



Chairman: Miss Maria GROZA (Romania).

*Organization of work (continued)*  
(A/C.3/620, A/C.3/L.1762)

1. The CHAIRMAN drew the Committee's attention to the note by the Secretary-General on publications and documentation of the United Nations (A/INF/136) which set out the policies decided upon by the General Assembly with respect to the control and limitation of documentation, and to the recommendations of the Assembly concerning various aspects of the subject. She then referred to the discussion at the previous meeting and said that, from the statements made, there would appear to be a consensus that the Committee should first consider agenda item 55, relating to youth.

2. Mr. GIAMBRUNO (Uruguay) said that the election of three women as officers of the Committee was a tribute to women everywhere and reflected the presence of women in all fields of human activity, particularly those relating to fundamental rights.

3. With regard to the order in which the Committee should take up the items allocated to it, especially the question of the creation of the post of United Nations High Commissioner for Human Rights, he recalled that ever since 1948 Uruguay had been urging the establishment of a supervisory body which would promote effective respect for those rights. His delegation therefore supported Costa Rica's view that the post of High Commissioner should be created. In its opinion, the Committee should take into account the high priority assigned by the General Assembly at its previous session to that question and should give it an important place in the order of consideration. That would enable the Committee to perform an act of faith, on the occasion of the twenty-fifth anniversary of the United Nations, by calling for the establishment of an authority whose purpose it would be to ensure the exercise of human rights.

4. The opponents of that initiative had argued that the Office of High Commissioner might constitute a supranational entity which would detract from the sovereignty of States. But in dealing with respect for human rights a limitation of sovereignty would be in the interests of all mankind. The contrary attitude, i.e. the refusal to consent to limitations on sovereignty, was what kept the International Court of Justice inactive. Just as Uruguay accepted the compulsory jurisdiction of the Court, it would have no objection to granting a High Commissioner for Human Rights the power to take action to improve and strengthen the exercise of those rights in all their aspects. The fear that a legal difficulty would arise was not sufficient justification

for rejecting that initiative, for law should not be an end in itself but should serve the higher cause of the defence of the dignity of human beings. The item was controversial and difficult, but much ground had already been covered and the time had come to tackle it directly and decisively.

5. Mr. EL-FATTAL (Syria) said that the basic consideration in determining the order in which items were to be taken up should be the need to ensure that the work of the General Assembly was centred on the most important events and pressing problems directly affecting the well-being and the fate of the greatest number of people. The fact that an item was or was not controversial was unimportant; the essential thing was that it should not be divorced from reality and that its consideration should reflect the priorities imposed by the principles and purposes of the Charter of the United Nations.

6. In his delegation's view, violations of fundamental rights and racial discrimination were questions of greater importance than the proposed establishment of a new bureaucratic entity which would simply burden the Organization's budget with additional expenditure that the developing countries would find it difficult to meet. The task of putting an end to violations of human rights in armed conflicts, bringing Nazi criminals to justice and adopting measures against neo-nazism was surely much more urgent than that of studying the creation of new posts in the United Nations. He shared the views expressed by the representatives of the United Arab Republic, the Byelorussian SSR, the Ukrainian SSR, Hungary, Poland, Cuba and other States, and suggested that the Committee should take up the items on its agenda in the following order: item 55, relating to youth; item 53 relating to the elimination of racial discrimination; item 47 on respect for human rights in armed conflicts; item 60 concerning self-determination and decolonization; and item 12 relating to the report of the Economic and Social Council. Then the Committee could study items 49 and 50, concerning measures against nazism and the punishment of war criminals respectively; after that it would proceed to consider item 46, concerning the creation of the post of United Nations High Commissioner for Human Rights, and it would then go on to the remaining items.

7. Miss LAPOINTE (Canada) agreed that the Committee should first take up the item relating to youth, and said that she thought there was already a consensus to that effect. Secondly, as other speakers had said, it should deal with item 46, to which the General Assembly had decided at its previous session to assign the highest priority and to which the Committee had then devoted three substantive meetings. The creation of that post would appreciably enhance the prestige of the United Nations on the occasion

of its twenty-fifth anniversary. Thirdly, it could consider item 47, which was clearly an urgent one. It could then go on to item 53, in view of the forthcoming observance of the International Year for Action to Combat Racism and Racial Discrimination, and subsequently take up item 60, which was unquestionably of capital importance. Although her delegation had no preference as to the order in which the remaining items would be discussed, that did not mean that it failed to recognize their importance and interest.

8. Mr. VAN WALSUM (Netherlands) said that the fact that the General Assembly had been immoderate in its application of the concept of priority at its previous session, assigning priority to various topics, made it all the more significant that in its resolution 2595 (XXIV) it had decided to give the highest priority to the question of the creation of the post of United Nations High Commissioner for Human Rights. In order to comply with that decision and to avoid being in the position of failing to fulfil a solemn undertaking, the Committee should give item 46 the first place on its agenda. The fact that it was controversial should not prevent the Committee's beginning its substantive deliberations with that topic. However, if the majority of members of the Committee wished to deal first with the item relating to youth, his delegation would agree, as a compromise, that item 46 should be given second place.

9. Mr. NAMUTABO (Zambia) expressed general agreement with the comments of the representatives of the United Arab Republic, India, Lebanon and Syria concerning the order in which the various items should be considered, although it seemed to him difficult to make a clear distinction, for the purposes of debate, between urgent matters relating to human rights or social problems. He suggested that the Committee should give highest priority to items 53 and 60, which had been under consideration in the United Nations for many years and had acquired greater urgency with the passing of time. However, he would have no objection to considering item 55 first, if the Committee reached a consensus to that effect, giving the second and third places respectively to items 53 and 60.

10. Although he found merit in the United Kingdom delegation's plea that, on the occasion of the twenty-fifth anniversary of the United Nations, something positive should be achieved in the matter of the implementation of fundamental rights, such as the creation of the post of United Nations High Commissioner for Human Rights, he felt that it would be more appropriate to celebrate that anniversary by eliminating all forms of racial discrimination and enabling the colonial countries and peoples to exercise their right to self-determination.

11. Mr. OUEDRAOGO (Upper Volta) agreed that the Committee should first consider the item relating to youth, in accordance with what seemed to be the wish of the majority of delegations. Subsequently, it could consider items 53 and 60, which were interrelated, item 56, and, lastly, item 46. It could be left to the Chairman to decide the order in which the remaining items would be taken up. His delegation was willing to accept any other suggestion aimed at accelerating the organization of work.

12. Mr. RATTANSEY (United Republic of Tanzania) thought that the Committee should begin its work with the

consideration of an item on which there were possibilities of agreement. The selection of item 55 was therefore most appropriate. He felt that the second item to be considered should be item 47, which dealt with respect for human rights in armed conflicts and was currently a matter of urgency. However, he would not object to giving preference to item 53. That could be followed by item 60, which referred to a question of vital importance for the existence of the United Nations. With regard to item 46, he did not think that it would be appropriate to examine it at the present time, and he fully supported what had been said in that connexion by the representatives of the United Arab Republic, India, Syria and the majority of countries of the Afro-Asian Group.

13. Mr. SADRY (Iran) said that the Afro-Asian Group had held informal consultations and had reached the following consensus with regard to the order in which the items should be considered: first, item 55; second, items 53 and 60; third, item 47; fourth, item 46. The remaining items would be considered subsequently, and would be assigned the priority appropriate to each one.

14. Mr. NASSER-ZIAYEE (Afghanistan) felt that it was essential to abide by the provisions of General Assembly resolution 2595 (XXIV), which assigned the highest priority to the question of the creation of the post of United Nations High Commissioner for Human Rights.

15. Mr. BAROODY (Saudi Arabia) thought that all the items on the agenda were equally important and that the word "priority" should be used with moderation. Delegations naturally had preferences for certain items, but there were questions of a general nature which should be of interest to all Members without exception. One such was the question of youth, which was a burning issue at the present time.

16. Another item which should be given preference was that concerning the elimination of the racial discrimination which still persisted in the world, not only in the form of established régimes such as *apartheid* but also in disguised and insidious forms.

17. The international community should also be concerned with the question of narcotics, since drug addiction was a phenomenon closely linked to the frustration with which people of all ages reacted to the unscrupulousness of many politicians. The use of narcotics was becoming increasingly widespread and threatened to cause havoc in all countries.

18. An item which, despite its importance, had continually been relegated to the background was the question of freedom of information. Originally proposed by him at Geneva in 1947, it had been postponed, on the pretext of lack of time, thanks to the efforts of the very people who were using the information media to disseminate tendentious propaganda. It was high time to deal with the question thoroughly and complete the draft convention, which was not designed to restrict the free flow of information, as some had alleged, but to protect the public against the abuse of propaganda.

19. The idea of creating the post of United Nations High Commissioner for Human Rights was completely impracti-

cable. Its proponents seemed to forget the diversity of the cultures and political and legal systems existing at the present time and failed to realize that more rights must be exercised in the context of national legislation and traditions. The person holding the post could never be an expert on all those matters. In addition, the United Nations, which was virtually insolvent, could not process the millions of claims which the High Commissioner would receive. Furthermore, it was significant that those who were urging the creation of the new post were the first to oppose the very necessary salary increases for the lower echelon staff of the United Nations. His delegation had decided to make no contribution whatsoever to the creation of that post and wished to reserve the right to be the first to speak in the substantive debate on the item.

20. Mrs. TOMŠIĆ (Yugoslavia) said that it was unfortunately necessary to assign priority to certain items when in fact all were equally important. Nevertheless, there were always differences of opinion among delegations and it was essential to try to find some common ground in the midst of the prevailing diversity of views. For her part, she supported the procedure outlined by the delegations of the Afro-Asian Group and she was pleased to note the general agreement that the debate should begin with the item relating to youth.

21. Her delegation attached fundamental importance to the question of the elimination of all forms of racial discrimination and considered that the opportunity afforded by the twenty-fifth anniversary of the United Nations should be used to direct attention to the struggle against that evil, which, along with *apartheid*, had political implications and constituted a threat to world peace.

22. Mr. LUGO (Nicaragua) wanted items 55, 46 and 53, to be considered first, in that order. The last of them, relating to the elimination of racial discrimination, had particular importance and significance on the occasion of the twenty-fifth anniversary of the United Nations. He would go along with the majority opinion regarding the remaining items.

23. Mr. RYBAKOV (Union of Soviet Socialist Republics) observed that the organization of the work of the Committee involved not only grouping the various items but also giving a general direction to the debate. It was necessary to consider which were the most important questions and to take into account the links between certain points.

24. The statements made by the various delegations had revealed that there was basic agreement on three fundamental questions, as the representative of the United Arab Republic had observed. Those questions were item 55, concerning youth; items 53 and 60, relating to the elimination of racial discrimination and the right to self-determination respectively; and item 47, concerning respect for human rights in armed conflicts.

25. There was no question that those items warranted special priority. Where the remaining items were concerned, common sense should be the guide. For example, the importance of measures to be taken against nazism and the close relationship between that phenomenon and racial intolerance, of which it was but one manifestation, should

be stressed. Accordingly, item 49, concerning nazism and racial intolerance, should be dealt with immediately after items 53 and 60. On the occasion of the twenty-fifth anniversary of the establishment of the United Nations, which had come about as a result of the victory over the Nazi forces, to give greater priority to the creation of the post of High Commissioner for Human Rights would be a manifestation of unforgivable disregard of the millions of victims of nazism.

26. The item concerning respect for human rights in armed conflicts was unquestionably linked with that concerning the punishment of war criminals and persons who had committed crimes against humanity. It should therefore be considered immediately following the latter. There could be no justification for placing it after the question of the creation of the post of United Nations High Commissioner for Human Rights, especially when it was well known that war crimes and crimes against humanity were still being committed in various countries, including South Africa and Southern Rhodesia. Nor would it be admissible to give the question of the creation of that post priority over the all-important questions relating to action to combat racism.

27. Furthermore, the creation of the post of High Commissioner for Human Rights was a matter which entailed profound contradictions. As had already been pointed out, such a step would lead to the establishment of a supranational body for the purpose of intervening in the internal affairs of the sovereign States, and not all countries would be willing to accept such unlawful interference or to assume the resulting political, moral and financial obligations. Even if, simply as a result of an automatic majority, the post was created, the Soviet Union—and surely other States—would not contribute in any way to the unlawful activities to which it would give rise. In the circumstances, a hasty debate on item 46 without delegations undertaking the necessary consultations and study could only lead to an impasse. It was also significant that prominent among the proponents of the creation of the post of High Commissioner for Human Rights were States which had an unsavoury record of colonialism in the past and even at present. Perhaps they saw in the proposed Office a new weapon with which to deny dependent peoples the exercise of their legitimate rights.

28. As had been stated earlier, among the questions allocated to the Third Committee were seven items which had been assigned priority. Therefore, when deciding the order in which items were to be taken up, it would also be advisable to take into account such considerations as the fact that to begin by considering highly controversial problems might detract from the celebration of the twenty-fifth anniversary of the United Nations, constituting an obstacle to the achievement of practical results on that occasion. It would be preferable to defer the more controversial subjects until the latter part of the session so that consultations necessary for their consideration could be held. Consequently, his delegation supported the suggestion made by the representatives of various developing countries that items 55, 53, 60 and 47 should be taken up first, in that order, and should be followed by items 49 and 50. Lastly, he wished to address an appeal, not to the delegations of the United States, the United Kingdom or

South Africa, whose positions were well known, but to the developing countries of Asia, Africa and Latin America, and in particular those which had suffered colonialism and racial discrimination, to support that order, taking into account that it was necessary not only to put an end to the violations of human rights which were being committed at the present time but also to provide for the punishment of those guilty of such crimes.

29. Mr. GUNewardENE (Ceylon) said he wondered whether the priority to be accorded to item 46 in the discussion of agenda items—a matter on which opinions had differed so widely—warranted such a lengthy debate or justified the risk of a delay in the Committee's work. In his view, it was not necessary to make rigid laws out of the resolutions adopted at the previous General Assembly session. They should rather be thought of as valid, but not compulsory, recommendations since circumstances and problems could change radically from year to year. If the question of the creation of the post of United Nations High Commissioner for Human Rights was dealt with first, in all probability there would be no time left to consider anything else, although the agenda contained other items which were far more urgent and important for the present-day world. However, if the item in question were assigned fourth or fifth place on the Committee's agenda, delegations would have an opportunity to hold useful consultations before debating the issue. He urged all the members of the Committee to accept the compromise solution which would be proposed by the representative of Pakistan on behalf of a large number of delegations.

30. Mrs. DE BROMLEY (Honduras) noted that there was a sharp dividing line between the delegations that wished to take up item 46 as soon as possible and those which were seeking to postpone its consideration once again. Since there was already a consensus in the Committee to the effect that item 55 should be dealt with first, her delegation would be satisfied if the question of the creation of the post of United Nations High Commissioner for Human Rights were assigned second place since, quite apart from the arguments which could be mustered for or against the creation of such a post, it involved a controversial problem which had to be dealt with and resolved once and for all.

31. Mr. HANDL (Czechoslovakia) said he shared the majority view that the Committee should begin by considering the item on youth. As for the other items, a number of them were connected specifically with the application of human rights and fundamental freedoms. He was referring to items 53, 60, 47, 49 and 50, which should, in his delegation's view, take precedence over the others during the twenty-fifth anniversary of the United Nations.

32. As for item 46, it was known to be a very controversial issue, to which no solution could be found for the time being. His delegation felt that item 46 fell within the category of institutional and organic measures and could not be regarded as a substantive item, such as those to which he had just referred. It should therefore not be considered before problems that were far more urgent and important. A number of delegations, including those of the Byelorussian Soviet Socialist Republic, India, the United Arab Republic, Syria, Hungary and the Soviet Union, had made suggestions which were reasonable and logical and

could provide a good basis for the organization of the Committee's work.

33. Mr. HEYMAN (Sweden) felt that the highest priority should be given to item 46. Item 47, concerning respect for human rights in armed conflicts, should also be assigned one of the first places on the Committee's agenda. Nevertheless, he agreed that the Committee should start with item 55. Items 48 and 52 should also be given reasonably high priority. As for the other items, his delegation would abide by the Chairman's decision.

34. Mr. KATAKURA (Japan) said that he was inclined to share the views of those who had pointed out that, at its twenty-fourth session, the General Assembly had, in its resolution 2595 (XXIV), decided to accord the highest priority to the question of the creation of the post of United Nations High Commissioner for Human Rights. His delegation had in fact been one of the sponsors of the resolution in question and felt that item 46 should be given priority. However, he was sure that it would be possible to find a solution that would be satisfactory to the majority.

35. Mr. AKRAM (Pakistan) said that the Afro-Asian Group had tried to reach a compromise solution on the organization of work. His country was inclined to favour those items which concerned the elimination of racial discrimination, the realization of the right of peoples to self-determination, the elimination of all forms of religious intolerance and the creation of the post of High Commissioner for Human Rights. He certainly felt that the last-mentioned item was important, but he did not agree with the legalistic view that it was necessary to give it the highest priority because, although it was true that the General Assembly had made such a recommendation in its resolution 2595 (XXIV), it was also true that there was no need to interpret that recommendation too rigidly.

36. Therefore, on behalf of the delegations of Ceylon, Ghana, Guinea, Indonesia, Iran, Iraq, Kenya, Mali, Nigeria, Somalia, the United Republic of Tanzania, Yugoslavia and Zambia, and of his own delegation, he proposed the following order of priorities: item 55, items 53 and 60 together, to be followed by items 47, 46 and 12; items 49 and 50 together, and items 48, 52, 54, 51, 56, 58, 59 and 57.

37. Mr. OSHODI (Nigeria) considered that the order of priorities proposed by the representative of Pakistan on behalf of various delegations was very suitable; however he would suggest that items 49 and 50 should be assigned second place together with items 53 and 60. In that way, a single general debate could be held on four related topics, and much time could thus be saved. All the items on the agenda were important, but the one which seemed most controversial was item 46, on which there were two main points of view. Some delegations proposed that it should be considered first or second, while others wished to relegate it to the end of the list. To settle the question, he would suggest that, since there were sixteen items, item 46 should be put in the eighth place. However, there would be no harm in assigning it fourth or fifth place on the agenda, as some representatives had suggested. In any case, he was certain that the order of priority given to item 46 was of no great importance since all delegations had no doubt already

received instructions concerning the position they should adopt concerning it. He therefore formally moved the closure of the debate on the organization of work and proposed that the Chairman should take a decision concerning the order in which the items were to be considered.

38. Mr. PAOLINI (France) said that he opposed the motion for the closure of the debate since it had always been the practice in the Third Committee to hear all delegations that wished to state their position before the Chairman took a decision.

39. Miss EDMONDS (United States of America) said that she too opposed the motion for the closure of the debate since she felt that all those who were on the list of speakers should be heard.

40. The CHAIRMAN invited the members of the Committee to vote on the motion for the closure of the debate.

*The motion was rejected by 35 votes to 17, with 34 abstentions.*

41. Mr. AKRAM (Pakistan) proposed that the list of speakers should be closed and that the debate should be

closed when all the speakers on the list had been heard. He would then formally submit the proposal concerning the order of consideration of items,<sup>1</sup> which he had put forward earlier on behalf of various delegations.

42. After a procedural discussion in which Mr. M'BENGUE (Senegal), Mrs. WARZAZI (Morocco) and Mr. AKRAM (Pakistan) took part, the CHAIRMAN put to the vote the proposal by the representative of Pakistan to close the list of speakers and to close the debate once the list had been exhausted.

*The proposal was adopted by 31 votes to 10, with 31 abstentions.*

43. Mr. PAOLINI (France) explained that he had abstained from voting on the closure of the debate because he had understood that the debate had already been closed. It was his understanding that when the representative of Pakistan formally submitted his proposal concerning the order of consideration of items delegations would be able to take the floor in order to state their views on it.

*The meeting rose at 6.15 p.m.*

<sup>1</sup> Subsequently circulated as document A/C.3/L.1763.