions drew charges of tyranny. The United States continually affirmed that the free flow of information should be ensured, but it was above all necessary for information to be true and not in the service of narrow national interests.

42. He believed that freedom of information should not be synonymous with licence. There were quite plainly limits which should not be exceeded. In any case, it was inadmissible to pass off as art something whose only purpose was to arouse man’s basest instincts. The excesses which had been observed in recent years in the Western world—attacks on the founders of religions, the encouragement of pornography and promiscuity and the stirring up of violence—had demonstrated the need for some sort of regulation. Why should some people be forced in the name of freedom of information to accept things which offended their sensibilities or modesty?

43. He deplored the fact that for 22 years the Committee had constantly avoided consideration of the draft convention on freedom of information by assigning the wrong priority to it. It was time to take it up again in earnest. It had been suggested that the professional associations of journalists might establish an international code of ethics in order to determine what was harmful to public morality or might deceive or demoralize the world’s peoples. In that way the danger that Governments might intervene or impose their interpretations could be avoided. A number of professions had associations which exposed charlatans. Why could journalists not have such a body to protect them against correspondents who served as spies or *agents provocateurs*? Concurrently with consideration of the draft convention, of which four substantive articles had already been approved, it was necessary to strike a balance in each paragraph of the draft declaration and the Committee should give priority to that matter at its thirtieth session. It was not utopian to attempt to complete the preparation of both documents at the same time since the Committee had already followed such a procedure for the two International Covenants on Human Rights. He warned against the dangerous tendency to put off consideration of the draft convention each year, because the use of information for the purpose of influencing the mass mind could lead to new wars.

² A/C.3/L.843.

2110th meeting

Friday, 6 December 1974, at 3.15 p.m.

Chairman: Mrs. Aminata MORICO (Mali).

A/C.3/SR.2110

AGENDA ITEM 57

Freedom of information (*concluded*) (A/9657)

- (a) Draft Declaration on Freedom of Information;
(b) Draft Convention on Freedom of Information

1. Mrs. SHAHANI (Philippines) said that the Philippines Government considered that freedom of information was indispensable to the exercise and protection of basic human rights and fundamental freedoms. A Filipino had served as Chairman-Rapporteur of the Committee on Freedom of Information for some years. With the establishment of the New Society by President Marcos in 1972, the Philippines, in its far-reaching reforms in the social and economic fields, had sought to find an important place for the media and the free flow of information. Foreign correspondents, for example, were free to write whatever they wished. However, at the national level the Philippines Government, journalists, and the public in general were beginning to realize that the abuse of freedom of information and unbridled criticism by the press could be counterproductive and could obstruct development; that experience had been shared by many developing countries. The Philippines was therefore beginning to evolve "development journalism" on the lines of the "development information"—information to be used to promote national unity and understanding about development programmes and projects—being evolved by the Office of Public Information of the Secretariat.

2. There must therefore be a balance between freedom of information and a sense of responsibility, and journalists and the public in general must be re-educated in that regard. Her delegation hoped that the Committee would not only concern itself with freedom of information but would also see to it that that freedom was exercised with responsibility and with a sense of purpose for the acceleration of over-all development.

3. Mr. SMIRNOV (Union of Soviet Socialist Republics) stressed that the Soviet Union was a party to the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex); it therefore guaranteed and would continue to guarantee all the rights provided for under article 19 of that instrument. In that connexion, article 20 was also very important. On the basis of the provisions of the International Covenant, the Soviet Union supported discussion of freedom of information and believed that that freedom must be used for the welfare of mankind and in support of international peace and security and the development of friendly relations among peoples. It was essential to take measures to prevent the abuse of the media for the purposes, for example, of pornography or of religious discrimination. His delegation believed that all the media must be used for the purposes of co-operation among States on the basis of the Charter of

the United Nations and of respect for the sovereignty of States, for their laws and customs and for the principle of non-interference in the internal affairs of States. Respect for sovereignty was not a barrier to contacts and exchanges between peoples but guaranteed to peoples their basic rights and freedoms. He recalled that the General Secretary of the Communist Party of the Soviet Union had spoken at the World Congress of Peace Forces in Moscow in October 1973 on the need to prevent the spread of any information which was harmful to the development of friendly relations among States. His delegation believed that in every country there was much to be done to ensure that the media served the aims of the Charter of the United Nations.

4. The work done in the Third Committee had been useful to a certain extent, but many provisions of the draft convention¹ and of the draft declaration on freedom of information (Economic and Social Council resolution 756 (XXIX), annex) were out of date; what was needed was a new approach taking into account the events of recent years which had led to the adoption of new international documents, particularly the International Covenants on Human Rights. His delegation agreed with the statement of the representative of Saudi Arabia (2109th meeting) that the elaboration of a convention on freedom of information was a very complex task; the matter had been discussed for many years but there had not usually been enough time to consider the substance of such a convention. Since there would be many important and complex matters on the agenda of the thirtieth session of the General Assembly, his delegation proposed that consideration of the item should be postponed to the thirty-first session of the General Assembly, so that delegations would have had time to study the draft Convention.

5. Mr. KAUFMANN (Netherlands) said that article 19 of the Universal Declaration of Human Rights and the corresponding provisions in the International Covenant on Civil and Political Rights should serve as the basis for any discussion of freedom of information. His Government was convinced that, as the preambular paragraphs of the draft declaration on freedom of information stated, freedom of information was essential to respect for other human rights and fundamental freedoms and for peaceful and friendly relations among peoples and nations. It was also convinced that the vitality of society, nationally as well as internationally, was strengthened by the free exchange of information and the existence of the widest possible diversity of sources of information and free access to those sources.

6. The basic element of freedom of information must be the freedom of the individual to inform himself, regardless of his status, nationality or the system of government of his country. The preambular part of the draft declaration did

¹ A/8340, annexes I and II.

not provide an exhaustive list of the forms of communication; it did not, for example, mention oral communication, the most important way in which an individual might inform himself, or the possibility of open discussion. Since freedom of information was a fundamental human right, it was the duty of the State to protect and to promote that freedom. The Governments of all States must therefore take all necessary measures to enable the free flow of information within their territory as well as across frontiers; they would thereby strengthen their mutual relations and hence peace and security. The freedom to be informed speedily, completely and accurately was an indispensable element of freedom of information. The journalist responsible for the transmitting of information obviously had a cardinal role to play; however, he could not function without access to the appropriate facilities. Governments should therefore seek to develop and support in every possible way co-operation between journalists working in their respective countries and their counterparts abroad. They should be permitted freely to disseminate and exchange information of all kinds, including information concerning other countries, and should be given access to the information and facilities they needed.

7. His delegation supported the draft declaration on freedom of information and regretted that the General Assembly had not been able to make any progress towards adopting it. It believed that the adoption of that declaration and serious consideration of a convention on the same subject would be a positive step towards the attainment of the goals set forth in the preamble to the Charter of the United Nations.

8. The CHAIRMAN suggested that the Committee should recommend the General Assembly to inscribe the topic entitled "Freedom of information" on the provisional agenda of its thirtieth session.

9. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that since the Committee would have a very full agenda at the thirtieth session, his delegation doubted whether it would be able to take up the substance of the question of freedom of information at that time; it would probably not be able to discuss the item until the end of the session and would again lose time hearing only a few general statements on the problem. For practical reasons, it would therefore be better to postpone consideration of the item to the thirty-first session, as he had already proposed.

10. Mr. KANKA (Czechoslovakia) supported the proposal of the representative of the Soviet Union, as his delegation believed that if consideration of the item were postponed until the thirty-first session of the General Assembly, there would be more time to discuss it fully.

11. Mr. SPEEKENBRINK (Netherlands) said that it had long been a tradition in the Committee to inscribe the item entitled "Freedom of information" on the agenda of every session so that delegations could express their views on the matter. The short discussion at the current session had in no way burdened the Committee and had provided an opportunity to express such views. It had not been possible to make more progress on the draft declaration or on the draft convention because of lack of time, and the item should therefore remain in the forefront of the Commit-

tee's concerns. He accordingly opposed the Soviet representative's proposal.

12. Mr. NOTHOMB (Belgium) supported the Chairman's suggestion, as he felt that the Committee should not wait until the thirty-first session to take up the item.

13. Mr. TUROT (France) said that he supported the Chairman's suggestion. The short discussion of the item, including the statement made by the Soviet Union, had been very worthwhile and had shed light on the situation with regard to the draft declaration and draft convention. If the agenda of the thirtieth session was too heavy, the Committee could decide at the beginning of that session to postpone consideration of the item to the thirty-first session, although his delegation would very much regret such a decision because of the importance it attached to the subject. If, however, the proposal of the Soviet Union was to be adopted, the words "with the highest priority" should be added to it.

14. Mr. SRINIVASAN (India) said that since the Committee had been unable to make much progress on discussion of the item, it might be better to set a specific time for its discussion and to give it the highest possible priority under the rules of procedure.

15. The CHAIRMAN asked the representative of the Soviet Union whether he accepted the French amendment to his proposal.

16. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation would not object to the addition of the words "with priority" to his proposal.

17. Mr. TUROT (France) said that his delegation preferred the wording "with the highest priority".

18. Mr. MACRAE (United Kingdom) said that he wished to amend the Soviet proposal by changing the words "thirty-first session" to "thirtieth session". The words "highest priority" meant very little. It was his delegation's view that the matter should be discussed at the thirtieth session.

19. Mr. AL-QAYSI (Iraq) said that the wish expressed by the representative of the United Kingdom did not amount to an amendment or proposal to be voted on. The Committee should proceed to vote on the French amendment to the Soviet proposal.

20. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation would agree to the addition of the words "with high priority" to its proposal.

21. Mr. TUROT (France) said that the Committee would gain time by proceeding forthwith to vote, in accordance with the rules of procedure, on his delegation's amendment to the Soviet proposal.

The Committee adopted the French amendment by 65 votes to 23, with 30 abstentions.

The Committee rejected the USSR proposal by 35 votes to 29, with 30 abstentions.

22. Mr. AL-QAYSI (Iraq), speaking on a point of order, pointed out that as the French amendment had been carried and the USSR proposal rejected, the Committee was faced with a peculiar situation. If the French amendment was to apply to the Chairman's suggestion, the Committee would be deciding to give priority to the item at the thirtieth session, which was not at all the intention.

23. Mr. TUROT (France) associated himself with the remarks made by the previous speaker.

24. After a short procedural discussion, in which Mrs. WARZAZI (Morocco), Mr. AL-QAYSI (Iraq) and the CHAIRMAN took part, the CHAIRMAN said that, as the French proposal was an amendment to the USSR proposal, it had automatically been eliminated with the rejection of the latter. If there was no objection, she would assume that the Committee agreed to her suggestion to postpone the item to the thirtieth session.

It was so decided.

AGENDA ITEM 58

Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights: report of the Secretary-General (A/9720 and Add.1, A/C.3/L.2133/Rev.1, A/C.3/L.2142/Rev.1)

25. Mr. SCHREIBER (Director, Division of Human Rights) said that when the General Assembly adopted the two International Covenants on Human Rights, by resolution 2200 A (XXI), it had expressed the hope that they would come into force as soon as possible. In the eight years that had elapsed since the adoption of that resolution, the General Assembly had repeatedly urged Member States to ratify or accede to the Covenants themselves, which required 35 ratifications or accessions to come into force, and to the Optional Protocol to the International Covenant on Civil and Political Rights, which needed the deposit of only 10 instruments of ratification to come into force, subject to the entry into force of the Covenant itself. Ten States had now ratified the Optional Protocol, so that its entry into force depended only on that of the International Covenant on Civil and Political Rights. Since the report of the Secretary-General (A/9720 and Add.1) had been circulated in mid-September 1974, Luxembourg had signed and Mongolia had ratified both Covenants, so that all that was needed to bring the Covenant on Economic, Social and Cultural Rights and the Covenant on Civil and Political Rights into force was six and seven ratifications respectively.

26. In accordance with General Assembly resolution 3142 (XXVIII), the report of the Secretary-General contained a section on the measures taken or envisaged by Member States with a view to accelerating the ratification of the International Covenants and the Optional Protocol. Eleven Governments had reported, and it was encouraging to note that most of them were giving serious consideration to ratifying the Covenants as soon as possible and that several of them had already started the constitutional procedures required for ratification.

27. Nevertheless, one had to admit that progress towards the coming into force of the Covenants was slow. That was regrettable, since, as many delegations had pointed out, the entry into force of the Covenants would give greater weight and wider scope to United Nations activities to promote and encourage respect for human rights and fundamental freedoms for all, in accordance with the Charter. The importance of States that were in a position to do so accepting legal obligations towards the international community in the field of human rights could not be overemphasized. It was equally important to strengthen the obligations laid down in the Charter of the United Nations in that respect and to translate the principles enunciated in the Universal Declaration of Human Rights into rules of international law. The increased effectiveness of the United Nations in securing respect for such rights as self-determination and fundamental human rights and freedoms in the civil and political sphere went without saying. The United Nations could also play a more forceful role in the field of development and economic and social progress when the relevant organs could invoke the legal obligation of Member States to achieve the objectives of the Organization.

28. Both Covenants contained provisions for implementation machinery. In the International Covenant on Economic, Social and Cultural Rights the role assigned to the Economic and Social Council in that machinery was particularly important. The Council would consider the reports submitted by States parties and could make general recommendations to the General Assembly. Furthermore, international action for the achievement of economic, social and cultural rights included not only the adoption of recommendations but the furnishing of technical and economic assistance.

29. The implementation machinery of the International Covenant on Civil and Political Rights consisted of a Human Rights Committee of 18 members, as provided for by article 28 of the Covenant, elected by the States parties six months after the entry into force of the Covenant. The Committee would not only study reports submitted by the States parties on the measures they had adopted which gave effect to the rights recognized in the Covenant but would also be the hub of the voluntary system of communication between States on matters relating to the application of the Covenant and would lend its good offices where necessary with a view to a friendly solution of such matters between the States parties concerned. Under the Optional Protocol the Committee would also be competent to receive and consider communications from individuals who claimed to be victims of a violation by a State party of any of the rights set forth in the Covenant. The Committee would submit an annual report to the General Assembly through the Economic and Social Council.

30. He had wished to emphasize the implementation machinery because he shared the view so often expressed in the Third Committee that when it should go into operation it would be a big step forward towards ensuring the exercise of all the civil, political, economic, social and cultural rights recognized in the Universal Declaration of Human Rights and guaranteed by the International Covenants.

31. In conclusion, he wished to express the admiration of the Secretariat to the Chairman and the officers of the

Committee for the competence and tact with which they had carried out their onerous tasks and to the representatives on the Committee for the work they had performed during the session. He was most grateful for the understanding they had shown for the role of the Secretariat and the co-operation they had extended to the staff of the Organization.

32. Mr. FØNS BUHL (Denmark), speaking on behalf of the sponsors of draft resolution A/C.3/L.2133/Rev.1, said that the sponsors had submitted it because it was important for the International Covenants and the Optional Protocol to come into force as soon as possible so that the rights proclaimed in the Universal Declaration of Human Rights could be given real substance. The text was in line with previous General Assembly resolutions on the same subject. In presenting the revised text, the sponsors had tried to take account of the suggestions put forward in discussions. They were still willing to consider other changes if such changes would make the text more generally acceptable and achieve the purpose set out in General Assembly resolution 2200 A (XXI) in which, on adopting the Covenants, the Assembly had expressed the hope that they would be signed and ratified without delay and enter into force at an early date. The revised text of operative paragraph 2 reflected the desire expressed by several delegations, including Bulgaria and Cyprus, that the Committee should call for the entry into force of the three instruments concerned in the near future and if possible by the thirtieth session of the General Assembly. Operative paragraph 3 largely repeated the request contained in General Assembly resolution 3142 (XXVIII) that the Secretary-General should prepare a report on the ratification of the Covenants on the basis of reports from Governments.

33. Turning to the amendments in document A/C.3/L.2142/Rev.1 he said that the new operative paragraph proposed in the first amendment was acceptable as such, but the sponsors would prefer to include it as operative paragraph 4. They were unable to accept the second amendment, which applied to operative paragraph 1 of the draft resolution; the Optional Protocol had been adopted by the General Assembly by a vote of 66 to 2, with 38 abstentions, and it would be improper to omit any reference to it. While the sponsors were not opposed to the third and fourth amendments, they would like to have some clarification of their meaning and purpose.

34. As to the proposal in the wording of the first amendment to include an "all-States" clause, the sponsors of the draft resolution had the impression that not all delegations would find that acceptable. They considered it important that a draft resolution of purely procedural content and with humanitarian objectives should be adopted by consensus. They therefore preferred not to raise any obstacles to the unanimous adoption of their text and had accordingly not included that amendment. The "all-States" clause had been debated at length at the twenty-eighth session of the General Assembly in connexion with the drafting of the Convention on the Prevention and Punishment of Crimes Against Diplomatic Agents and Other International Protected Persons, including Diplomatic Agents adopted by the General Assembly in its resolution 3166 (XXVIII). At that time, the following

understanding had been adopted by the Sixth Committee by 85 votes to none, with 4 abstentions:

"It is the understanding of the General Assembly that the Secretary-General, in discharging his functions as depository of a convention with an 'all States' clause, will follow the practice of the General Assembly in implementing such a clause and, whenever advisable, will request the opinion of the General Assembly before receiving a signature or an instrument of ratification or accession."²

35. That understanding was clearly general in character and thus applied to any other similar decision of the General Assembly. The Sixth Committee had applied it at the current session during its consideration of agenda items 96 and 97 when it adopted a draft resolution on participation in the Convention on Special Missions, its Optional Protocol concerning the Compulsory Settlement of Disputes and the Vienna Convention on the Law of Treaties,³ by consensus. If there was any doubt as to whether that interpretation was correct, his delegation would request the Committee to ask the advice of the Legal Counsel on the scope and meaning of the "all-States" clause and also on the procedure followed by the Sixth Committee in adopting the draft resolution in question.

36. Mrs. DE BARISH (Costa Rica) said that, 25 years after the adoption of the Universal Declaration of Human Rights, it was high time for the rights thus proclaimed to be converted into legal obligations. It was therefore important that the General Assembly should follow closely the signatures, ratifications and accessions relating to the two International Covenants. It was encouraging that only a few more ratifications were required for the Covenants to enter into force and that the necessary number for the entry into force of the Optional Protocol had already been attained.

37. Since the Danish representative had introduced the draft resolution of which her delegation was one of the sponsors, she merely wished to endorse the points he had made and reiterate the hope he had expressed that the draft resolution would be adopted by consensus. Such a hope was well founded, since the draft resolution was very complete and the revised text had been worded to meet the points raised by certain delegations.

38. She was therefore somewhat disappointed that Bulgaria, Cyprus and the Syrian Arab Republic had seen fit to submit the amendments in document A/C.3/L.2142/Rev.1; its sponsors did not seem to be showing the conciliatory spirit which had been shown by the sponsors of the draft resolution that they wished to amend. The new operative paragraph 1 as proposed in the first amendment contained the words "all States", which introduced the problem already mentioned by the representative of Denmark. She endorsed his statement that the draft resolution should be adopted by consensus; it was therefore inadvisable to introduce a controversial amendment of that kind. In addition to the doubts expressed by Denmark, her delegation failed to see how such an "all-States" clause could be inserted in the draft resolution without conflicting

² See *Official Records of the General Assembly, Twenty-eighth Session, Annexes*, agenda item 90, document A/9407, para. 158.

³ Subsequently adopted by the General Assembly as resolution 3233 (XXIX).

with article 48 of the International Covenant on Civil and Political Rights and article 26 of the International Covenant on Economic, Social and Cultural Rights; it would in fact amend those articles, but it did not follow the proper procedure for amending the Covenants which was laid down in article 51 of the former and article 29 of the latter. She therefore agreed with the Danish representative that the opinion of the Legal Counsel should be sought in order to clarify the position, the Sixth Committee's action on the draft resolution mentioned notwithstanding.

39. She could see no reason why the reference to the Optional Protocol should be deleted from operative paragraph 2, as had been proposed in the second amendment contained in document A/C.3/L.2141/Rev.1. The Protocol was optional, but it was an instrument for the promotion of human rights which had been adopted at the same time as the Covenant and it was, therefore, important.

40. The third amendment did not alter the substance of operative paragraph 2, but it substantially weakened the wording. She felt discouraged by the attitude of the sponsors of the amendments, and although the phrase proposed was unexceptionable, she would have preferred the original wording.

41. In conclusion, she reiterated the hope that the sponsors of the amendments contained in document A/C.3/L.2142/Rev.1 would not press them. The amendments did nothing to improve the text, and it would be a pity to jeopardize the possibility of the draft resolution being adopted by consensus.

42. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) drew attention to the report of the Secretary-General (A/9720 and Add.1) and pointed out that the Ukrainian SSR had been one of the first States to sign and ratify the International Covenants on Human Rights.

43. The Covenants had taken on special significance with the current emergence of new trends in international relations aimed at the promotion of détente and progress in the field of human rights. There was greater co-operation in combating violations of human rights in countries practising racism and other forms of oppression, and the goodwill of all States was required to ensure full compliance with the provisions of the Covenants, which were of central importance for the protection of the fundamental human rights of all. Only when the Covenants became generally recognized international norms, in other words, when they had been ratified by the international community as a whole, would the protection of those human rights be ensured.

44. There were currently over 100 million unemployed in the non-socialist countries, and in many capitalist States the rights of foreign workers, women and minorities were grossly violated. Those facts undoubtedly had a bearing on the refusal of western Governments to ratify the Covenants. In the Ukrainian SSR and throughout the entire Soviet society, human rights were effectively guaranteed by the practice of socialist democracy, which created the necessary conditions for all citizens fully to enjoy their rights, including the right to participate in government, to work, to vacations, to free medical services and hospital treatment, to free education and so on.

45. Referring to the documents under consideration by the Committee, he said that draft resolution A/C.3/L.2133/Rev.1 could serve as the basis for a decision, but his delegation considered that the amendments submitted in document A/C.3/L.2142/Rev.1 would improve the original text, and it could not understand why the sponsors of the draft resolution objected to them. In particular, it saw no reason why they should be opposed to the addition of a paragraph inviting all States to become parties to the International Covenants, such an appeal being justified and lawful in view of the purposes and provisions of the Covenants. In that connexion, he pointed out that the Covenants were designed to secure human rights for all States, and drew attention to article 48 of the International Covenant on Civil and Political Rights, which stipulated that the Covenant was open for signature by any State Member of the United Nations or any member of any of its specialized agencies, by any State party to the Statute of the International Court of Justice, and by any other State which had been invited by the General Assembly to become a party thereto. The proposed amendment therefore represented a crystallization and an application of the provisions of that article, which were embodied in a corresponding article of the International Covenant on Economic, Social and Cultural Rights. On the subject of the proposed deletion of the reference to the Optional Protocol to the International Covenant on Civil and Political Rights, he pointed out that since the Protocol was optional, there was no need to call on States to adhere to it, and the amendment in question was therefore justified. In conclusion, he said that draft resolution A/C.3/L.2133/Rev.1 would be acceptable to his delegation if the amendments referred to were adopted.

46. Mr. PETROV (Bulgaria) pointed out that Cyprus and Bulgaria had been among the sponsors of the draft resolution adopted the previous year on the item under consideration, and had hoped that their views would be duly taken into account in the preparation of draft resolution A/C.3/L.2133/Rev.1. However, since neither their delegations nor that of the Syrian Arab Republic had been consulted concerning the draft resolution under discussion, they had decided to make their views known by submitting the amendments contained in document A/C.3/L.2142/Rev.1. In doing so, they were not motivated by a lack of goodwill, as the representative of Costa Rica seemed to suggest, but by a desire to achieve a more acceptable text in the draft resolution.

47. With reference to the amendment inviting all States to become parties to the International Covenants on Human Rights, he pointed out that a corresponding provision had been adopted by the Sixth Committee in the draft resolution which had been before it when it was considering agenda items 96 and 97 in connexion with the Convention on Special Missions, its Optional Protocol concerning the Compulsory Settlement of Disputes and the Vienna Convention on the Law of Treaties, and reflected the language of various other international instruments and United Nations resolutions. A similar invitation therefore seemed appropriate in the case of the International Covenants. Commenting on the second amendment, he said that reference to the Optional Protocol should be deleted because it was unnecessary and inconsistent. It could be seen from annex II of the report of the Secretary-General (A/9720)

that the Optional Protocol already had a sufficient number of ratifications, and its entry into force was subject to that of the International Covenant on Civil and Political Rights. An appeal for further ratifications was therefore illogical. Moreover, since the Optional Protocol was open to States parties to that Covenant, it was inconsistent to recommend States not parties thereto to ratify the Optional Protocol. With regard to the third amendment, he said that it reproduced the language of article 1 of the Charter, and that the meaning and relevance of the words "international community" in operative paragraph 2 of draft resolution A/C.3/L.2133/Rev.1 were unclear. Referring to the fourth amendment, he said that the replacement of the word "reports" in paragraph 3 of "communications" was necessary because a report implied a much more detailed and broader presentation than a communication. Communications from Governments had previously been deemed sufficient, and he saw no reason why they should not remain so in the current case.

48. In conclusion, he said that he wished to introduce two oral amendments: first, a reference to the report of the Secretary-General (A/9720 and Add.1) should be added at the end of the first preambular paragraph; secondly, mention should be made, in the second preambular paragraph, of General Assembly resolution 2200 A (XXI) by which the International Covenants on Human Rights had been adopted.

49. Mr. FØNS BUHL (Denmark) said that the sponsors of draft resolution A/C.3/L.2133/Rev.1 had hesitated to accept the first amendment contained in document A/C.3/L.2142/Rev.1 because it was doubtful whether general agreement existed on the interpretation applied by the Sixth Committee in adopting the draft resolution before it when it was considering agenda item 96 and 97. However, the sponsors of the draft resolution would be prepared to incorporate the first amendment in a revised text, preferably as new operative paragraph 4, in keeping with the draft resolution of the Sixth Committee referred to. However, the sponsors could not accept the second amendment, because each provision of the Optional Protocol had been drawn up with great care and voted on, the text as a whole being adopted by a substantial majority. The omission of any reference to it would detract from its importance, and would therefore be unwise. On the subject of the third amendment, although his delegation preferred the original text of the draft resolution, it had no strong feelings about the matter and could accept it if the other sponsors concurred. Nor did it have any objections to the fourth amendment or to the two oral amendments submitted by the representative of Bulgaria, if the other sponsors were willing to accept them. In conclusion, he said that his delegation had agreed to most of the proposed amendments in order to facilitate speedy agreement on the text of the revised draft resolution, which he hoped would be adopted by consensus.

50. Mr. PETROV (Bulgaria) thanked the representative of Denmark for accepting three of the four amendments in document A/C.3/L.2142/Rev.1 but regretted that the sponsors of the draft resolution still failed to see the inconsistency and irrelevance of the reference to the Optional Protocol.

51. Mr. EVANS (Australia) suggested that since the entry into force of the Optional Protocol depended on that of the International Covenant on Civil and Political Rights, the inclusion of the reference to it could serve as a reminder of the urgent need for States to ratify the Covenant.

52. Mr. PETROV (Bulgaria) said that his delegation failed to see the logic of the suggestion just made by the representative of Australia, and therefore requested a vote on the second amendment in document A/C.3/L.2142/Rev.1.

53. Mr. FØNS BUHL (Denmark) requested a roll-call vote in view of the unprecedented nature of the amendment in question.

54. Mr. BAL (Mauritania) recalled that the Committee had decided not to mention the Optional Protocol the previous year.

At the request of the representative of Denmark, a vote was taken by roll-call on the second amendment contained in document A/C.3/L.2141/Rev.1 referring to operative paragraph 1.

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

In favour: Libyan Arab Republic, Mauritania, Mongolia, Niger, Peru, Poland, Romania, Saudi Arabia, Somalia, Sri Lanka, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Algeria, Argentina, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Hungary, Iraq.

Against: Madagascar, Mali, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Finland, Germany (Federal Republic of), Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Japan.

Abstaining: Kenya, Khmer Republic, Kuwait, Laos, Lesotho, Liberia, Malaysia, Morocco, Nepal, Nigeria, Oman, Pakistan, Portugal, Qatar, Rwanda, Senegal, Sierra Leone, Singapore, Sudan, Swaziland, Thailand, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia, Afghanistan, Bahrain, Bhutan, Brazil, Burma, Chad, Dahomey, Egypt, Fiji, France, Gambia, Ghana, Greece, India, Indonesia, Iran, Ivory Coast, Jamaica, Jordan.

The amendment was rejected by 33 votes against 26 with 52 abstentions.

55. Mr. SMIRNOV (Union of Soviet Socialist Republics) requested a separate vote on operative paragraph 1 of draft resolution A/C.3/L.2133/Rev.1.

At the request of the representative of the Union of Soviet Socialist Republics, a separate vote was taken on operative paragraph 1.

Paragraph 1 was adopted by 62 votes to none, with 34 abstentions.

56. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.2133/Rev.1 as orally revised.

Draft resolution A/C.3/L.2133/Rev.1, as a whole, as amended, was adopted by 102 votes to none, with 4 abstentions.

AGENDA ITEM 61

United Nations conference for an international convention on adoption law (A/9772)

57. The CHAIRMAN suggested that the Committee should recommend the General Assembly to inscribe the item entitled "United Nations conference for an international convention on adoption law" on the provisional agenda of the Assembly's thirtieth session.

It was so decided.

58. Mr. WILSON (Liberia) recalled that the question had been introduced during the twenty-seventh session of the General Assembly at the request of his delegation,⁴ who had raised it at the 1975th meeting of the Committee on 8 December 1972.

59. Because of the extended family system, adoption was never a problem in Liberia. It was very rare for a child to be

⁴ See *Official Records of the General Assembly, Twenty-seventh Session, Annexes*, agenda item 62, document A/8751.

left without a home; indeed some high officials of the Liberian Government who were born of illiterate parents would never have been educated if they had not been adopted by relatives or other persons.

60. It was purely for humanitarian reasons that his Government had taken the initiative in calling for an international convention on adoption law. In her statement at the 1975th meeting of the Third Committee, the representative of Liberia had stressed that children were one of the basic natural resources of every nation of the world, and that adoption was the best legal and social solution to the problem of protecting children deprived of a family. Because of the black market business in babies, where couples who wished to adopt a child were charged exorbitant rates by some private adoption agencies, it was vitally important that the United Nations should give serious consideration to convening a United Nations conference for an international convention on adoption law. The problem of adoption concerned children who needed love and affection and couples who for humanitarian reasons were anxious to give a home to a homeless child. His delegation hoped that when the item was taken up by the Commission for Social Development at the twenty-fourth session in January 1975, the Commission would make some specific proposals to the thirtieth session of the General Assembly which might result in the convening of the conference.

Conclusion of the Committee's work

After the customary exchange of courtesies, the CHAIRMAN declared the Committee's work for the twenty-ninth session concluded.

The meeting rose at 6.40 p.m.