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AGENDA ITEM 58

International Year for Human Rights (continued):

(a) Programme of measures and activities to be undertaken in connexion with the International Year for Human Rights: report of the Secretary-General (continued) (A/6687, A/6866 and Add.1; A/C.3/L.1501/Rev.1, A/C.3/L.1502, A/C.3/L.1505, A/C.3/L.1506/Rev.1, A/C.3/L.1507-1508, A/C.3/L.1509/Rev.1);

(b) Report of the Preparatory Committee for the International Conference on Human Rights (continued) (A/6354, A/6670, A/C.3/L.1501/Rev.1, A/C.3/L.1502, A/C.3/L.1505, A/C.3/L.1506/Rev.1, A/C.3/L.1507-1508, A/C.3/L.1509/Rev.1)

CONSIDERATION OF DRAFT RESOLUTION
(continued)

1. Mr. RIOS (Panama) introduced his delegation's revised amendment (A/C.3/L.1509/Rev.1). The formulation which it proposed made the text of the revised draft resolution of Canada, Costa Rica, Jamaica and New Zealand (A/C.3/L.1501/Rev.1) more flexible and precise. He was glad that the Soviet delegation had submitted a revised version of its amendments (A/C.3/L.1506/Rev.1), the meaning of which coincided in part with his own delegation's original amendment. He had accordingly withdrawn his delegation's amendment to item 11 (a) of the International Conference's provisional agenda (A/6670, annex II). In order that there should be no misinterpretation, he emphasized that his delegation had always been firmly opposed to colonialism, as shown by the stand it had taken on many earlier occasions, and latterly in a draft resolution which it had submitted to the Fourth Committee in concert with the delegations of Argentina, Colombia

and Honduras.^{1/} He stressed the seriousness of the problem of slavery, which continued to exist and to eliminate which a special effort on the part of the United Nations was called for. After praising the Government of Mali, which had taken stringent measures to control that inhuman form of traffic, he requested the Soviet delegation to support his country's position with regard to item 11 (c), just as Panama was supporting the Soviet position on item 11 (a).

2. Miss GUEVARA ACHAVAL (Argentina) said that she agreed with the Panamanian representative and that she thought redundancies in the Conference agenda should be avoided. Provided there was agreement in the Committee on broadening the draft agenda, her delegation would support the United States sub-amendment (A/C.3/L.1508), for in its view the inclusion of the paragraph which that text proposed would help to make the Conference agenda more balanced and complete. As to paragraph 2 of the Hungarian-Ukrainian amendments (A/C.3/L.1505), she considered it inappropriate. Again, to limit the number of non-governmental organizations participating in the Conference, as paragraph 4 of the same amendments would do, would in no way contribute to the success of the Conference or to the dissemination of its conclusions. The text of the draft resolution submitted by Canada, Costa Rica, Jamaica and New Zealand (A/C.3/L.1501/Rev.1) seemed to her to be satisfactory and well-balanced, and the amendments which had been submitted with respect to paragraphs 8, 9 and 10 would therefore not have the support of her delegation.

3. If the tone characterizing the statements of some delegations was any indication of the spirit which was to prevail at the Conference, she added, Jamaica's action in proposing to hold it might turn out to be pitifully abortive.

4. Mr. FOUM (United Republic of Tanzania) said that after hearing the Panamanian representative's explanations he understood that it was not the latter's purpose, in submitting the revised amendment (A/C.3/L.1509/Rev.1), to water down item 11 (c) of the draft agenda; nevertheless, it had to be stressed that if the situation prevailing in southern Africa was taken into account it would be seen that there was indeed a contradiction between those explanations and the proposed text. In South West Africa the racist régime had forcefully recruited African labour in order to exploit the resources of that country, in the mining areas of which the workers were housed under con-

^{1/} Official Records of the General Assembly, Twenty-second Session, Annexes, agenda item 23, document A/7013, para. 39, draft resolution I.

ditions reminiscent of the Nazi concentration camps. Nor was the situation any better in Mozambique and Angola. In the light of those facts, the reference to apartheid and colonialism could not be said to have the effect of watering down item 11 (c). He therefore urged the Panamanian representative to withdraw his amendment.

5. He suggested that rule 34, paragraph 1 of the draft rules of procedure for the Conference (A/6670, annex I), under which decisions on matters of substance would be taken by a two-thirds majority, should be replaced by a provision similar to that in rule 126 of the General Assembly's rules of procedure. If his suggestion was not accepted, he would be obliged to submit a formal proposal to that effect.

6. Mr. SQUIRE (United States of America), referring to the remarks made by the Moroccan representative at the preceding meeting, said that the United States had signed many of the conventions on human rights and had ratified the Supplementary Convention on the abolition of slavery. Moreover, his delegation had submitted its sub-amendment (A/C.3/L.1508) because it was mindful of the problems which existed in its own country. One of the main purposes of the International Conference on Human Rights would be to draw up a programme of future activities that would aid all countries; that was the ultimate purpose of his delegation's amendment.

7. United States citizens enjoyed all the rights enunciated in the United Nations conventions, and no United States laws would have to be changed in order to conform to those conventions. Furthermore, the United States Government was determined to work for the ratification of the conventions even though their content was already incorporated in its domestic legislation.

8. The Hungarian-Ukrainian amendments (A/C.3/L.1505), were repetitive because there was already a reference to economic and social rights in item 11 (g) of the draft agenda. The purpose of the United States sub-amendment was to restore the balance of the proposed agenda. As to the amendments submitted by the Union of Soviet Socialist Republics (A/C.3/L.1506/Rev.1), he shared the view of the Jamaican representative that, for the sake of consistency, other seminars would also have to be mentioned. Referring to paragraph 2 of the Hungarian-Ukrainian amendments (A/C.3/L.1505), he said that the General Assembly had already taken decisions in that regard and that the question was a political one which should be dealt with by other bodies. With reference to the Panamanian amendment (A/C.3/L.1509/Rev.1), he said that, while he agreed that apartheid led to slavery-like practices, he thought that item 11 (c) of the draft agenda should refer only to "conventional slavery", and he would therefore support the Panamanian amendment. Apartheid was specifically included in other items on the agenda. Turning to the sixteen-Power amendments (A/C.3/L.1502), he said that it was not possible to separate the economic and social and civil and political aspects of activities in the field of human rights. It was not possible to differentiate between non-governmental organizations which had a limited interest in the question, for it was impossible to compartmentalize human rights. They were in practice indivisible, as shown by the activities of UNESCO, which was con-

cerned with education in all its aspects, UNICEF, the ILO, UNITAR, the Committee on Housing, Building and Planning, the Commission on the Status of Women and other bodies, all of which affected many aspects of human rights. Contrary to what the representative of the United Arab Republic had said, the United States was not trying to bring about the full participation of non-governmental organizations; it was obvious that they could not have full participation since they could not vote. The non-governmental organizations would contribute to the conference a point of view different from that of governments.

9. Mr. MOHAMMED (Nigeria) felt that the four-Power draft resolution (A/C.3/L.1501/Rev.1) was to the point; it referred essentially to questions of procedure, except in so far as the question of participation in the Conference by non-governmental organizations was concerned.

10. With regard to the amendments to the draft resolution, he could not find it possible to accept any changes in the provisional agenda (A/6670, annex II), which had been the subject of a great deal of controversy in the Preparatory Committee and had been approved only after painstaking consideration. For that reason he was opposed to paragraph 2 of the Soviet delegation's amendments (A/C.3/L.1506/Rev.1), which would not give the problem of apartheid the special attention it warranted, and the Panamanian delegation's proposal for amending agenda item 11 (c). He recalled in that connexion the result of the voting in the Preparatory Committee, as recorded in its report (A/6670, para. 50), which bore witness to the importance it attached to the consideration of apartheid as a contemporary manifestation of the phenomenon of slavery.

11. On the other hand, he was in favour of paragraph 1 of the amendments submitted by the Soviet Union, calling for a reference in the preamble to the conclusions and recommendations of the Kitwe Seminar, and he agreed with the Jamaican representative that that reference should be broadened to include other seminars which had dealt with human rights.

12. He did not agree that the powers of the non-governmental organizations should be as broad as was proposed by the United Kingdom in its amendments (A/C.3/L.1507); those organizations were not as representative as Governments, nor had they any mandate from national communities, and they should therefore not be permitted to participate in the Conference on a par with States, although he would have no objection to their participation as observers.

13. With regard to the amendments submitted jointly by the Hungarian and Ukrainian delegations (A/C.3/L.1505), he shared the latter's concern for the social and economic aspects of human rights but did not approve of the political element which that text would introduce and which was expressed with greater clarity in the United States sub-amendment (A/C.3/L.1508). Nor could he support the new operative paragraph submitted by the Hungarian and Ukrainian delegations, since that wording might result in such countries as Southern Rhodesia seeking to participate in the Conference.

14. Lastly, he could not accept the change in paragraph 9 which was proposed in that amendment, for quite apart from the arbitrary numerical limitation it would impose on participation by non-governmental organizations in the Conference, to ensure equitable geographical representation of such organizations would not be feasible without a prior study of their international structure—a matter to which the proposal made no reference at all. Moreover, what was desired was not so much a broad geographical representation as an adequate reflection of the various currents of opinion, particularly those which were not subject to political ties. The General Assembly had in many resolutions recognized the value of the services of the non-governmental organizations by requesting their co-operation in the effective application of decisions which had been adopted. Hence no limitative criteria should be imposed with regard to their participation in the Conference as observers, even if their power to intervene in the deliberations was limited in order to avoid any possible abuses.

15. Mr. LUSINGA (Democratic Republic of the Congo) said that his delegation attached paramount importance to respect for the individual and his fundamental rights regardless of his origin or colour, and it did so because of its appreciation of his intrinsic dignity and not for demagogic reasons of self-interest.

16. Its view with regard to participation in the Conference by non-governmental organizations was that since most of the Committee members appeared to take a stand in favour of their participation as observers, it would be desirable to leave it to the Conference itself to judge, from the circumstances, whether they could take the floor on a given subject. The principle followed at all international Conferences had been to give the floor to all those who had participated as observers.

17. His delegation was not opposed in principle to the suggestion advanced in paragraph 2 of the United Kingdom amendment (A/C.3/L.1507), but would have preferred it to have been worded more explicitly, as it left it to the judgement of the Conference Secretariat to decide on measures of a political nature outside its competence.

18. Mr. STAVROPOULOS (Legal Counsel) replying to a question by the Tanzanian representative at the 1541st meeting, listed the following as parties to treaties registered with the Secretariat (of a general nature not specifically relating to human rights) and members neither of the Organization nor of its specialized agencies: Andorra, the German Democratic Republic, the Democratic Republic of Viet-Nam, the People's Republic of China, the Democratic People's Republic of Korea, Southern Rhodesia, the Saar and the Sultanate of Muscat and Oman.

19. Mr. FOUM (United Republic of Tanzania) was sorry to note that the Legal Counsel's list included at least two colonies. What his delegation had requested had been a list of the States signatory to international agreements which had been registered with the Secretariat, and it was therefore surprised at hearing the mention of Southern Rhodesia, which was recognized by all, including the colonial Power, itself, as having colonial status.

20. He would like to know to which Treaty Southern Rhodesia was party.

21. Mr. STAVROPOULOS (Legal Counsel) explained, in reply to the question, that he had not purported to refer to States but to parties. Another term that could be used, in designating some of them, would be "entities", as in the case of the Saar; and Southern Rhodesia could be placed in the same category. In the latter case, the agreements to which it was party were the protocols of rectifications to the 1950 General Agreement on Tariffs and Trade.

22. Mr. SANON (Upper Volta) approved paragraph 1 of the Soviet amendments (A/C.3/L.1506/Rev.1) which provided for a reference in the joint draft resolution (A/C.3/L.1501/Rev.1) to the International Seminar held at Kitwe, Zambia, in 1967. With regard to paragraph 2 of those amendments, he felt that items 11 (a) and (c) of the provisional agenda (A/6670, annex II) already met the points exercising the Soviet Union as far as agenda coverage was concerned, and therefore urged the Soviet delegation to withdraw the paragraph.

23. On the Hungarian and Ukrainian amendments (A/C.3/L.1505) to operative paragraph 6 of the draft resolution, and the United States sub-amendment (A/C.3/L.1508), he considered the original text of the agenda to be altogether perfect and accordingly asked the respective delegations to withdraw their proposals, failing which his delegation would have no option but to vote against them in order to preserve the balance of the draft resolution.

24. With regards to paragraph 2 of the Hungarian-Ukrainian amendments, his delegation acknowledged its validity and supported the principle of universality in respect of Conference participation. Unfortunately, the political character that the latter part of the proposal had taken on prevented him from giving it his support. If the proposed new paragraph were voted on as a whole, his delegation would abstain from voting, and if the second part were voted on separately, it would vote against. On the other hand, it would vote in favour of paragraph 3 of the amendments, which proposed the deletion of paragraph 8 of the joint draft resolution. However, it was against paragraph 4, according to which the number of non-governmental organizations to be invited to the Conference should be limited to fifteen.

25. With regard to the sixteen-Power amendments (A/C.3/L.1502), he took a positive view of the proposal made in paragraph 2 (i), and noted that in paragraph 2 (ii) the sponsors had tried to face up to some of the facts of life in the modern world, in which various ideologies existed. As far as participation in the Conference was concerned, therefore, it was better to bear those ideologies in mind than to proceed from the basis of equitable geographical distribution. With regard to paragraph 3, he failed to see what would be gained from the proposal, and felt that the matter could very well be left to the President to deal with. As to the United Kingdom amendment (A/C.3/L.1507), his delegation was unable to accept the proposal in paragraph 1.

26. In conclusion, he said that his delegation deemed the draft resolution (A/C.3/L.1501/Rev.1) acceptable,

and would vote in favour of it except as far as operative paragraphs 8 and 9 (b) were concerned.

27. Begum ISA (Pakistan) noted that the views expressed in the Committee on participation in the Conference by the non-governmental organizations had at times been so varied and controversial as to raise the question of whether the objectives of the Conference would not founder on that issue. Her delegation was not opposed to participation by those organizations, whether they had consultative status with the Economic and Social Council or not, provided that their activities had been related to any aspect of human rights, but it felt it essential to ensure their balanced representation at the Conference. The United Nations, which had always tried to promote equitable geographical distribution, upheld that principle, which was at the heart of the sixteen-Power amendments (A/C.3/L.1502). The co-sponsors of those amendments, which included Pakistan, wanted to see all parts of the world equitably represented at the Conference, and had proposed, in the belief that the joint draft resolution might result in giving over-representation to certain regions to the detriment of others, a formula which would restore the balance. It would be wrong therefore, to assert, that the co-sponsors, in referring to the main concepts of human rights in their political, economic, social and cultural aspects, were seeking to differentiate between them, for their sole purpose was to remedy an injustice which had persisted to date.

28. Since the question of colonialism and racialism would be one of the most important ones broached by the Conference, her delegation had no objection to adding to the text of the criterion (a), in paragraph 2 (ii) of the sixteen-Power amendments the concluding passage in paragraph 4 of the Hungarian-Ukrainian amendments (A/C.3/L.1505), namely, "paying special attention to the proper representation of organizations devoting their efforts to the struggle against colonialism, racialism and apartheid", thus meeting a suggestion made by the Bulgarian delegation at the preceding meeting.

29. Mrs. NIKOI (Ghana) said that the text proposed in paragraph 1 of the Hungarian-Ukrainian amendments (A/C.3/L.1505) was already covered by item 11 (g) of the draft agenda, and that proposed in the United States sub-amendment (A/C.3/L.1508) by item 11 (e). Her delegation would have no hesitation accepting those amendments if the delegations in question deemed it desirable to single out those issues, but they would need to be related to the relevant agenda items; it was impossible to approve those amendments and at the same time maintain items 11 (g) and (e). She therefore supported the plea made by the Upper Volta representative.

30. With regard to paragraph 2 of the Hungarian-Ukrainian amendments, she had listened with interest to the statement by the Legal Counsel and would support the proposed change in line with Ghana's endorsement of the principle of universality. With regard to paragraph 3 of those amendments, it seemed out of the question to strike out paragraph 8 of the draft resolution purely and simply and, if no delega-

tion proposed a new text to replace it, she would cast a negative vote. Neither could she support paragraph 4 for the limitation of the number of non-governmental organizations seemed to her to be arbitrary and unrealistic.

31. Turning to the Soviet amendments (A/C.3/L.1506/Rev.1), she said she had no objection to accepting the new preambular paragraph concerning the Kitwe Seminar. On the other hand, she felt that the effect of paragraph 2 of the amendments might be to render the wording of item 11 (c) less specific.

32. She supported paragraph 1 of the United Kingdom amendments (A/C.3/L.1507), as she felt it would set a bad precedent to deprive the non-governmental organizations of a right they had always enjoyed. She challenged the view that the amendments would place non-governmental organizations on the same footing as governmental ones. She also supported paragraph 2 of the United Kingdom amendments.

33. On the sixteen-Power amendments (A/C.3/L.1502), she said that the non-governmental organizations' contribution in the human rights field had been substantial, and that in principle the invitation should be a general one, for it was difficult to lay down criteria for selection. Although she had no great basic objection to accepting the proposal made in that connexion in the revised draft resolution submitted by Canada, Costa Rica, Jamaica and New Zealand (A/C.3/L.1501/Rev.1), she noted that paragraph 9 (b) of the draft resolution, concerning the criteria for selection, gave rise to problems, for it would be difficult to apply. She suggested that the general line laid down should be to give due consideration to applications by non-governmental organizations in Asia, Africa and Eastern Europe.

34. She endorsed the Tanzanian representative's suggestion concerning the amendment of rule 34 of the draft rules of procedure. Lastly, she shared the fears of the Tanzanian, Nigerian and Upper Volta delegations concerning paragraph 2 of the Panamanian amendment (A/C.3/L.1509/Rev.1) which, although providing a more polished wording, weakened the substance of item 11 (c) of the draft agenda.

35. Mr. STEWARD (South Africa), exercising his right of reply, categorically rejected the allegations that his country was practising any form of slavery whatsoever. On the contrary, the Government's policy had promoted the political, social and economic development of the entire population, as was evidenced by the rising standard of living of all sectors of it. However, the fact that slavery was still being practised in several parts of the world, as was confirmed by the reports of the competent bodies, had served as a pretext for the launching in the United Nations, by certain delegations unconcerned with the truth, of a scandalous political campaign of defamation of his country which was being accused of slave practices.

36. Miss LOPES (Portugal), exercising her right of reply, said that the condition of Mozambique workers in South African mines had been the subject of a local investigation in 1962 by a commission appointed by the International Labour Office, and that nothing blameworthy had been found.

37. Mr. A. A. MOHAMMED (Nigeria), exercising his right of reply, said that rather than rejecting the allegations he had made the South African representative would have done better to repudiate the policy of his own Government.

38. Mr. FOUM (United Republic of Tanzania), exercising his right of reply, rejected the South African representative's allegations and maintained that the Portuguese representative had not replied to the

charge that her country had benefited from the slave traffic.

39. Mr. KOUYATE (Guinea), exercising his right of reply, endorsed the points made by the Tanzanian representative and said that he found the South African representative's reference to the population of that country hard to understand.

The meeting rose at 6.25 p.m.