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 MEETING**

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*Chairman:* Mr. Francisco CUEVAS CANCINO (Mexico).

Organization of work (A/C.3/L.1192) (continued)\*

1. Mrs. WARZAZI (Morocco) recalled that the Committee, at its 1290th meeting, had adopted a programme of work (A/C.3/L.1192) under which amendments to the draft International Convention on the Elimination of All Forms of Racial Discrimination (agenda item 58) were to be submitted by 7 October 1965. In view of the importance of the draft International Convention and the need for careful preparation of any amendments to it, she proposed that the time-limit for the submission of amendments should be extended to Monday, 11 October.
2. After a brief discussion, the CHAIRMAN announced that the new time-limit for the submission of amendments to the draft International Convention, including its final clauses, would be Monday, 11 October 1965, at 1 p.m.

AGENDA ITEM 60

Measures to accelerate the promotion of respect for human rights and fundamental freedoms (A/5923, A/C.3/L.1201, A/C.3/L.1204-1207, E/3743, para. 88)

3. Mr. KACHURENKO (Ukrainian Soviet Socialist Republic), introducing his delegation's amendments (A/C.3/L.1201) to the draft resolution submitted by the Economic and Social Council in its resolution 958 D (XXXVI) and set out in paragraph 4 of the note by the Secretary-General (A/5923), observed that the Commission on Human Rights, which had prepared an initial report and recommendations on the subject at its nineteenth session (E/3743, para. 88) had been unable to return to the matter at its twentieth or twenty-first session because of its preoccupation with the draft Conventions on racial discrimination and religious intolerance. His delegation believed that serious efforts should now be made to speed the implementation of General Assembly resolution 1776 (XVII)—and its amendments had been submitted with that aim in view.

\*Resumed from the 1290th meeting.

4. Measures to secure respect for human rights and fundamental freedoms were especially necessary since serious violations continued to occur in a number of countries. It was the duty of the United Nations to assist in altering that situation. Both the United Nations and the specialized agencies had adopted many conventions, declarations and recommendations on various human rights questions, but it was now necessary to concentrate on measures which would ensure that human rights were guaranteed in practice. An essential step in this connexion was to secure the accession of States to the instruments already adopted. The time had come for every Member of the United Nations to prove, in deed as well as in word, its attachment to the Purposes and Principles of the Charter.

5. Current United Nations human rights activities should be co-ordinated with the plans for the International Year for Human Rights. The twentieth anniversary of the adoption of the Universal Declaration was a fitting occasion for renewed efforts to promote respect for human rights, and particularly of social and economic rights, which were of vital importance for all peoples but to which comparatively little study had yet been devoted.

6. Mr. VERRET (Haiti) said that his delegation would support any measures which aimed to promote respect for human rights and fundamental freedoms and to implement the United Nations Declaration on the Elimination of All Forms of Racial Discrimination. All races had lived in harmony in Haiti since the date of its independence, and Haitians and foreigners alike were subject to the laws and enjoyed the same guarantees of their rights and freedoms. Without passing judgement on any State, his delegation regretted to note the practices of racial discrimination still prevalent in many parts of the world, which prevented the further development of human rights and fundamental freedoms. It hoped that all States would eventually recognize the need to respect those rights and freedoms.

7. Miss KUBOTA (Japan) said that her Government had always strongly supported the aim of promoting and encouraging respect for human rights and fundamental freedoms and had made every possible effort, through governmental and non-governmental agencies, to achieve that purpose in Japan itself. Her delegation would therefore support the draft resolution as it stood.

8. Miss VALVERDE KOPPER (Costa Rica) observed that the particular importance to her delegation of the item under discussion was apparent from the fact that Costa Rica had submitted a draft resolution (see A/5963) proposing the creation of the post of United Nations High Commissioner for Human Rights, its

purpose being to move forward from endless discussion of the subject to the adoption of practical measures to promote respect for human rights and fundamental freedoms. She whole-heartedly supported the draft resolution submitted by the Economic and Social Council, and approved the first and second Ukrainian amendments (A/C.3/L.1201). As a member of the Commission on Human Rights, however, her country had some doubts as to the advisability of the third Ukrainian amendment; many studies of the kind proposed had already been carried out by various United Nations bodies. In her view, the best means of attaining the desired objectives would be to adopt the Costa Rican proposal calling for appointment of a High Commissioner.

9. Mr. MOMMERSTEEG (Netherlands) expressed appreciation of the efforts of the Ukrainian SSR, whose initiative in the Commission on Human Rights had eventually led to the formulation of the draft resolution now before the Committee, which was acceptable to the Netherlands. However, his delegation had some reservations concerning the second and third Ukrainian amendments. The Commission on Human Rights had an extremely heavy work-load and had been unable for some time to deal with all the items on its agenda, especially in view of repeated requests to give priority to certain topics. That being so, the second Ukrainian amendment appeared to be somewhat in the nature of a reproach which, in the view of the Netherlands delegation, was unjustified; for the same reason, it seemed unwise to invite the Economic and Social Council to instruct the Commission to give priority to a number of new studies. The Commission had on its agenda a number of items which, by reason of their character and history, should take precedence over the item under discussion when the limited time available was allocated. He therefore urged the Ukrainian representative to agree to the deletion of the last part of the third amendment, beginning with the words "and, in connexion with ...".

10. Mr. MACDONALD (Canada) supported the Netherlands suggestion. The language of the third Ukrainian amendment went somewhat beyond that of General Assembly resolution 1776 (XVII), which was clear and straightforward and represented a consensus of the Assembly. The Ukrainian amendment involved rather more specific and comprehensive proposals than had been referred to the Commission on Human Rights by the General Assembly, and it might be construed as broadening the Commission's terms of reference.

11. Miss GROZA (Romania) said that measures must be taken to accelerate the promotion of respect for human rights and fundamental freedoms, despite the difficulties involved. Romania, believing that it was in the interest of all peoples, as well as of mankind as a whole, to ensure respect for such rights and freedoms, shared the concern expressed by the General Assembly in resolution 1776 (XVII), which had expressly recognized the need for increased efforts to eradicate manifestations leading to the violation of human rights and fundamental freedoms. Action had been taken at the international level through the adoption of conventions, recommenda-

tions and declarations, but no complete solution to the problem could be found until all States adopted appropriate legislation. She therefore supported the draft resolution, and in particular its appeals to Governments to make special efforts and to the technical assistance authorities of the United Nations and the specialized agencies to give all possible assistance.

12. In Romania, profound changes in the social structure and in economic life had created conditions in which democratic freedoms were enjoyed by all. The new Romanian Constitution gave a place of honour to guarantees of human rights and fundamental freedoms.

13. She supported the Ukrainian amendments because they drew attention to some important United Nations declarations, and also because she agreed that the Commission on Human Rights should continue its work on the adoption of measures to accelerate the promotion of respect for and observance of human rights and fundamental freedoms.

14. Mrs. KEUTCHA (Cameroon) said that full and frank discussion of the item before the Committee would not only serve to promote respect for human rights and fundamental freedoms generally but would help Member States to assess their own shortcomings in the matter of compliance with United Nations resolutions. Her delegation was ready to support any text which would strengthen human rights and advance the struggle against racial discrimination.

15. Mr. ZOHRAB (New Zealand) said that the draft resolution was quite acceptable to his delegation, and urged the Ukrainian representative to consider revising his third amendment in the manner suggested by the Netherlands delegation.

16. Miss KING (Jamaica) expressed appreciation of the efforts of the Ukrainian SSR in the field of human rights. However, she too supported the Netherlands suggestion, since she saw no need to give priority to the study of one particular set of rights. Furthermore, she saw no need to make specific reference to certain United Nations declarations in addition to the Universal Declaration of Human Rights and therefore proposed an amendment (A/C.3/L.1207) to the first Ukrainian amendment (A/C.3/L.1201), the effect of which would be to replace the existing reference by the words "and all other United Nations declarations".

17. Mrs. BERRAH (Ivory Coast) said that it was the duty of the Committee to consider human rights as a matter of universal interest. From that standpoint, she noted two weaknesses in the draft resolution. In the first place, it ignored the situation in Angola, South Africa, Mozambique and other areas where even a minimum of human rights was denied to millions of people. It was true that the political aspects of the colonial question were dealt with by other United Nations bodies, but human rights were the concern of the Third Committee. She therefore submitted an amendment (A/C.3/L.1205) calling for the insertion of a new preambular paragraph relating to that point. Since injustices continued to occur in all countries, she further proposed that the words "invites particularly the Governments of developing countries"

in operative paragraph 1 of the draft resolution, should be replaced by the words "invites them".

18. Mr. DOE (Liberia) observed that, while his delegation had always appreciated the Ukrainian delegation's efforts to promote respect for human rights, it shared the misgivings expressed by the Netherlands representative and others. Liberia would have no serious objection to the Ukrainian amendments if the sponsor agreed to the deletion of the last part of the third amendment.

19. Mr. COMBAL (France) said that his delegation had always supported measures to increase respect for human rights and fundamental freedoms and would vote in favour of the draft resolution. It could also support the first Ukrainian amendment, although it felt that the Jamaican proposal would improve the text. He shared the views expressed by several speakers concerning the second and third Ukrainian amendments; in view of the excellent work done by the Commission on Human Rights since its inception, and particularly in recent years, it would be unjust to address even an indirect reproach to the Commission. He joined other delegations in appealing to the Ukrainian representative to agree to the deletion of the last part of his delegation's third amendment.

20. Mr. A. A. MOHAMMED (Nigeria) said that the reference in operative paragraph 1 of the draft resolution to the Governments of developing countries was altogether unnecessary. The new developing countries had made very comprehensive provision for human rights in their constitutions, in keeping with the standards set by the United Nations. He proposed that the entire clause "and invites particularly ... and fundamental freedoms" should be deleted and that the words "and subsequent declarations and instruments in the field of human rights" should be added at the end of the paragraph.

21. The CHAIRMAN observed that the proposal just made was similar to that made by the representative of the Ivory Coast. He suggested the possibility of the representatives concerned submitting a joint text.

22. Mr. RESICH (Poland) said that it appeared from the report of the nineteenth session of the Commission on Human Rights (E/3743) that the Commission had reached no definite conclusion on how to proceed with the question now before the Committee. The Ukrainian amendments (A/C.3/L.1201) had the merit of indicating what direction the Commission's work should take and what measure of importance should be attached to the item in the coming years.

23. Mr. A. A. MOHAMMED (Nigeria) announced that the delegations of Nigeria and the Ivory Coast had prepared a joint text which combined their separate proposals (A/C.3/L.1206).

24. Mr. DAYRELL DE LIMA (Brazil) introduced his delegation's amendment (A/C.3/L.1204), the first part of which would have the Economic and Social Council study the question of the use, for the promotion of human rights, of resources released by disarmament. That proposal was drawn from an amendment submitted by the Ukrainian delegation at the nine-

teenth session of the Commission on Human Rights (see E/3743, para. 87). Brazil was particularly interested in the question, having taken an active part in the United Nations disarmament negotiations and sponsored a proposal for the use of part of the liberated resources for industrial development.

25. The second part of the amendment recommended a study of current legislation, treaties and other documents containing discriminatory provisions affecting human rights.

26. Mr. SAKSENA (India) supported the Ivory Coast and Nigerian amendment (A/C.3/L.1206), as he considered it inappropriate for a draft resolution like the one under consideration to single out any country or group of countries. He endorsed the Ukrainian amendments in principle and trusted that their final wording could be satisfactorily worked out.

27. Mr. BARODY (Saudi Arabia) expressed his appreciation to the Ukrainian delegation, which had sponsored the original draft resolution that had later become General Assembly resolution 1776 (XVII). The Ukraine and the Soviet Union as a whole had succeeded, through their revolution nearly fifty years earlier, in making great strides in the social and economic spheres; but the revolution had cost them much human life and suffering. It was greatly to be hoped that the nations of the world could secure the observance of human rights and fundamental freedoms without violence and bloodshed, and it was in that sense that he understood the word "accelerate" in the title of the item at present before the Committee.

28. He considered operative paragraph 2 of the draft resolution to be unnecessary. The technical assistance authorities and specialized agencies were doing all they could and did not need further exhortations. The draft resolution would lose nothing if that paragraph were deleted.

29. The third Ukrainian amendment (A/C.3/L.1201) contained a laudable idea, but in his view the word "priority" had become virtually meaningless through over-use. Undue pressure should not be exerted on the Commission on Human Rights, which was proceeding as quickly as possible with its various tasks. He accordingly proposed that the words "in connexion with ... new studies" should be replaced by "to continue to carry out further studies". He supported the remainder of the Ukrainian proposal. His delegation heartily welcomed sub-paragraph (a) of the Brazilian amendment (A/C.3/L.1204). It was not the great Powers, with their almost limitless resources, which would derive most benefit from the conversion of the resources released by disarmament, but the smaller Powers, which often had to maintain armaments they could ill afford. If armaments were reduced, the great Powers could devote far greater sums to social welfare both inside and outside their own countries, and the smaller countries would be able to accelerate their work in the field of human rights in the atmosphere of relaxation from tension that would ensue.

30. Sub-paragraph (b) of the Brazilian amendment was less satisfactory. The task proposed was a herculean one requiring great scholarship and legal expertise, and he doubted that the Commission on

Human Rights was equipped to perform it. In any case, the study proposed should follow as a consequence of the Ukrainian amendment and sub-paragraph (a) of the Brazilian amendment and did not require to be spelled out in detail. He therefore appealed to the Brazilian representative to delete sub-paragraph (b) so as to avoid burdening the Commission with tasks it could not carry out.

*Mrs. Warzazi (Morocco), Vice-Chairman, took the Chair.*

31. Mrs. VILLGRATTNER (Austria) said that her delegation could accept the draft resolution in its present form. She supported the first Ukrainian amendment with the Jamaican sub-amendment. She thought the second Ukrainian amendment should not be voted on since the Commission on Human Rights was already over-burdened, not through its own fault, but through the fault of the General Assembly, which had given it too much work to do. She supported the third Ukrainian amendment in principle but considered that, because of the Commission's heavy work-load, the task of carrying out new studies should be entrusted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities. On the question of the desirability of requesting priority for new studies, she thought it appropriate to apply pressure in regard to matters of human rights because in that way results could be achieved more rapidly.

32. Mr. KACHURENKO (Ukrainian Soviet Socialist Republic) said that he could not accept the Jamaican sub-amendment to his delegation's first amendment because the two declarations mentioned in his text were, together with the United Nations Charter and the Universal Declaration of Human Rights, the fundamental instruments which should guide all Member States in their efforts to ensure respect for human rights and fundamental freedoms.

33. Similarly, he did not agree with the point raised by some representatives concerning his delegation's second amendment because, as he had said earlier, the amendment took account of the work-load of the Commission on Human Rights and did not reproach that Commission, but merely noted the fact that it had been unable to consider the question because of lack of time.

34. He accepted the Saudi Arabian oral sub-amendment to his delegation's third amendment, but continued to feel that studies in the sphere of social and economic rights should be given priority.

35. He supported the Ivory Coast amendment, which greatly improved the preamble of the draft resolution.

36. Mr. RODRIGUEZ FABREGAT (Uruguay) said that, in human rights questions, the General Assembly usually enunciated a very clear principle, but that principle became progressively less clear as it filtered down through a chain of subsidiary bodies and worked its way back up again to the Assembly, arriving as a very mediocre, vague and watered-down text. That was especially true of the present draft resolution. It was precisely in the Third Committee, where political responsibility lay, that problems like the present one should be studied and settled.

37. The third Ukrainian amendment was considerably weaker with the sub-amendment which the Ukrainian representative had accepted. Although he welcomed the Brazilian amendment, he felt that it should be modified because studies such as those it mentioned were already being carried out. Moreover, the General Assembly should not have to keep stimulating its subsidiary bodies. He would vote in favour of the draft resolution as amended but thought it was high time that the General Assembly expressed its will on the matter of human rights in more specific terms. He hoped that it would do so in connexion with the draft International Covenants.

38. Miss ADDISON (Ghana), referring to operative paragraph 2 of the draft resolution before the Committee, said that she shared the Saudi Arabian representative's concern about any implied lack of appreciation of the work of the technical assistance authorities of the United Nations and the specialized agencies and therefore suggested that the words "to continue" should be inserted after the words "the specialized agencies".

39. The Brazilian amendment (A/C.3/L.1204) raised, in sub-paragraph (a), a very important matter which was under study in the First and Second Committees. She doubted whether a matter of such significance should be included in the type of resolution now before the Third Committee. The latter should perhaps adopt a separate resolution on the subject in order to give it due weight. If, however, the Committee felt the matter should be included in the present draft resolution, she suggested that the Brazilian representative should redraft his amendment in the light of the suggestions which had been made. The studies proposed in sub-paragraph (b) of that amendment were already being made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

40. Mr. GHAUS (Afghanistan) welcomed the draft resolution, which would prompt Governments to do more to promote respect for human rights and fundamental freedoms during the United Nations Development Decade. His country's recently adopted Constitution included adequate guarantees for human rights and fundamental freedoms.

41. His delegation supported the Ivory Coast and Nigerian amendment, which strengthened the draft resolution and enlarged its scope. It also supported the first Ukrainian amendment, but could not support the Jamaican sub-amendment because it eliminated a reference to two very important United Nations documents. He could accept sub-paragraph (a) of the Brazilian amendment, but needed more time to study sub-paragraph (b).

42. Mrs. MIRONOVA (Union of Soviet Socialist Republics) recalled that both the General Assembly and the Economic and Social Council had already adopted resolutions on the economic and social aspects of disarmament and the use for social purposes of resources released by disarmament.

43. Mr. MURUGESU (Malaysia) said that his delegation would support all resolutions aiming to accelerate the promotion of respect for human rights and fundamental freedoms. He supported the draft resolu-

tion as a whole, and the amendment proposed by the Ivory Coast and Nigeria. The Commission on Human Rights deserved praise for having studied all aspects of problems relating to human rights and for having initiated the draft resolution now before the Committee.

44. Sub-paragraph (a) of the Brazilian amendment should be deleted, since it dealt with a matter of concern to other Committees; however, he supported sub-paragraph (b) of that amendment. He would also support the Ivory Coast amendment.

45. Mr. ZULOAGA (Venezuela) hoped that the Brazilian representative would reconsider his amendment in the light of the comments made, especially since the Economic and Social Council and the Second Committee had already approved substantially similar texts, and His Holiness Pope Paul VI had made a similar proposal.

46. Mrs. MANTZOULINOS (Greece) endorsed the idea contained in sub-paragraph (a) of the Brazilian

amendment (A/C.3/L.1204), but thought the matter fell within the competence of the First and Second Committees. She agreed with the Ghanaian representative that a separate recommendation or resolution on the subject by the Third Committee would carry more weight. She suggested that the latter part of the paragraph, beginning with the words "particularly the right to work" should be deleted, since the Committee should not enter into too much detail in the matter.

47. With regard to sub-paragraph (b) of the Brazilian amendment, she pointed out that the Sub-Commission already had in hand a study on racial discrimination in the political, social and cultural spheres which was closely related to the present item. Moreover, it seemed inappropriate for the Third Committee to give detailed instructions of that nature to the Sub-Commission. She therefore supported the deletion of sub-paragraph (b).

The meeting rose at 5.55 p.m.