

United Nations  
**GENERAL  
ASSEMBLY**

TWENTY-SIXTH SESSION

Official Records



**THIRD COMMITTEE, 1905th**

**MEETING**  
(Closing meeting)

Friday, 10 December 1971,  
at 3.10 p.m.

**NEW YORK**

Chairman: Mrs. Helvi SIPILÄ (Finland).

**AGENDA ITEM 12**

Report of the Economic and Social Council [chapters VIII (section F), XV, XVI, XVII (sections A and B and D to M), XVIII (sections A to C), XIX, XXI and XXII] (concluded) (A/8342 and Add.1, A/8403, A/C.3/L.1870, A/C.3/L.1900, A/C.3/L.1908, A/C.3/L.1909, A/C.3/L.1917/Rev.1, A/C.3/L.1924/Rev.1, A/C.3/L.1926)

UNITED NATIONS CHILDREN'S FUND (concluded)  
(A/8403, CHAP. VIII, SECT. F, A/C.3/L.1900)

1. Mr. BALABOLKIN (Union of Soviet Socialist Republics), noting that UNICEF was celebrating its twenty-fifth anniversary, commended the Fund on its activities. His delegation welcomed the constructive proposals which had been made concerning co-ordination between UNICEF and other international organizations and bilateral programmes.
2. The Soviet Government and the Communist Party of the Soviet Union attached great importance to the rising generation, as could be seen from the wide range of health and educational services provided for mothers and children. Considerable successes had also been achieved in that regard in the Republics of the Soviet Union, which before the revolution had been considered as backward outposts; their experience would be of interest to the developing countries. Unfortunately, UNICEF did not give enough publicity to the achievements of the Soviet Union and the other socialist countries in that sphere or to the bilateral assistance granted by the USSR to the developing countries. The seminar on professional and vocational training held in the USSR had been successful and his Government would give favourable consideration to a proposal from UNICEF for the organization of similar seminars in the future.
3. In associating itself with the expressions of appreciation for the work of UNICEF, his delegation wished to voice the hope that the Fund would concentrate on long-term projects. It was regrettable that the decision to provide help for children of the Democratic Republic of Viet-Nam through the League of Red Cross Societies had not yet been implemented and that no progress had been made in that regard since the fifty-first session of the Economic and Social Council. It was to be hoped that the administration of UNICEF would take effective measures and find a way of helping the children concerned.
4. Miss LAPOINTE (Canada) congratulated the Fund, which would have an important role to play in the Second United Nations Development Decade in providing a wide range of essential services for children. The specialized agencies should continue to co-operate with UNICEF and the Fund itself should continue to concentrate its efforts on long-term programmes. Since a request had been made for increased contributions, there would be an even greater need for co-ordination and account would have to be taken of the International Development Strategy for the Second United Nations Development Decade.
5. Her delegation was a sponsor of the draft resolution on the subject (A/C.3/L.1900).
6. Mrs. SELLAMI (Algeria) said that UNICEF's activities were making an effective contribution to the vast and ambitious programme for the improvement of the well-being of mankind. The Algerian Government was most appreciative of the UNICEF projects being executed in Algeria and particularly of the one involving the development of a high-protein weaning food. That successful experiment should be extended to other developing countries.
7. Her delegation sponsored the draft resolution under consideration, for the reasons given by the Swedish representative at the previous meeting. It believed that increased co-ordination with UNDP and the specialized agencies would enhance the effectiveness of multilateral co-operation, which should be closely integrated with each country's national development plan. She hoped that the draft resolution would be adopted unanimously.
8. Mrs. DAES (Greece) expressed gratitude to the Fund for the protection which it was providing for the world's needy children and the efforts which it was making to bring moral and material security and happiness to millions of mothers and children. It was a regrettable fact that there were currently more sick and suffering children in the world than there had been at the beginning of the First United Nations Development Decade and most of those children were in the developing countries.
9. The importance of national policies and plans for children and young people could not be over-emphasized. Policy-makers should give priority to the needs of children when drawing up economic and social development plans. Although a big effort had been made, particularly in the developing countries, to expand health services, serious child health problems still existed. The Fund should therefore make a considerable investment in health services. Her delegation also supported the nutrition assistance being provided by UNICEF. In addition, it thought that special attention should be given to children with any kind of handicap and that everything possible should be done to alleviate the suffering of children who were the victims of armed conflicts. All States should guarantee that children would be protected in such situations.

10. The Greek authorities and private institutions, as well as the Greek people, supported the work of UNICEF and her delegation hoped that the draft resolution, of which it was a sponsor, would be adopted unanimously.

11. The CHAIRMAN announced that the Syrian Arab Republic had become a sponsor of the draft resolution.

12. Mr. NENEMAN (Poland) associated himself with the expressions of appreciation which UNICEF so highly deserved and which were particularly appropriate on the Fund's twenty-fifth anniversary. He recalled that Poland had been instrumental in the establishment of the Fund.

13. It was regrettable that the Committee never had time to discuss the Fund's report in depth, especially as the administration of UNICEF itself had expressed a desire that such a discussion should be held. At future sessions, the Committee should try to devote at least four or five meetings to the question.

14. It was important to reconcile the Fund's two functions of serving as a global forum for the elaboration of policies for children and for co-operation between all nations and of collecting and investing funds for the welfare of children. In addition, there were still new areas to be explored. The Fund should play a greater role in the formulation of long-term projections of children's needs and long-term studies. It should give more attention to pre-school children and should not neglect the important problem of legislation affecting mothers and children. With regard to the rights of children in armed conflicts, it should be remembered that children were often the major victims in modern wars. The Fund should be more active in the elaboration of protocols concerning children's needs which would supplement existing conventions. It had originally been created to help children in countries destroyed by war and such aid should continue to be an important part of its activities.

15. Draft resolution A/C.3/L.1900 should be made universal in scope by the deletion from paragraph 4 of the words "of Member States".

16. Mr. HEYMAN (Sweden) said that the sponsors agreed to reword the beginning of operative paragraph 4 to read "*Appeals to Governments and other donors*".

17. Mr. NENEMAN (Poland) said that his delegation wished to become a sponsor of the draft resolution.

18. Mr. MANI (India) expressed gratitude to UNICEF on behalf of the children of India and the refugee children from Bangla Desh. He hoped that the draft resolution would be adopted unanimously.

19. Mrs. BARISH (Costa Rica) supported the remarks made at the preceding meeting by the Swedish representative, in his introduction of the draft resolution. The Fund should continue its valuable work in behalf of children and mothers and its practical assistance to the developing countries in the establishment of services for children, as part of their development plans.

20. Her delegation hoped that the draft resolution, of which it was a sponsor, would be adopted unanimously.

21. Mrs. MARICO (Mali) expressed thanks for the praiseworthy efforts of the Fund and gratitude for its extensive activities in Mali. The importance of UNICEF's work lay in the fact that it improved the situation of all strata of the population. The efforts in the area of preventive medicine and other areas should be continued in order to protect the younger generation in the third world from the spectre of hunger and malnutrition.

22. The Committee should adopt the draft resolution unanimously.

23. Mr. BAL (Mauritania) emphasized the importance which his delegation attached to the activities of UNICEF, which were directed at the most vulnerable sector of the population. Realizing the interdependence of economic and social development, the Fund had responded positively to the appeal made in the International Development Strategy for the Second United Nations Development Decade. Mauritania welcomed the proposal that there should be a 30 per cent increase in the number of children helped, because it was itself receiving exceptionally valuable assistance from UNICEF. In that connexion, he congratulated all the staff of the Fund, both at Headquarters and in the field.

24. His delegation wished to become a sponsor of the draft resolution.

25. Miss CAO-PINNA (Italy) said that her delegation had already expressed, at the meeting of the Executive Board, its appreciation for the valuable work of UNICEF and its support for the Fund's efforts to ensure that children were accorded their proper place in the development plans of developing countries and to provide aid in emergency situations.

26. She associated herself with the expressions of regret at the fact that the report of the Economic and Social Council was considered at the very end of the session and that there could be no full general debate on UNICEF's activities. In future, the report should be considered earlier in the session.

27. Lord GOWRIE (United Kingdom) said that UNICEF's record was one of solid achievement. His Government had always been a staunch supporter of the Fund, to which it extended best wishes for the next twenty-five years. His delegation would support the draft resolution.

28. The CHAIRMAN, after announcing that Finland had become a sponsor of draft resolution A/C.3/L.1900, as orally revised, suggested that the Committee might wish to adopt it unanimously.

*It was so decided.*

29. The CHAIRMAN said that, at the beginning of the current session, the General Committee had considered a recommendation from UNICEF that the report of its Executive Board should be considered by the Second Committee, since it concerned an operational programme of the United Nations. At that stage, it had been too late to reorganize the work of the Second and Third Committees. In its report, the Committee could suggest that at the next

session the General Committee should consider the advisability of referring to the Second Committee the report of the UNICEF Executive Board.

*It was so agreed.*

30. Mr. TORRES (Philippines) said that the next report of the UNICEF Executive Board should comment on the progress made in the implementation of the Declaration of the Rights of the Child.

**DRAFT DECLARATION ON THE RIGHTS OF MENTALLY RETARDED PERSONS (A/8403, CHAP. XV, SECT. E; A/C.3/L.1870)**

31. Mr. JANSSON (Director of the Social Development Division) recalled that the initiative of proposing a draft declaration had been taken by a non-governmental organization, the International League of Societies for the Mentally Handicapped. The item had been placed on the agenda of the Commission for Social Development by the delegation of France. At its twenty-second session, the Commission had had before it a draft prepared by the Secretariat<sup>1</sup> in accordance with a request made by the Commission at its twenty-first session and a paper concerning health aspects of mental retardation prepared by WHO.<sup>2</sup> The Commission had made certain changes in the text<sup>3</sup> and further changes had been made by the Economic and Social Council at its fiftieth session. The text transmitted by the Council in its resolution 1585 (L) for adoption by the General Assembly and reproduced in document A/C.3/L.1870 therefore took into account certain reservations which had been expressed, particularly concerning the resources available in the developing countries for the implementation of the declaration.

32. The Commission for Social Development had felt that the declaration was a humanitarian text which would set a standard for future government action to assist a group of persons that was vulnerable and unable to look after its own needs. The declaration concentrated on the rights of mentally retarded persons; the problems of the disabled in general were referred to in the declaration on Social Progress and Development.

33. Mr. BOURGOIN (France) said that his delegation would vote for the draft declaration to which it attached great importance. The text was the result of the collective efforts of the specialized agencies, which had been consulted by the Secretariat in its preparation, the Commission for Social Development, the Social Committee of the Economic and Social Council and the Council itself. It was vitally important for mentally retarded persons to be integrated into society. The French Government was aware of the need to give protection to such persons and hoped that the draft declaration would be adopted.

34. Mr. MANI (India) recalled that his delegation had stated its views on the subject in the Commission for Social

Development and expressed gratification that many of its suggestions had been adopted.

35. The plight of the mentally retarded was serious but the developing countries would be forced to assign that problem a place among a number of other priorities. For that reason, action should be concentrated in the developed countries for the time being; the experience of those countries could later be used by the developing countries.

36. In its present form, the draft declaration might pose problems for India, where persons of unsound mind were debarred from holding certain offices. Article 3 allayed some of the misgivings on that score. It would be difficult to evaluate the implementation of the declaration, unless some definition of mental retardation were included. The WHO report<sup>2</sup> might be used as a basis for such a definition.

37. Mr. STILLMAN (United States of America) thanked the French delegation for having drawn attention to the neglected subject of mental retardation and to the possibility for international co-operation in that regard. The success of recent national efforts to alleviate the problem within the United States showed that much could be done also through concerted international efforts. His delegation therefore supported the draft declaration.

38. Mr. BALABOLKIN (Union of Soviet Socialist Republics) recalled that, in the Commission for Social Development, his delegation had expressed the view that the subject should be dealt with by WHO. Its comments on article 1 of the draft declaration were still valid. His delegation had no objection in principle to the declaration but would abstain in the vote.

39. Miss WILLIAMS (New Zealand) favoured the declaration but questioned the desirability of singling out one group of handicapped persons. The text would have been improved by the inclusion of definitions of some of the terms, such as "normal life", "qualified guardian", "due process" and "proper legal safeguards". New Zealand would find it difficult to adjust its own legislation to some of the provisions in the draft declaration and thought that the question should be studied further before a vote was taken.

40. Mrs. DAES (Greece) fully supported the draft declaration, for the reasons given by the delegations of France and the United States. The Committee should adopt the draft and thus reaffirm its faith in the dignity and worth of the human person, particularly mentally retarded persons.

*At the request of the Indian representative, a recorded vote was taken.*

*In favour:* Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burma, Burundi, Cameroon, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Cuba, Denmark, Equatorial Guinea, Finland, France, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, People's Democratic Republic of Yemen,

<sup>1</sup> See document E/CN.5/468.

<sup>2</sup> Document E/CN.5/472.

<sup>3</sup> See *Official Records of the Economic and Social Council, Fiftieth Session, Supplement No. 3*, para. 180.

Peru, Philippines, Portugal, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire.

*Against:* None.

*Abstaining:* Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania.

*The draft resolution recommended by the Economic and Social Council in its resolution 1585 (L) was adopted by 83 votes to none with 9 abstentions.*

CAPITAL PUNISHMENT (A/8403,  
CHAP. XVIII, SECT. C; A/C.3/L.1908)

41. Mr. HEYMAN (Sweden) introduced draft resolution A/C.3/L.1908 on behalf of his own delegation and those of the other sponsors. His country had a long history of activity aimed at restricting capital punishment and had participated in United Nations action leading to the adoption of General Assembly resolution 2393 (XXIII). The time had come for further measures, as proposed in the draft resolution.

42. In the preambular part of draft resolution A/C.3/L.1908 the General Assembly recalled resolution 2393 (XXIII), noted the deliberations in the Economic and Social Council on the Secretary-General's report<sup>4</sup> and Council resolution 1574 (L) and stressed the desirability of continuing and extending consideration of the question in the United Nations.

43. Operative paragraphs 1 and 2 were concerned with legal procedures and safeguards in countries where the death penalty still existed. Operative paragraph 3 set forth the long-term goal for the United Nations, namely the gradual restriction of the number of offences for which capital punishment might be imposed, with a view to its final abolition. Reports prepared over the years made it clear that government views differed on the need to retain capital punishment: his Government strongly supported abolition but others did not at present share that view because of their particular social, political, cultural or economic situation. The sponsors had tried in a carefully worded paragraph to express what they felt to be a gradual trend in the world towards restriction and abolition of capital punishment. Operative paragraph 4 invited States Members which had not already done so to inform the Secretary-General of their legal procedures and safeguards and of their attitude to the use or abolition of the death penalty. As yet relatively few had replied to the questionnaire sent out in accordance with General Assembly resolution 2393 (XXIII). Operative paragraph 5 repeated the Council's request to the Secretary-General to submit a further report to the Council at its fifty-second session. Operative paragraph 6 requested the Secretary-General to prepare a separate report on practices and statutory rules

concerning the right to petition for pardon, commutation or reprieve, in pursuance of the provisions of operative paragraph 1 (a) (i) of General Assembly resolution 2393 (XXIII). He understood that some of the requisite material was already available to the Secretary-General; it was hoped that States Members which had not yet supplied such material would take that request to the Secretary-General into account when replying. No time-limit had been suggested for submission of the report and there was no intention of prejudging the action that States Members might take on the basis of the report. Operative paragraph 6 had no financial implications which could not be absorbed by the United Nations budget. The sponsors understood that the Secretary-General's report would not be printed but would be presented in the usual mimeographed form.

44. The draft resolution did not recommend the abolition of capital punishment. Its purpose was to draw attention once more to a matter which should never be allowed to be forgotten. He hoped that all countries, whether they retained capital punishment or not, would be able to vote for the draft resolution.

45. Mr. BOURGOIN (France) said that he appreciated the liberal idea underlying the draft resolution. In practice, however, some countries would find it difficult at the present stage to take a positive stand on the abolition of capital punishment, in view of the need to prevent and suppress crime. In order to make it possible for the draft resolution to obtain complete and unreserved support he suggested the insertion at the end of operative paragraph 3 of a phrase such as "taking into account the compatibility of that objective with the need to combat crime" and the insertion at the end of operative paragraph 6 of a phrase such as "within the framework of their domestic law".

46. Mr. ROTHENBERG (United States of America) said that the philosophical, ethical, legal and social aspects of the question had been widely debated in his country but that no clear consensus had been reached. The abolition of capital punishment was a complicated question under the United States Federal system because each of the fifty constituent states and the federal Government exercised separate criminal jurisdiction. Nine states had totally and four states partially abolished the death penalty. A task force of the Justice Department was at present studying revisions in the Federal Criminal Code proposed by the National Commission on Reform of Federal Criminal Laws. The Supreme Court was at present considering certain constitutional aspects of the death penalty and was reviewing cases involving procedural questions; the question of the constitutionality of capital punishment might even be decided at the current session. Many state and lower federal courts had in the past upheld capital punishment against constitutional attack. Until capital punishment was abolished it was imperative that those accused of capital crimes should be guaranteed all the procedural rights necessary to establish their innocence. The views of his Government on the question could be expressed more fully only when the Justice Department task force had completed its work and when the Supreme Court had rendered its decision on pending cases involving capital punishment. His delegation would therefore abstain in the vote on draft resolution A/C.3/L.1908, although it had no objections of substance.

<sup>4</sup> Document E/4947.

47. Mr. HEYMAN (Sweden), replying to the representative of France, said that his delegation was aware that not all Governments were yet in a position to agree to the abolition of capital punishment and for that reason it had always advocated a gradual approach to the question, regarding abolition as a long-term goal. It was clear from the words "the main objective to be pursued is that of progressively restricting the number of offences for which capital punishment may be imposed" in operative paragraph 3 that the draft resolution was not recommending total abolition at the present time. He hoped that the French representative would not propose a formal amendment to operative paragraph 3, which it would be difficult for his delegation to accept.

48. With regard to the French amendment to operative paragraph 6, he stressed that the sponsors did not wish to prejudge government action on the report: it was for Governments to decide how to deal with it.

49. Mr. MOHAMMED (Nigeria) said that his delegation's position was based purely on legal grounds. It could not accept the words "or its total abolition" in operative paragraph 4. Although his country did not wish to retain capital punishment for ever, changing the law was a complicated matter, since it involved four sets of laws, including the Moslem law. He agreed that it was desirable to work for the restriction of the death penalty but thought that the question of universal abolition should be the subject of a high-level international legal conference. He asked for a separate vote on the words "or its total abolition" in operative paragraph 4. In operative paragraph 5 he suggested that the words "either before or" after the words "submitted by Member States" should be deleted, since they were ambiguous. For the same reason he proposed the deletion of the words "and to be furnished" in operative paragraph 6. With regard to the words "submit it to Member States for their information and whatever action they may consider appropriate" at the end of operative paragraph 6, he would like a clear explanation of their meaning: it would be a serious matter if, for example, information supplied by his Government were sent to the Government of South Africa. He proposed that such information should be sent only to the General Assembly.

50. Mr. BOURGOIN (France) withdrew his amendment after hearing the Swedish representative's explanation concerning operative paragraph 3 and requested the inclusion of the explanation in the Committee's report.

51. Miss CAO-PINNA (Italy), referring to the Nigerian representative's comments and speaking as a sponsor of the draft resolution, said that her delegation had also sponsored Council resolution 1574 (L). That resolution proposed for the first time the gradual approach to the problem of abolition which was embodied in the present draft resolution and which represented a further step in progressive action by the United Nations. She hoped that the Nigerian representative would reconsider his objection to what was a very important part of the draft resolution.

52. Mr. RYBAKOV (Union of Soviet Socialist Republics) said that he agreed with the views expressed by the French representative. He requested separate votes on the fourth preambular paragraph and operative paragraph 6.

53. Mr. HEYMAN (Sweden), replying to the Nigerian representative's comments on the words "or its total abolition" in operative paragraph 4, said that the intention in that paragraph was not to abolish the death penalty but to invite States Members to inform the Secretary-General of their attitude to total abolition of the death penalty.

54. With regard to operative paragraph 5 he said that the wording "either before or" implied that some States Members had already replied to the Secretary-General's questionnaire under General Assembly resolution 2393 (XXIII), whereas others had not as yet done so. The Secretary-General was being requested to circulate the material already in his possession and the material he would receive in response to the renewed invitation in operative paragraph 4. The same applied to the words "and to be furnished" in operative paragraph 6. His delegation could agree to the replacement of the words "Member States for their information and whatever action they may consider appropriate" in that paragraph by the words "the General Assembly".

55. Mr. MOHAMMED (Nigeria) said that in any case it should be understood that a Government's failure to provide full information would not be interpreted as meaning that that Government had no intention of abolishing capital punishment. As a matter of principle, however, he requested a separate vote on the words "or to its total abolition" in the first preambular paragraph and the words "or its total abolition" in operative paragraph 4.

56. With regard to his comment on operative paragraph 5, it might be simpler to refer to the replies "already received". Similarly, in operative paragraph 6 the words "so far" might be inserted between "material" and "furnished". He appealed to the sponsors to accept the amendment he had proposed earlier to the end of operative paragraph 6 (see para. 49 above).

57. Mr. TORRES (Philippines) said that his Government had voted for the adoption of the Universal Declaration of Human Rights and endorsed articles 3, 5, 10 and 11 bearing upon capital punishment. His country's delegation to the twenty-third session of the General Assembly had actively participated in the drafting and adoption of General Assembly resolution 2393 (XXIII).

58. The attitude to capital punishment of the Philippine Congress was at present uncertain, although there had been courageous proposals for abolition by individual legislators. Although his Government did not yet seem ready to endorse total abolition, it appreciated the need to review from time to time the offences to which the death penalty was attached. Philippine law provided adequate safeguards to ensure that the death penalty was imposed only where guilt of a crime punishable by death was established beyond reasonable doubt; and under the Constitution the President could commute the death penalty in certain circumstances.

59. In addition to conferring the usual rights accorded to all accused persons under the Constitution and under the rules of court, the law provided for automatic review by the Supreme Court of all cases where the lower court imposed the death penalty. Eight of the eleven justices were required to confirm the death penalty imposed by the lower court.

The President could commute the death penalty to a lesser penalty, such as life imprisonment, or could pardon the accused. As a result of those provisions, the death penalty had been carried out only in exceptionally serious cases.

60. The laws of his country conformed substantially with the recommendations in General Assembly resolution 2393 (XXIII) but his Government could not at present give its unqualified support to operative paragraph 3 of the draft resolution. However, the Constitution guaranteed that no one should be deprived of life without due process of law. The Government regarded capital punishment as a highly important matter and would keep it under constant review.

61. Mr. SANE (Senegal) said that one of the major objectives of his country's legislation was to ensure justice. That meant the drafting of codes of law which were strong enough to prevent and discourage crime and it was in that spirit that the death penalty was envisaged as the ultimate penalty. Since the developing countries were mostly weak and their institutions were likewise precarious, abolition of the death penalty might lead to grave abuse. Hence the young States, in particular Senegal, which had not yet sufficient experience in the administration of justice, could not vote in favour of the draft resolution, although they appreciated its merits.

62. Miss WILLIAMS (New Zealand), speaking on a point of order, asked whether the meeting scheduled for the following morning could be postponed to Monday.

63. The CHAIRMAN said that there was no reason why the Committee should not finish its work at the present meeting. The scheduling of a meeting for the following day had been a precautionary measure.

64. Mr. ČALOVSKI (Yugoslavia) agreed with the Chairman and appealed to members of the Committee to endeavour to complete the agenda at the present meeting.

65. Mr. COSTA COUTO (Brazil) said that, while appreciating and endorsing the humanitarian principles and noble intentions of the sponsors of draft resolution A/C.3/L.1908, his delegation would have to abstain in the voting. His Government supported the principle of humanizing penal punishment and was one of the sponsors of the draft resolution concerning human rights in the administration of justice (A/C.3/L.1909). Fair treatment for offenders and full possibilities for defence were permanent objectives for his country's authorities and it was the Government's consistent policy not to punish criminals but to carry out programmes to improve their capabilities and make them into peaceful and useful members of the community. In regard to capital punishment in particular, his country had always provided the greatest possible safeguards for defendants and had at one time imposed a moratorium on execution of the death penalty.

66. However, his Government strongly supported the principle of the exclusive competence of States in the administration of justice in cases of such gravity and believed that no international body was empowered to act in that field. It was impossible to set up universal standards for penal legislation in view of the different cultural, social and economic conditions that prevailed.

67. His Government had been reluctantly obliged to restore the death penalty for particularly vicious terrorist activities which systematically ignored all norms of civilized behaviour. Capital punishment could be applied, however, only in cases of attempts to disrupt national security involving loss of life. Even in those exceptional circumstances appeals were mandatory, and once passed the death sentence was communicated to the head of State. The sentence could not be carried out for thirty days after receipt of the communication and during that period the head of State had the power to commute the sentence. To date no death sentence had been carried out under the new legal provisions.

68. Mr. HEYMAN (Sweden) said that following private consultations with the Nigerian delegation, the sponsors had agreed to make the following changes in the text of draft resolution A/C.3/L.1908. The words "already received" should be incorporated after the word "replies" in operative paragraph 5. In the same paragraph the words "either before or" should be deleted and the words "and those to be received" should be added in their place. In operative paragraph 6, the words "and to be furnished" should be deleted, and the words "Member States for their information and whatever action they may consider appropriate" should be replaced by "the General Assembly".

69. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.1908 as orally revised. She said that a separate vote had been requested by the Nigerian delegation on the words "or to its total abolition" in the first preambular paragraph and on the words "or its total abolition" in operative paragraph 4. A separate vote had also been requested by the USSR delegation on the fourth preambular paragraph and on operative paragraph 6.

*At the request of the New Zealand representative, a recorded vote was taken on the words "or to its total abolition" in the first preambular paragraph.*

*In favour:* Austria, Belgium, Canada, Colombia, Costa Rica, Denmark, Ecuador, Finland, Honduras, Ireland, Italy, Ivory Coast, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

*Against:* Equatorial Guinea, Guinea, India, Libyan Arab Republic, Nigeria, Saudi Arabia, Senegal, Sierra Leone.

*Abstaining:* Afghanistan, Algeria, Argentina, Australia, Bahrain, Barbados, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, Cyprus, Czechoslovakia, Dahomey, Ethiopia, France, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, Indonesia, Iran, Iraq, Jamaica, Japan, Kenya, Kuwait, Laos, Lebanon, Liberia, Madagascar, Malaysia, Mali, Mexico, Mongolia, Morocco, Nepal, People's Democratic Republic of Yeman, Peru, Poland, Rwanda, Singapore, Somalia, Sudan, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, United States of America, Yemen, Yugoslavia.

*The words were retained by 24 votes to 8, with 61 abstentions.*

*The fourth preambular paragraph was adopted by 31 votes to 4, with 58 abstentions.*

*At the request of the New Zealand representative, a recorded vote was taken on the words "or to its total abolition" in operative paragraph 4.*

*In favour:* Austria, Belgium, Canada, Colombia, Costa Rica, Denmark, Ecuador, Finland, Honduras, Ireland, Italy, Ivory Coast, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

*Against:* Equatorial Guinea, Guinea, India, Libyan Arab Republic, Nigeria, Saudi Arabia, Senegal, Sierra Leone, Togo.

*Abstaining:* Afghanistan, Algeria, Argentina, Australia, Bahrain, Barbados, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, Cyprus, Czechoslovakia, Dahomey, Egypt, Ethiopia, France, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, Indonesia, Iran, Iraq, Jamaica, Japan, Kenya, Kuwait, Laos, Lebanon, Liberia, Luxembourg, Madagascar, Malaysia, Mali, Mexico, Mongolia, Morocco, Nepal, People's Democratic Republic of Yemen, Peru, Poland, Rwanda, Singapore, Somalia, Sudan, Swaziland, Syrian Arab Republic, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, United States of America, Yemen, Yugoslavia.

*The words were retained by 23 votes to 9, with 62 abstentions.*

*At the request of the Swedish representative, a recorded vote was taken on operative paragraph 6.*

*In favour:* Austria, Belgium, Canada, Chile, Colombia, Costa Rica, Denmark, Ecuador, Equatorial Guinea, Finland, Ghana, Greece, Guatemala, Honduras, Iceland, India, Ireland, Italy, Ivory Coast, Laos, Luxembourg, Madagascar, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

*Against:* None.

*Abstaining:* Afghanistan, Algeria, Argentina, Australia, Bahrain, Barbados, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Cyprus, Czechoslovakia, Dahomey, Egypt, Ethiopia, France, Guinea, Hungary, Indonesia, Iran, Iraq, Jamaica, Japan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Republic, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nigeria, People's Democratic Republic of Yemen, Peru, Poland, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, United States of America, Yemen, Yugoslavia.

*Operative paragraph 6, as orally revised, was adopted by 33 votes to none, with 62 abstentions.*

*At the request of the Swedish representative, a recorded vote was taken on draft resolution A/C.3/L.1908 as a whole, as orally revised.*

*In favour:* Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Ecuador, Ethiopia, Finland, France, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Ivory Coast, Laos, Luxembourg, Madagascar, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Poland, Portugal, Spain, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Yugoslavia.

*Against:* None.

*Abstaining:* Afghanistan, Algeria, Argentina, Bahrain, Barbados, Brazil, Burma, Burundi, Cameroon, Central African Republic, Chile, Dahomey, Egypt, Equatorial Guinea, Guinea, Guyana, Indonesia, Iran, Iraq, Jamaica, Japan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Republic, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Nigeria, People's Democratic Republic of Yemen, Peru, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, United Republic of Tanzania, United States of America, Yemen.

*Draft resolution A/C.3/L.1908 as a whole, as orally revised, was adopted by 45 votes to none with 51 abstentions.*

70. Mr. PEACHEY (Australia) said that his delegation had voted in favour of the draft resolution on the understanding that the abolition of capital punishment throughout the world should be regarded as a long-term objective. While the question of the desirability of its abolition should remain under serious consideration by every Government, it was doubtful whether world opinion had yet reached the conclusion that universal abolition was desirable at the present time.

#### HUMAN RIGHTS IN THE ADMINISTRATION OF JUSTICE (A/C.3/L.1909)

71. Miss CAO-PINNA (Italy), introducing, on behalf of the delegations of Austria, Belgium, Brazil, Canada, Costa Rica, France, the Netherlands, New Zealand, Sweden, the United Kingdom, Uruguay and her own country, the draft resolution on human rights in the administration of justice appearing in document A/C.3/L.1909, said that the text dealt with the human rights of persons suspected or accused of penal offences or detained or convicted on account of such offences. It considered their rights in the procedures from the time of arrest until the trial and, in the event of conviction, the treatment to which they were subjected. All such persons, whether innocent or guilty, and whatever the gravity of the offence committed, were totally or partially deprived of their freedom. The purpose of the draft resolution was to reaffirm the principles concerning their

rights embodied in articles 5, 10 and 11 of the Universal Declaration of Human Rights.

72. The sponsors were convinced that the continuous process of humanization of trials and penalties was one of the benchmarks of a civilized society, and the draft resolution had originally been entitled "Humanization of trials and penalties". The sponsors had decided to bring the question to the attention of the Assembly for two reasons. Firstly, because the Committee on account of its workload had not previously had the time to review the progress made in upholding the principles formulated by other bodies of the United Nations system and in implementing international rules for the treatment of prisoners. Situations could and did vary in different countries in terms of the emphasis placed on a penal offence and the types of trial and correctional treatment. However, the common denominator in all cases was respect for human rights and the sponsors were of the opinion that the terms of the draft resolution were broad enough to command wide support. In the second place, criminality was increasing in various parts of the world, especially among youth. The necessity of developing treatment for the rehabilitation of offenders which fully respected their fundamental rights was becoming more and more urgent, as was the necessity of preventing further increases in crime.

73. Article 5 of the Universal Declaration of Human Rights affirmed that no one should be subjected to torture, or to cruel, inhuman or degrading treatment or punishment. That article was applicable to everyone, but it was most relevant to persons deprived of their freedom. The Standard Minimum Rules for the Treatment of Prisoners,<sup>5</sup> adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1955, and approved in Economic and Social Council resolution 663 C (XXIV), covered only persons who had been sentenced and imprisoned. While not having a mandatory nature, they provided guidelines for Governments as to the minimal conditions which should be adopted for the treatment of prisoners. They were not intended to describe in detail a model system of penal institutions, but they advanced basic standards of general application such as avoidance of discrimination on grounds of race, colour, sex, language, and religious, political or other opinions; respect for religious beliefs; and the separation of prisoners into categories according to age, sex, criminal records and the legal reasons for their detention. The Rules also dealt with basic standards of living accommodation, facilities for personal hygiene, food of a nutritional value, appropriate exercise and sports and adequate medical services. There were rules on the discipline and punishment of offenders which limited corporal and all cruel or degrading punishments for breaches of regulations and restricted the use of instruments of restraint. They further set forth the rights of prisoners to practise their religion, to have books and regular contacts with the outside world, to contact their embassies, to receive on their release the possessions brought with them on admission, and to receive protection from public insult, curiosity and publicity. Finally, there were minimum regulations applicable to the insane and mentally abnormal and to prisoners awaiting trial.

<sup>5</sup> See United Nations publication, Sales No. 1956.IV.4, annex I, A.

74. In approving the Standard Minimum Rules, the Economic and Social Council had drawn the attention of Governments to them and had recommended that favourable consideration should be given to their adoption and application. The Council had also called for periodic reporting on the implementation of the Rules. The last study of the Secretary-General on the subject had been prepared for consideration by the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Kyoto, Japan, in 1970.<sup>6</sup> The study covered three main aspects: (a) the extent to which the Standard Minimum Rules had been incorporated in national legislation; (b) a review of the implementation of the rules; (c) the difficulties encountered. Only 44 countries had replied to the inquiry initiated by the Secretary-General concerning the application of the Standard Minimum Rules. The analysis of the information received showed that the rules had not been formally embodied into national laws, although they had influenced the regulations and practices in half of the countries reporting. A few countries had claimed that they were already far in advance of the Rules in their treatment of offenders, and 60 per cent of the countries had claimed that they were applying the Rules to some extent.

75. It was in the light of that situation that the sponsors of the draft resolution had found it necessary to reaffirm in an Assembly resolution the principles embodied in article 5 of the Universal Declaration of Human Rights, and to promote further action regarding the implementation of the Standard Minimum Rules. Members of the Committee would note that the sponsors were not asking the General Assembly to endorse the Standard Minimum Rules, notwithstanding the fact that the Fourth United Nations Congress on the Prevention of Crime and Treatment of Offenders had favoured such endorsement. In fact, operative paragraph 2 constituted but the first step towards the full endorsement of the Rules, a matter which the Assembly might wish to consider at a later stage.

76. Prior to the Fourth Congress of 1970, little attention had been given to the problem of exerting moral pressure on Member States with a view to implementing the rules, as it had been felt that the Council's recommendations were adequate. The Kyoto Congress had taken the view, however, that more should be done. The draft resolution was intended to respond to that call, without losing sight of the fact that Governments were considerably handicapped by lack of funds, trained personnel and physical facilities, and might be faced with the complex problem of ensuring uniformity of standards throughout a federal system or combating legal or administrative rigidity.

77. In implementation of the recommendations of the Kyoto Congress, the Commission for Social Development had included in its programme of work the establishment of a group of experts to advise on methods of strengthening the implementation of the Standard Minimum Rules and the reporting procedures envisaged in Economic and Social Council resolution 663 C (XXIV). The working group had been asked to review the Rules with a view to suggesting improvements, studying new developments in correctional practices which could now be incorporated, and recom-

<sup>6</sup> See document A/CONF.43/3.



mending improvements in the machinery which would foster more widespread implementation. In operative paragraph 3 of draft resolution A/C.3/L.1909, the Assembly would take note with satisfaction of the establishment of that working group. She believed that the Committee would welcome any information concerning its progress that the Director of the Social Development Division could give.

78. In other parts of the draft resolution, reference was made to the rights embodied in articles 10 and 11 of the Universal Declaration of Human Rights. No international rules had so far been established on their provisions. Article 10 affirmed the right of everyone to a fair and public hearing by an independent and impartial tribunal in any civil or criminal proceeding, and article 11 stated the right of a person charged with a penal offence to be presumed innocent until proved guilty and the right not to be subjected to retrospective criminal penalties. There was no need to underline the importance of those key principles. Since the Committee was not the proper forum to discuss the judicial structures and conditions which must obtain if the rights in question were to be upheld, the sponsors merely wished to draw attention to a recent study conducted by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the subject of equality in the administration of justice.<sup>7</sup> The study contained a detailed analysis of problems and situations relating to the administration of justice, and an annex to it contained some draft principles which had already been approved by the Sub-Commission and were now before the Commission on Human Rights. The publication of the study was authorized by the Economic and Social Council in its resolution 1594 (L), in which it requested the Commission on Human Rights to examine, at its twenty-eighth session, the draft principles relating to equality in the administration of justice and take a decision on further action. In view of the Commission's workload, the sponsors were not proposing that the Commission should take any action on the draft principles other than the endorsement of the Council's recommendation.

79. Despite its simplicity and modest terms, draft resolution A/C.3/L.1909 would, if approved by the General Assembly, contribute to the further promotion of respect for human rights in the administration of justice, and the sponsors trusted that it would receive the support of the entire Committee.

80. Mr. COSTA COUTO (Brazil) said that, taking into account the great relevance of the item, his delegation had deemed it necessary to co-sponsor the draft resolution, despite the fact that Brazil had not yet evolved a system of criminal justice which provided for rapid and efficient trials in all parts of the country; nor did it possess penal or correctional institutions that prepared prisoners for their return to society. His Government was, however, allocating more funds for the administration of justice and was streamlining the existing machinery. It was also improving the penal institutions and updating rules and regulations. In 1971, his Government had sponsored three meetings of penologists, provincial secretaries of justice and presidents

of penitentiary boards for the purpose of appraising the present system and providing the Government with advice on the application of a new Code on criminal execution, which would enter into force in 1973. The Code embodied the most recent theories on the treatment of criminals, and included provisions rendering payment for all work done by inmates obligatory, making useful work and training available to all prisoners, and generalizing systems of semi-liberty for offenders. The new measures had been agreed upon after successful experiments in different parts of the country under different socio-economic conditions. Some of the experiments had been conducted in the south, a predominantly middle-income region of farmers. In that area, penitentiary facilities had been set up which provided education and training for prisoners in conditions resembling those of a boarding school. In industrialized São Paulo, prisoners' associations had been formed to help authorities in finding normal commercial and industrial jobs for them outside the prison walls. In the rural and poverty-stricken north-east, experiments were being conducted through the creation of rural settlements where offenders lived and worked with their families. The object of such experiments was to provide more prisoners with the possibility of receiving humane treatment of the type he had described.

81. Mr. RYBAKOV (Union of Soviet Socialist Republics) said that his delegation would be unable to support the draft resolution because of the terms of operative paragraph 3, which took note with satisfaction of the establishment of a working group of experts under the auspices of the Commission for Social Development. He requested that that paragraph should be put to the vote separately.

82. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.1909.

*Operative paragraph 3 was adopted by 46 votes to 7, with 33 abstentions.*

*Draft resolution A/C.3/L.1909 as a whole was adopted by 72 votes to 7 with 9 abstentions.*

#### YOUTH AND DEPENDENCE-PRODUCING DRUGS (A/C.3/L.1917/REV.1, A/C.3/L.1924/REV.1)

83. Mr. OLAFSSON (Iceland), introducing draft resolution A/C.3/L.1917/Rev.1, said that in the preambular part it was pointed out that the abuse of narcotics and psychotropic drugs had become a major problem. Reports of health authorities indicated that young people, even in the age group of 12 to 16 years, were in many countries becoming drug addicts on an ever-increasing scale. Although throughout history many societies had used habit-forming drugs in their natural forms, advances in chemistry and communications had radically altered the picture of drug abuse. The eighteen reports of the WHO Expert Committee on Drug Dependence listed nine major causes of drug dependence, to which could be added the involvement of big international concerns in illicit drug traffic. Organizations with distributors scattered around the world went so far as to give the first doses to youths free of charge in order to secure future customers. It was ironical that illicit drugs were produced and marketed within the boundaries of the United Nations community. In that connexion, the

<sup>7</sup> Document E/CN.4/Sub.2/296.

third preambular paragraph drew attention to the fact that some countries had not yet taken adequate measures for the suppression of illicit traffic in drugs while others, which deserved commendation, had attacked the heart of the problem by reducing their production. The fifth preambular paragraph warned of the dangers of weakening control over cannabis in view of the fact that the effects of that drug had not yet been scientifically assessed. The seventh preambular paragraph endorsed the work being done by various international bodies.

84. In the operative part, paragraph 2 advocated the modernization and strengthening of legislation, especially with regard to illicit drug traffic. The people to be punished were the distributors and the salesmen, and not their victims. Governments had the responsibility of guaranteeing that the profiteering in illicit drug traffic was put to an end. In paragraph 3, stress was laid on rehabilitation measures and facilities, because they were not yet satisfactory. Paragraph 4 called for a report on drug abuse with special reference to the problems of youth, in order that more time would be devoted at the twenty-seventh session to that very important problem.

85. His delegation regarded drug abuse as a major calamity of modern times, comparable only to the horrors of armed conflicts. It therefore urged the Secretary-General to do his utmost to ensure that international co-operation would reduce the dimensions of the calamity and allow more people to enjoy a state of health and happiness.

86. His delegation could accept the amendments proposed by Afghanistan in document A/C.3/L.1924/Rev.1.

87. Mr. ARIM (Turkey) said that his delegation was grateful to the Icelandic delegation for including in the draft resolution a tribute to the efforts of Governments, such as his own, which had taken positive steps to combat drug abuse. It was only proper that the Committee should again pronounce itself on the abuse of drugs which presented an enormous threat to young people.

88. His Government had decided on 29 June 1971 to ban opium production in Turkey, starting in the autumn of 1972. The Secretary-General and the Commission on Narcotic Drugs had been given details of that important step designed to show that all countries, industrialized and developing, should do their utmost to contain the spread of the drug problem. It had given careful consideration to the fact that the farmers had been deriving a legitimate source of income from the planting of the poppy seed. In order to replace that income by another means of livelihood, long-term investments were to be made in the former poppy-growing provinces of his country. The Turkish authorities hoped to be able to benefit from the experience and assistance of the United Nations family and looked forward in particular to help from the Division of Narcotic Drugs and the United Nations Fund for Drug Abuse Control. At the twenty-sixth session of the Commission on Narcotic Drugs, the decision of the Turkish Government had been hailed by many delegations as a most courageous and humanitarian step.

89. At the United Nations Conference for the Adoption of a Protocol on Psychotropic Substances, held at Vienna in

February 1971, a Convention on Psychotropic Substances<sup>8</sup> had been adopted which his Government had already signed.

90. Turning to the draft resolution, he said that the importance of the measures to be adopted in every country in the fight against drug abuse could not be over-emphasized. His delegation wished to draw particular attention to operative paragraph 1; the United Nations Fund for Drug Abuse Control symbolized the interest of the United Nations in the drug problem, and some countries had already taken the humanitarian step of contributing to it. His delegation hoped that a sufficient number of countries would contribute to the Fund to make it a going concern, and enable countries like his own to implement projects for crop substitution and control.

*Mr. Mahmassani (Lebanon), Vice-Chairman, took the Chair.*

91. Mr. NASSER-ZIAYEE (Afghanistan) thanked the representative of Iceland for agreeing to incorporate the amendments submitted by his delegation (A/C.3/L.1924/Rev.1) in the draft resolution. Although his delegation had welcomed the draft resolution, it had considered it somewhat incomplete in that it did not appear to take account of those developing countries which, for economic and technical reasons, were unable to control the illicit production and use of habit-forming drugs. It was clear that, unaided, they could not hope to do what was expected of them under the terms of the draft resolution. Afghanistan itself had encountered considerable difficulties in its fight against the drug traffic, largely because of the limited financial means at its disposal. It therefore sincerely hoped that the United Nations Fund for Drug Abuse Control would provide developing countries with the ways and means of effectively controlling and combating drug abuse. That consideration had led his delegation to submit its amendments, which were designed to ensure the provision of adequate assistance to developing countries.

92. He drew attention to the fact that the end of the new operative paragraph 2 should read: "with a view to enabling them to combat more effectively illicit production of and illicit traffic in narcotic drugs".

93. The CHAIRMAN suggested that, in view of the limited time at the Committee's disposal, the duration of statements should be restricted to five minutes.

*It was so decided.*

94. Miss LAPOINTE (Canada) announced that the Canadian Government had pledged \$400,000 to the United Nations Fund for Drug Abuse Control over a period of two years. The contribution was both the logical extension of her country's efforts at the national level to overcome the problem of drug abuse and a symbol of its desire for the various United Nations agencies to take up the problem in the interests of industrialized and developing countries alike. An initial contribution of \$150,000 would be made for 1971-1972 and a further \$250,000 for 1972-1973.

<sup>8</sup> See document E/4966.

95. Mr. BOURGOIN (France) said that his delegation supported the draft resolution as revised. The French Government had contributed \$100,000 to the United Nations Fund for Drug Abuse Control and had taken various measures to combat illicit drug-trafficking and to provide rehabilitation facilities for drug users.

96. He requested clarification of the phrases "with particular reference to representative action among the youth of the world" in operative paragraph 1 and "to promote the establishment of comprehensive community-based drug treatment and rehabilitation facilities" in former operative paragraph 3.

97. Mr. MANI (India) expressed his delegation's support of any measures that could be taken to save both young and old from drug addiction. His own country had taken all possible steps to protect its population from drug abuse and exercised the most stringent control over the production and distribution of opium. The Indian Government had indicated that it would be willing to render technical assistance to other countries wishing to control the trade in opium and illicit drugs. It was unfortunately unable to pledge any financial contribution to the United Nations Fund for Drug Abuse Control but, nevertheless, strongly supported the draft resolution.

98. Mr. HEYMAN (Sweden) supported the draft resolution, which reflected a concern that all delegations shared. In the light of the efforts being made by Turkey to control illicit drug trafficking, he welcomed the inclusion of the revised third preambular paragraph.

99. With regard to former operative paragraph 4, his delegation felt that it was perhaps not yet the most appropriate time to draw up a report on how the United Nations system could increase its effectiveness in the fight against drug abuse. However, with the reservation that it would be better to postpone such a report, his delegation would vote in favour of the draft resolution.

*Mrs. Sipilä (Finland) resumed the Chair.*

100. Mr. MOHAMMED (Nigeria), while commending the initiative of the delegation of Iceland in submitting the draft resolution, expressed some regret that its provisions concentrated essentially on prevention and punishment. More emphasis could usefully be placed on the dissemination of information on drug addiction and on efforts to promote a general awareness of the dangers of drug abuse.

101. For the sake of clarity he suggested that operative paragraph 1 should read:

*"Urges all States to give wide support to the United Nations Fund for Drug Abuse Control and in particular to involve youth in activities aimed at the control of drug abuse".*

102. Mr. OLAFSSON (Iceland) accepted the new wording proposed by the representative of Nigeria.

103. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) asked whether the new operative paragraph 2 proposed by the delegation of Afghanistan had any financial implications.

104. Mr. MESSING-MIERZEJEWSKI (Liaison Officer with the Division of Narcotic Drugs) said that, since the new paragraph called only for an intensification of action by United Nations organs that already existed, there should be no financial implications.

105. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.1917/Rev.1, as orally revised.

106. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) requested a separate vote on operative paragraph 2.

*At the request of the Afghan representative, a recorded vote was taken.*

*In favour:* Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Brazil, Burma, Burundi, Cameroon, Canada, Central African Republic, Chile, Colombia, Costa Rica, Cuba, Cyprus, Dahomey, Denmark, Ecuador, Egypt, Ethiopia, Finland, France, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, New Zealand, Nicaragua, Nigeria, Norway, People's Democratic Republic of Yemen, Peru, Philippines, Portugal, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Swaziland, Sweden, Thailand, Togo, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Bulgaria, Byelorussian Soviet Socialist Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

*Operative paragraph 2 was adopted by 88 votes to none, with 7 abstentions.*

*Draft resolution A/C.3/L.1917/Rev.1 as a whole, as orally revised, was adopted by 94 votes to none.*

107. Mr. STILLMAN (United States of America) said that his Government regarded the struggle against the use of illegal drugs as a priority social objective in the United States. His delegation was gratified at the adoption of draft resolution A/C.3/L.1917/Rev.1 and commended the initiative taken by the delegation of Iceland. He also wished to express his appreciation for the recent ban on opium production imposed by the Government of Turkey, a measure which was in the highest humanitarian tradition of international co-operation. Similarly, there had been excellent co-operation between his country and the Government of France over the past year in the matter of illicit drug traffic.

108. The creation of the United Nations Fund for Drug Abuse Control was a landmark. The United States Government had been specially pleased to pledge a sum of \$2 million and \$1 million of that amount had already been contributed. He was also glad that Ambassador Schuurman

had been appointed to head the Fund, for he would bring to his post vast prestige and skill. Lastly, his delegation attached great importance to the convening in 1972 of a plenipotentiary conference to consider amendments to the 1961 Single Convention on Narcotic Drugs and hoped that its deliberations would lead to a strengthened Convention.

109. Mr. KASATKIN (Union of Soviet Socialist Republics) wished to emphasize that the matters dealt with in the resolution did not constitute a problem in his country, which exercised strict control over the use of narcotic drugs.

110. Miss SOLESBY (United Kingdom) said that her delegation had been pleased to join in the unanimous adoption of the draft resolution in question. However, in respect of operative paragraph 1, she pointed out that her country had not yet decided whether it would contribute to the United Nations Fund for Drug Abuse Control. In addition, for the reasons explained by the representative of Sweden, her delegation also experienced some doubts regarding the timeliness of the report requested in former operative paragraph 4.

#### CELEBRATION OF THE TWENTY-FIFTH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (A/C.3/L.1926)

111. The CHAIRMAN said that the delegation of Cyprus had inadvertently been omitted from the list of sponsors of draft resolution A/C.3/L.1926.

112. Mr. TRESSELT (Norway) said that, further to suggestions made by several delegations, it had been decided that, in the first preambular paragraph, the words "the year" should be replaced by "Human Rights Day". In addition, in operative paragraph 1, the words "mark 1973 as" should be replaced by "observe".

113. Mr. VAN WALSUM (Netherlands) thanked the sponsors for incorporating those changes. The original wording might have given the impression that 1973 was to be proclaimed as yet another International Year and it had been felt that too many proclamations of that type would result in International Years which had less and less impact. The twenty-fifth anniversary of the adoption of the Universal Declaration of Human Rights was extremely important, but the International Year for Human Rights had been celebrated in 1968 and it was therefore unnecessary to proclaim another such year in 1973.

114. The CHAIRMAN suggested that the Committee might wish to adopt draft resolution A/C.3/L.1926, as orally revised, unanimously.

*It was so decided.*

#### AGENDA ITEMS 50, 51 AND 60

**Human rights and scientific and technological developments: report of the Secretary-General (A/8339, A/C.3/L.1925)**

**Freedom of information (A/8340, A/C.3/L.1925):**

- (a) Draft Declaration on Freedom of Information;
- (b) Draft Convention on Freedom of Information

**Elimination of all forms of religious intolerance (A/8330, A/C.3/L.1925):**

- (a) Draft Declaration on the Elimination of All Forms of Religious Intolerance;
- (b) Draft International Convention on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

115. Mr. CALOVSKI (Yugoslavia) said his delegation regretted the fact that the Committee was unable to discuss the important item of freedom of information during the current session. All were aware of the impact that the mass media had on the political, economic and social situation and the constant abuses in which the media indulged. Accordingly, he proposed the inclusion in the agenda for the next session of an item on the role of the United Nations in the field of information. He hoped that the Secretary-General would be able to prepare a short report on the subject and that the matter would receive priority consideration by the Third Committee.

116. Mr. MANI (India) recalled that, in its resolution 10 (XXVIII),<sup>9</sup> the Commission on Human Rights had, *inter alia*, requested Governments to submit to the Secretary-General any material they might have on problems arising in connexion with the protection of human rights within the context of scientific and technological progress. In that regard, he proposed that priority should be given to three matters: firstly, a study of the impact on human rights of developments in biology; secondly, a study on protection of the public against harm from chemicals used in food production, processing, packaging and storage; and thirdly, a study on the question of what information should be lawfully stored in computers, what information should be rejected, and the punishment for violating any rules developed.

117. Mr. TORRES (Philippines) proposed that, in operative paragraph 1 of draft resolution A/C.3/L.1925, the words "to consider at its next session" should be replaced by the words "to give priority to the consideration, at its next session, of".

*The oral amendment proposed by the representative of the Philippines was rejected by 32 votes to 28, with 33 abstentions.*

*Draft resolution A/C.3/L.1925 was adopted by 96 votes to none.*

#### AGENDA ITEM 62

**Town twinning as a means of international co-operation (A/8434, A/C.3/L.1892/Rev.1, A/C.3/L.1927, A/C.3/L.1928)**

118. Mr. MONORY (France), introducing the draft resolution on town twinning in document A/C.3/L.1892/Rev.1, announced that Greece had become an additional sponsor. In recent years efforts by the international community to foster development in all fields and to increase understanding between peoples and put an end to discrimination

<sup>9</sup> See *Official Records of the Economic and Social Council, Fiftieth Session, Supplement No. 4*, chap. XIX.

had fallen short of the objectives, partly because local leaders and populations were not always familiar with the problems or associated in endeavours to solve them. Action under the draft resolution now proposed to the Committee would help to mobilize great numbers of men and women in positive activities supplementing those of national authorities. The activities in question were not only financially economical in themselves but tended to create public support for international undertakings generally and thus ensure a readier flow of funds to international organizations.

119. The United Towns Organization worked with some 1,700 municipalities all over the world. Its charter was like that of the United Nations in that it stressed non-intervention, non-discrimination, economic and social development, and universalism. Many examples of highly successful town twinning projects could be cited, but it was sufficient to say that outstanding results had been achieved, at low cost, in such areas as education and training, technical and material co-operation and cultural exchange. The developed countries had much to gain from town twinning in terms of cultural enrichment and closer acquaintance with problems of development and international aid. He mentioned that in one very important and topical area—environmental protection—the United Towns Organization would be organizing two major meetings in 1972, one an international conference at Sofia preceding the United Nations Conference on the Human Environment to be held at Stockholm, and the other later in the year for countries of the Mediterranean region. Such activities illustrated the role of town twinning as a valuable adjunct to multilateral co-operation at the national government level.

120. He believed that the adoption and application of the draft resolution would result in a significant practical contribution to world peace and progress, and yet at the same time no special financial appropriation for its implementation would be required.

121. Turning to the amendments submitted to the draft resolution, he noted that the sponsors found those in document A/C.3/L.1928 difficult to accept as they would alter the very substance of the text. The sponsors could, however, accept certain of the amendments or notions set forth in document A/C.3/L.1927. Thus, the first amendment in that document was acceptable. The second amendment was not, but the sponsors agreed to delete the words “and operational” from subparagraph (b) of the first preambular paragraph. The sponsors had decided to delete the words “moral and material” before the word “support” in subparagraph (c) of the first preambular paragraph. They had also decided to replace the words “as an agency for” in operative paragraph 2 by “as one of the agencies for” in order to avoid giving the impression that the United Towns Organization was the only appropriate agency in the field. Similarly, they could accept the idea underlying the fourth amendment contained in document A/C.3/L.1927, but would modify operative paragraph 3 (a) somewhat differently:

“To study, in liaison with the United Towns Organization and those non-governmental organizations whose orientation is essentially communal and municipal with the same universalist character and having the same

objectives, the means by which the United Nations can contribute effectively to the development of international co-operation between communities”.

Lastly, the sponsors accepted the fifth amendment contained in document A/C.3/L.1927.

122. Mr. MOUSSA (Egypt), speaking as a sponsor of the amendments in document A/C.3/L.1927, thanked the draft resolution's sponsors for accepting the first amendment. Indeed, his delegation held that the only “intermediary bodies” in the matter were Governments and the organizations to which they delegated authority. Further, even with the words “an operational” deleted, subparagraph (b) of the first preambular paragraph was ambiguous and required clarification. The same applied to the reference to “support” in subparagraph (c). Subparagraphs (a) and (c) of the second preambular paragraph contained somewhat exaggerated statements, firstly that town twinning brought “whole populations” into contact, and secondly that it was capable of playing “a decisive part” in bringing peoples together; in the latter case he felt that “an important role” would be closer to the truth. Operative paragraph 2 was objectionable on the ground that it introduced a completely new procedure whereby the General Assembly, and not the Economic and Social Council as had always been the case so far, would recognize a certain non-governmental organization. Such a modification of principle and method required thorough study, and in the meantime his delegation favoured the paragraph's deletion. He hoped that the sponsors' acceptance of the fifth amendment contained in document A/C.3/L.1927 signified acceptance also of the principle that town twinning and all similar activities should in future come before the Economic and Social Council so as not to add further items to the already heavy agendas of the General Assembly.

123. Mr. MONORY (France) said that, to meet one of the criticisms just made, the sponsors agreed to amend subparagraph (c) of the second preambular paragraph to read: “bodies can play an important role in bringing peoples together”.

124. Miss WILLIAMS (New Zealand), introducing the amendments contained in document A/C.3/L.1928, pointed out that in the second amendment the word “competence” should read “competent” and that the fourth amendment had been shortened so that the text in question would simply read “To study any suggestions for world co-operation between communities”.

125. The draft resolution had two main defects. It referred to only one of the non-governmental organizations active in the field and it implied that that organization should receive material support from the United Nations or its specialized agencies. One-sided recognition was undesirable because it could create a dangerous precedent for other fields where United Nations work was assisted by non-governmental organizations. Moreover, concentrating responsibility for town twinning in a single such organization could result in stifling a movement which owed its success to its voluntary and spontaneous nature. Generally speaking, development aid was best granted to projects conceived at a national rather than a municipal level. It was noteworthy that there was provision for the United Towns

Organization to act as a sub-contracting agency of UNDP in projects concerned with municipal development (see Economic and Social Council resolution 1217 (XLII)).

126. Some of the amendments in document A/C.3/L.1928 were covered by those in the earlier set of amendments contained in document A/C.3/L.1927 and she viewed the former as being consistent with and additional to the latter, which her delegation fully supported.

127. Although the sponsors of the draft resolution had deleted the words "moral and material" before "support" in subparagraph (c) of the first preambular paragraph, the text still contained the idea that the United Nations could support—in a manner that remained to be clarified—municipal and communal bodies, bypassing national governments. The amendments which she co-sponsored called for the deletion of the subparagraph in question. The reasons for the remainder of the amendments were clear in the context of the general comments she had made. Lastly, she trusted that the Secretariat would shortly present a statement of financial implications which would cover not only the immediate future but also the long term.

128. Mr. ROOSEVELT (Secretariat) said that draft resolution A/C.3/L.1892/Rev.1 had been difficult to analyse from the standpoint of financial implications because town twinning did not come within the province of any one substantive division of the Department of Economic and Social Affairs. It was therefore difficult to say that the draft resolution would, or would not, entail additional financial expenditure. The Secretariat had come to the conclusion that there were no financial implications for the time being, since on the basis of operative paragraph 5 of the draft resolution it would undertake in 1972 to explore and report on the matter. In its 1972 report it would indicate more precisely how it understood the role of town twinning and what it estimated to be the financial implications for the future.

129. Mr. KASATKIN (Union of Soviet Socialist Republics) proposed that the statement concerning the financial implications of draft resolution A/C.3/L.1892/Rev.1 should be included not only in the summary record but in the report of the Committee. In addition, it would be advisable, after clarifying which amendments had been accepted, to hold an additional meeting. Otherwise, it might be necessary to adopt positions which were not altogether favourable to the draft resolution.

*After a short procedural discussion, the CHAIRMAN suggested that the meeting should be suspended.*

*It was so decided.*

*The meeting was suspended at 8.50 p.m. and resumed at 9.35 p.m.*

130. Mrs. BARISH (Costa Rica) moved the closure of the debate on the item under discussion, in accordance with rule 118 of the rules of procedure.

131. Mr. MANI (India), speaking against the closure of the debate, said that the subject of town twinning was both important and highly complex and that, unless a full debate

were held, his delegation's position in voting on the draft would be extremely difficult.

*The motion was adopted by 46 votes to 7, with 18 abstentions.*

132. Mr. MOHAMMED (Nigeria), speaking on a point of order, requested that he should be allowed to introduce the amendments submitted by his delegation (A/C.3/L.1927).

133. The CHAIRMAN informed the representative of Nigeria that, following the decision to close the debate, he could unfortunately not be permitted to do so.

134. Mr. MOHAMMED (Nigeria) stated that, since he was prevented from introducing the amendments, his delegation would participate no further in the work of the Third Committee.

135. Mr. NTIRUGIRIMBABAZI (Rwanda) announced that his delegation wished to join the list of sponsors of draft resolution A/C.3/L.1892/Rev.1.

136. Mr. MANI (India) requested a separate vote on each paragraph.

137. The CHAIRMAN put to the vote draft resolution A/C.3/L.1892/Rev.1, as orally revised, as well as amendments A/C.3/L.1927 and A/C.3/L.1928. She informed the representative of India that a separate vote would be taken on all paragraphs.

*The first preambular paragraph, subparagraph (a), as orally revised, was adopted by 70 votes to none, with 4 abstentions.*

138. Mr. MOUSSA (Egypt) announced that the sponsors of the amendments contained in document A/C.3/L.1927 had decided to withdraw their second amendment, relating to the first preambular paragraph, subparagraph (b).

*The first preambular paragraph, subparagraph (b), as orally revised, was adopted by 48 votes to 1, with 28 abstentions.*

*The first amendment contained in document A/C.3/L.1928, proposing the deletion of subparagraph (c) of the first preambular paragraph, was adopted by 29 votes to 24, with 25 abstentions.*

*The second preambular paragraph, subparagraph (a), was adopted by 62 votes to none, with 17 abstentions.*

*The second preambular paragraph, subparagraph (b), was adopted by 52 votes to none, with 24 abstentions.*

*The second preambular paragraph, subparagraph (c), as orally revised, was adopted by 74 votes to 1, with 5 abstentions.*

*The third preambular paragraph, subparagraph (a), was adopted by 77 votes to none, with 1 abstention.*

*The third preambular paragraph, subparagraph (b), was adopted by 77 votes to none, with 1 abstention.*

*The third preambular paragraph, subparagraph (c), was adopted by 68 votes to 2, with 6 abstentions.*

*The fourth preambular paragraph, subparagraph (a), was adopted by 59 votes to 1, with 18 abstentions.*

*The second amendment contained in document A/C.3/L.1928, proposing the replacement of subparagraphs (b) and (c) of the fourth preambular paragraph, was rejected by 37 votes to 32, with 9 abstentions.*

*The fourth preambular paragraph, subparagraph (b), was adopted by 49 votes to 8, with 20 abstentions.*

*The fourth preambular paragraph, subparagraph (c) was adopted by 31 votes to 14, with 34 abstentions.*

*Operative paragraph 1 was adopted by 76 votes to none, with 2 abstentions.*

*The third amendment contained in document A/C.3/L.1927, proposing the deletion of operative paragraph 2, was adopted by 35 votes to 30, with 14 abstentions.*

139. Mr. MOUSSA (Egypt) announced that the sponsors wished to withdraw their amendment to operative paragraph 3 (a) (A/C.3/L.1927, para. 4).

140. Mr. TRESSELT (Norway) announced that, in accordance with rule 123 of the rules of procedure, his delegation wished to reintroduce the amendment concerning operative paragraph 3 (a).

141. Mr. SANE (Senegal) said that the Committee should follow rule 129 of the rules of procedure, according to which voting might be interrupted only for a point of order in connexion with the actual conduct of the voting.

142. Mrs. WARZAZI (Morocco) maintained that an amendment which had been withdrawn could not be reintroduced during the voting. In addition, if the amendment to operative paragraph 3 (a) were adopted, the passage concerned would be meaningless.

143. Mr. VAN WALSUM (Netherlands) expressed the view that, if an amendment could be withdrawn, it could also be reintroduced.

144. Mr. STILLMAN (United States of America), invoking rule 123 of the rules of procedure, asked the Chairman to give a ruling.

145. The CHAIRMAN requested the opinion of the Director of the Division of Human Rights.

146. Mr. SCHREIBER (Director of the Division of Human Rights) said that, in his view, the Committee had started voting on the amendments and on the proposal under consideration. Rule 129 stated that, after the Chairman had announced the beginning of voting, no representative should interrupt the voting except on a point of order in connexion with the actual conduct of the voting. Rule 123, on the other hand, stated that a motion might be withdrawn and that a motion which had been withdrawn might be reintroduced. The problem was whether rule 123

could be invoked once the Chairman had announced the beginning of voting. He personally thought that rule 123 could be invoked only until such time as the Chairman announced the beginning of voting.

147. The CHAIRMAN ruled that, in the case under discussion, rule 123 of the rules of procedure was not applicable.

*It was so agreed.*

148. Mr. STILLMAN (United States of America), speaking on a point of order, said that the Chairman had just ruled that rule 123 was not applicable in the case under discussion. That rule allowed motions to be withdrawn and reintroduced and, if it was not applicable in the case under discussion, the logical conclusion was that the amendment had not been withdrawn and was still before the Committee.

149. The CHAIRMAN explained that the amendment had been withdrawn before voting on it had started.

150. Mr. TARASOV (Union of Soviet Socialist Republics) said that his delegation accepted any ruling by the Chairman based on the rules of procedure. Since the amendment had been withdrawn by its sponsors before the beginning of voting, the question was automatically resolved.

151. Mr. MONORY (France), speaking on a point of order, said that the Committee could not vote on deletion of the reference to the United Towns Organization in operative paragraph 3 (a) of the draft resolution, because the deletion of that reference would make it necessary to alter the whole paragraph, which could not be done after the voting had started.

152. Mr. CALOVSKI (Yugoslavia) agreed with the Director of the Division of Human Rights and with the representative of the Soviet Union. The point was that there were two elements—the draft resolution and the amendments—and that voting on each element thus started at different times. In his view, an amendment could be withdrawn before the beginning of the voting on the amendment as such, even if the voting on the draft resolution had started.

153. Mr. TARASOV (Union of Soviet Socialist Republics) reminded the Committee that the Chairman had already given her ruling. If the United States representative was appealing against that ruling, his appeal should be put to the vote.

154. Mr. MOUSSA (Egypt) said that, in his view, the question currently under discussion was not the withdrawal of an amendment but the Chairman's ruling. If any delegation appealed against that ruling, the appeal should be immediately put to the vote in accordance with the rules of procedure.

155. Mr. MAHMASSANI (Lebanon) thought that everything possible should be done to avoid a vote on the United States representative's appeal against the Chairman's ruling. Rule 123 of the rules of procedure, entitled "Withdrawal of

motions”, specified that the proposer of a motion could withdraw it before voting on it had commenced, provided that it had not been amended. The representative of Egypt had withdrawn his amendment in time, so that the first part of the rule had been complied with. In the second part of rule 123, it was established that a motion which had been withdrawn might be reintroduced, but rule 129 stated that voting might be interrupted only for a point of order in connexion with the actual conduct of the voting. Not only were those two rules quite clear, but the Chairman had given a ruling; the only possible course was therefore to proceed immediately to a vote.

156. Miss WILLIAMS (New Zealand) said that her delegation viewed the interpretation of rule 123 of the rules of procedure as a very important issue. The representatives of the Netherlands and Yugoslavia had pin-pointed the crux of the matter. The ruling of the Chairman and the opinion of the Director of the Division of Human Rights were not acceptable to her delegation. If they were followed, there was a risk that a delegation which was counting on a particular amendment might see it withdrawn but not be able to reintroduce it because voting had already begun. Her delegation did not want to have to challenge the Chairman's ruling but the matter was very important, since apparently her delegation did not interpret rule 123 in the same way as the Chairman did.

157. Mr. STILLMAN (United States of America), speaking on a point of order, requested a clarification. The Chairman had ruled that rule 123 was not applicable, but his delegation considered that the two parts of rule 123 were linked and should be interpreted together. The entire rule was applicable as a whole or was not applicable at all, but one could not divide the rule and decide that one part was applicable and the other was not.

158. Mr. TORUÑO (Nicaragua) said that the Chairman's ruling had been appealed against and that the appeal should therefore be put to the vote.

159. Mr. SCHREIBER (Director of the Division of Human Rights) said that, as he had been asked to do, he had given his interpretation of the relationship between rule 123 and rule 129 of the rules of procedure. After the beginning of voting had been announced, the voting might be interrupted only for a point of order in connexion with the actual conduct of the voting and not for the withdrawal or reintroduction of an amendment. In his view, rule 123 was not applicable after the Chairman announced the beginning of voting.

160. Mr. YAÑEZ-BARNUEVO (Spain) said that, when France and the other sponsors of draft resolution A/C.3/L.1892/Rev.1 had orally amended the text of operative paragraph 3 (a) in the light of the amendment submitted by Egypt and Nigeria in document A/C.3/L.1927, that amendment had no longer had any purpose. It had not been necessary to withdraw it and it was not possible to reintroduce it because, as had been said, the wording of the amended subparagraph would not make sense. Consequently, there was no need to settle in that case the question of principle concerning the interpretation of rule 123 of the rules of procedure which was exercising the representatives of the Netherlands and New Zealand and the Committee could proceed with the voting.

161. Mr. MANI (India) requested a separate vote on the words “the United Towns Organization and”.

162. Mr. TARASOV (Union of Soviet Socialist Republics) requested a separate vote on the phrase “and those non-governmental organizations whose orientation is essentially communal and municipal with the same universalist character and having the same objectives”.

163. The CHAIRMAN put the words “the United Towns Organization and” to a separate vote.

*The words were retained by 47 votes to 16, with 18 abstentions.*

164. The CHAIRMAN put the phrase “and those non-governmental organizations whose orientation is essentially communal and municipal with the same universalist character and having the same objectives” to a separate vote.

*The phrase was retained by 38 votes to 12, with 29 abstentions.*

165. Miss WILLIAMS (New Zealand), speaking on a point of order, recalled that New Zealand, together with other countries, had submitted an amendment (A/C.3/L.1928, para. 3) to operative paragraph 3 (a), and that it took priority in the voting sequence.

166. Mr. LÜTEM (Secretary of the Committee) explained, at the request of Mr. KOEFFLER (Austria), that, as the wording of subparagraph (a) had been revised by the sponsors, the amendment would now be the addition of the words “and its specialized agencies” after the words “United Nations”.

*The third amendment contained in document A/C.3/L.1928, as orally revised, concerning operative paragraph 3 (a) was adopted by 44 votes to 22, with 10 abstentions.*

*Operative paragraph 3 (a), as orally revised and as amended, was adopted by 44 votes to 24, with 11 abstentions.*

*The fourth amendment contained in document A/C.3/L.1928, concerning operative paragraph 3 (b), as orally revised, was adopted by 45 votes to 18, with 14 abstentions.*

*The fifth amendment contained in document A/C.3/L.1928, proposing the deletion of operative paragraph 4, was adopted by 36 votes to 33, with 12 abstentions.*

*The sixth amendment contained in document A/C.3/L.1928, concerning operative paragraph 5, was adopted by 37 votes to 25, with 15 abstentions.*

167. Miss FAROUK (Tunisia), speaking on a point of order, asked to what session of the Council the Secretary-General would report in accordance with the revised and amended text of operative paragraph 5.

168. Mr. MONORY (France) suggested that the relevant words should be “to the Economic and Social Council at its next session”.



169. Miss FAROUK (Tunisia) pointed out to the sponsors that the next session of the Council would be too soon.

170. Mr. LÜTEM (Secretary of the Committee) said that it might be preferable to report to the Council at its fifty-fourth session.

171. The CHAIRMAN said that, if there were no objections, she would take it that the Secretary's suggestion was adopted.

*It was so decided.*

*Operative paragraph 5, as orally revised and as amended, was adopted by 64 votes to none, with 17 abstentions.*

*Draft resolution A/C.3/L.1892/Rev.1, as orally revised and as amended, was adopted by 53 votes to 5, with 22 abstentions.*

172. Mrs. HYERA (United Republic of Tanzania) explained that her delegation had abstained because it did not think that the Committee had had sufficient time to consider the item and the draft resolution in depth and was unaware whether the town twinning already undertaken had been a fruitful enterprise. Moreover, the draft resolution included too many sweeping conclusions which her delegation could not support.

173. Mr. MANI (India) said that he would explain his vote in writing so that the French delegation would know the reasons for his abstention.<sup>10</sup>

174. Mr. YAÑEZ-BARNUEVO (Spain) explained his vote because he had not had the opportunity of speaking on the item during the general debate or before the vote. His delegation had voted in favour, except for those passages where he considered that an amendment would improve the text. Spain had always favoured international co-operation, but insisted that nothing should be done that might imply interference in the domestic affairs of countries or which might violate the Charter of the United Nations.

175. In the Spanish text the words "comunas" and "comunal" were used, terms to which the Indian representative had taken exception in the English text. The meaning was also vague in the Spanish on that point. Having consulted most of the Spanish-speaking delegations, he therefore proposed to the Secretariat that those words should be replaced by "municipios" and "municipal".

176. Mr. LAHERA (Chile) asked for the statement by Mr. Roosevelt, Chief of the Non-Governmental Organizations Section, in which he had said that approval of the draft resolution on the item would have no financial implications, to be included in the record.

#### AGENDA ITEM 64

##### Criminality and social change (A/8372, A/8403, chap. XV, sect. D; A/C.3/L.1922)

177. Mr. MANI (India) referred to four aspects of the note of the Secretary-General on criminality and social change

(A/8372). First of all, his delegation supported the Secretary-General's recommendations in paragraph 63 and requested that an appropriate preliminary study should be prepared. Secondly, the Secretary-General's proposals in paragraphs 102 and 107 were unobjectionable but some of their operational aspects were not very clear. He wondered whether it had been decided that the Declaration of the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and Economic and Social Council resolution 1584 (L) were to be considered appendices or annexes to the International Development Strategy for the Second United Nations Development Decade and would therefore welcome some clarification. Thirdly, his delegation considered the recommendations in paragraph 108 important and thought it would be useful to discuss the item during the periodic debates on the world social situation. Lastly, with regard to the proposal in paragraph 111 concerning the designation of an international "anti-crime" year, his delegation's view was that, while the proposal was unobjectionable, the designation of such years had become such a common practice that they were no longer so effective as they had been originally. India did not reject the proposal out of hand but suggested that the Secretary-General should send a note verbale to Governments asking for their opinions on the subject.

178. Mrs. BARISH (Costa Rica) stated that her country was overhauling its prison system and that the prevention of crime and the treatment of offenders were therefore of particular importance for it. Costa Rica had offered to act as host for the session of the Latin American Institute of Criminology and the arrangements were at a very advanced stage. It was awaiting the agreement of UNDP for the session to be held in the near future.

179. The CHAIRMAN put to the vote draft resolution A/C.3/L.1922 which the Finnish representative had agreed not to introduce orally because of the lateness of the hour.<sup>11</sup>

180. Mr. LOSHCHININ (Byelorussian Soviet Socialist Republic) requested a separate vote on operative paragraph 1.

*Operative paragraph 1 was adopted by 67 votes to none, with 10 abstentions.*

*Mr. Mahmassani (Lebanon) took the Chair.*

*The draft resolution was adopted by 73 votes to none.*

*Mrs. Sipilä (Finland) resumed the Chair.*

#### Conclusion of the Committee's work

*After the customary exchange of courtesies, the Chairman declared the work of the Committee concluded.*

*The meeting rose at 11.55 p.m.*

<sup>10</sup> The statements of the representatives of India and Japan were issued later in working paper A/C.3/XXVI/CRP.2.

<sup>11</sup> The statement of the representative of Finland was issued later in working paper A/C.3/L.XXVI/CRP.2.