



Chairman: Miss Maria GROZA (Romania).

*Organization of work (continued) (A/C.3/L.1819-1821)*

1. The CHAIRMAN invited the Committee to vote on the procedural motion submitted by France (A/C.3/L.1819), the amendments thereto submitted by Saudi Arabia (A/C.3/L.1820) and the procedural proposal submitted by Saudi Arabia (A/C.3/L.1821). The motion submitted by France in document A/C.3/L.1819 proposed that seven meetings should be devoted to the consideration of item 46, concerning the creation of the post of United Nations High Commissioner for Human Rights and that the Committee should decide how to dispose of the other items on the agenda as soon as consideration of item 46 had been completed. According to the Saudi Arabian amendments (A/C.3/L.1820), the words "seven meetings" in the French motion should be replaced by "five meetings" and the second part of the motion should read as follows: "The Committee decides forthwith, without debate, to allocate the following number of meetings to the remaining items on the agenda: . . ." The Saudi Arabian procedural proposal (A/C.3/L.1821) called for the allocation of five meetings to item 46, one to item 50, two to item 49, four to item 12, one to items 48 and 52 and one to items 51, 54, 56, 58 and 59.

2. Mr. RYBAKOV (Union of Soviet Socialist Republics), speaking on a point of order, said that the United States press had launched a disgraceful campaign against some members of the Committee by misrepresenting the course of the debate at the 1805th meeting and ridiculing the Committee's proceedings, as evidenced by an item published in *The New York Times* of 3 December 1970. That same issue contained an editorial which referred to the resolutions adopted by the Committee on item 47 in a way that was indubitably intended to camouflage United States aggression against Viet-Nam. Proof of that was the fact that the editorial made no reference to the draft resolution submitted by Ceylon, India, Sudan and the Union of Soviet Socialist Republics (A/C.3/L.1798/Rev.5), in which United States aggression was condemned. The lack of objectivity of the United States information media and the unworthy methods they employed were highly regrettable, since they tended to perpetuate the cold war.

3. Mr. DE GAIFFIER D'HESTROY (Belgium), also speaking on a point of order, pointed out that the Committee was dealing with organization of work and that comments should be confined to that topic.

4. Mr. RATTANSEY (United Republic of Tanzania) observed that, under rule 111 of the rules of procedure of the

General Assembly, the Chairman was the only person empowered to call speakers to order.

5. Mr. BAROODY (Saudi Arabia), speaking on a point of order, pointed out to the representative of Belgium that it was not the first time that a member of the Committee had been attacked. Acts so unpardonable had always elicited the concern of all the members of the Committee, since they were an insult to the representative of a sovereign State and, what was worse, an attack on human dignity.

6. The United States representative would say that the American press was free and could say what it wanted; nevertheless, when to do so suited the interests of the United States, the eloquence of the press of that country was turned into silence. That proved that the ignominious campaign being conducted by the United States information media was no more than tendentious propaganda, which jeopardized the good name of the United Nations. He was not against freedom of information, but he was against unfettered licence in the information media, and he therefore felt that it was highly important to consider the establishment of an international code of professional information ethics, to which the United States had always been opposed.

7. Mr. SATHE (India), speaking on a point of order, said that, while all representatives were concerned for the progress of the Committee's work, the honour of the Committee was of even greater moment. The attacks directed at some members affected the dignity of the Committee itself, and the least the Committee could do was to adopt a draft resolution condemning the false assertions published in the press. He hoped that such a draft resolution would be adopted unanimously. He agreed that there should be freedom of the press, but it should be a freedom tempered by moderation and a sense of responsibility. Moreover, the publication of a falsehood was a very dangerous precedent, and unless it was corrected, the organs of the United Nations would not be able to carry out their work in a favourable climate.

8. Mr. NKUNDABAGENZI (Rwanda) proposed that the debate should be closed and that the Committee should proceed to vote on the procedural motions.

9. Mr. ALARCON (Cuba), speaking in explanation of vote before the vote, indicated that he would have preferred the Committee to adopt the Chairman's original proposal, which was the only possible compromise. His delegation would vote in favour of the Saudi Arabian amendments (A/C.3/L.1820) and procedural motion (A/C.3/L.1821) and against the French motion (A/C.3/L.1819).

10. He drew the attention of the members of the Committee to the possible legal and political consequences

of not discussing the remaining items of the agenda, as might happen if the French motion was adopted. Members of the Committee who were also members of the Economic and Social Council might suggest that the work of the Council should not be discussed; for those who were not members of the Council, however, the Committee was the only forum in which they had an opportunity to consider its work. The proposal to devote seven meetings to item 46 would therefore take up time that was needed to deal with questions of great importance for most members of the Committee, such as the report of the Economic and Social Council, housing, building and planning, the punishment of war criminals and measures to be taken against nazism. The situation in which the Committee found itself resulted from the interest of certain Western Powers in bringing before it questions directly affecting them and ignoring other items that were of interest to all countries. Much time had been lost in attempts to obstruct affirmation of the right to self-determination of the peoples of southern Africa and Palestine. The whole process was a departure from the cardinal principle of the sovereign equality of States; all nations had the same right to speak and to express their points of view on all the items on the agenda.

11. In conclusion, his delegation expressed its respect and sympathy for the Chairman, who had displayed dignity and calm in the conduct of the Committee's proceedings, despite the difficulties she had encountered.

12. Mr. AL-EYD (Iraq), speaking in explanation of vote, said that he did not understand how the Committee could make an exception for one of the items on its agenda, when there were still eleven items to be considered. In view of the fact that the number of meetings the Committee could hold during the current session was limited, it was inconceivable that anyone should seek to devote to item 46 the seven meetings that had first been assigned to it or should think of discussing the remaining items at the other seven meetings. His delegation was willing to take a conciliatory attitude and therefore did not understand how some delegations could stubbornly oppose any compromise in the matter. Consequently, it would have to vote against the procedural motion submitted by France (A/C.3/L.1819). On the other hand, although it considered that an excessive number of meetings had been assigned to item 46 in the Saudi Arabian proposal, it would vote in favour of that delegation's amendments and proposal (A/C.3/L.1820 and A/C.3/L.1821).

13. Mr. BAROODY (Saudi Arabia) said he had decided to revise his second amendment (see A/C.3/L.1820) by adding to it, after the colon, the content of his delegation's proposal in document A/C.3/L.1821.

14. Mr. RYBAKOV (Union of Soviet Socialist Republics), speaking in explanation of vote, said that his delegation supported the Saudi Arabian amendments (A/C.3/L.1820), as orally revised by the sponsor, although it preferred the Chairman's original proposal. On the other hand, it opposed the French procedural motion (A/C.3/L.1819), which, in proposing that seven meetings should be devoted to the consideration of item 46, unduly reduced the number of meetings allocated to other important questions still to be considered by the Committee. Moreover, the French representative had proposed that only one meeting, instead

of the eight originally proposed, should be devoted to two questions of the highest importance—the question of the punishment of war criminals and of persons who had committed crimes against humanity (item 50) and that of measures to be taken against nazism and racial intolerance (item 49)—and that the number of meetings allocated to other cardinal questions should be reduced.

15. His delegation found it extremely surprising, particularly in the year when the United Nations was celebrating its twenty-fifth anniversary, that the representative of France, a country which had fought against Hitler as an ally of the Soviet Union, should have submitted a proposal of that kind. He hoped that there had been some misunderstanding. He was convinced that adoption of such a proposal would be an insult to the memory of the millions of victims of nazism and to the peoples of the Soviet Union and other nations. He therefore requested the French delegation to accept a compromise solution, to withdraw its motion and to support the proposal put forward by the representative of Saudi Arabia.

16. He thanked the Chairman of the Committee for the tact and skill with which she had discharged her task.

17. Mr. PAOLINI (France), speaking in exercise of the right of reply, said that his delegation rejected the interpretation which the representative of the Soviet Union had given of its motion on the organization of work (A/C.3/L.1819). The only object of his delegation's procedural motion was to reaffirm the Committee's decision at the beginning of the session to the effect that seven meetings were to be devoted to consideration of the creation of the post of United Nations High Commissioner for Human Rights, which several delegations regarded as the most important item on the agenda. Those who were now claiming to be unaware of the Committee's consensus on that matter were merely trying to disturb the existing balance in the distribution of time among the various agenda items. He requested that a vote should be taken forthwith on the procedural motion and the amendments to it.

18. Mr. NKUNDABAGENZI (Rwanda), speaking on a point of order, said it was his understanding that voting had already begun; in accordance with rule 129 of the rules of procedure of the General Assembly the Committee should proceed forthwith, without further debate, to vote on the motion and amendments that had been submitted.

19. The CHAIRMAN observed that, again in accordance with rule 129 of the rules of procedure, the Chairman could permit members to explain their votes, either before or after the voting.

20. Mr. BABAA (Libya), speaking in explanation of vote, said that his delegation would vote in favour of the Saudi Arabian amendments (A/C.3/L.1820), since it was the responsibility of the Committee to deal, not solely with humanitarian questions, but also with social and cultural matters. His delegation, which represented a developing country, had a keen interest in a number of the subjects covered by the report of the Economic and Social Council, including the work of UNICEF, the question of housing, and assistance in cases of natural disaster, and it urged the

representatives of other developing countries to support the Saudi Arabian amendments in order to give the Committee time for adequate consideration of those matters.

21. Mr. SATHE (India) said that his delegation, too, would vote in favour of the Saudi Arabian amendments (A/C.3/L.1820), because the French procedural motion seriously endangered the future work of the Committee. First, it was by no means certain that consideration of item 46 would be completed in the seven meetings that would be devoted to it. Secondly, even if it proved possible to complete consideration of the item, the problem of allocating the remaining meetings would then arise, and the Committee would again find itself in a difficult situation, which would take time to resolve and would thus waste time that might more profitably be devoted to consideration of other important questions, such as the report of the Economic and Social Council. By adopting the Saudi Arabian amendments (A/C.3/L.1820), as revised by the sponsor at the current meeting, the Committee would decide once and for all on the arrangements for its work for the remainder of the session. He accordingly appealed to members to vote in favour of that solution, which would promote greater harmony in the Committee's work. In the opinion of his delegation, it was wrong, as matters stood, with little time available, to urge that seven of the remaining meetings should be devoted to discussing the creation of the post of United Nations High Commissioner for Human Rights. In order to foster the atmosphere of tolerance and conciliation that should prevail in the Committee, he urged the delegations of Senegal, the United States and France to abide not by the letter, but by the spirit of the consensus which had been achieved earlier, and he requested the French representative to withdraw his motion, thereby making it possible for the Saudi Arabian amendments to be adopted unanimously.

22. Mr. GOUAMBA (People's Republic of the Congo) said that he had not participated in the deliberations of the informal group established by the Chairman to consider the organization of work and had some doubts as to how the second sentence of the French procedural motion (A/C.3/L.1819) was to be interpreted. In particular, he requested an explanation of the procedure to be followed if, the motion having been adopted, it proved impossible to complete consideration of item 46 at the seven meetings allocated to it.

23. Mr. PAOLINI (France), speaking on a point of order, said that some of the statements that had been made as explanations of vote had not, in fact, been explanations of vote but appeals to members to vote in a particular way on the motion and amendments before the Committee, and were consequently out of order. In reply to the question raised by the representative of the People's Republic of the Congo, he repeated that the French procedural motion reaffirmed an important earlier compromise decision of the Committee, namely, that seven meetings should be devoted to consideration of item 46. Once those seven meetings had taken place, consideration of other agenda items would begin at the following meeting.

24. Mr. RYBAKOV (Union of Soviet Socialist Republics), speaking on a point of order, said that it would be undemocratic to deprive delegations of their right to

explain the reasons why they were going to vote in a particular way.

25. Mr. RATTANSEY (United Republic of Tanzania) said that it did not make a great deal of difference to him whether five or seven meetings were allocated to the item concerning a post of High Commissioner for Human Rights, since his delegation had no ulterior motives for preferring one solution over the other. He would, however, vote in favour of the Saudi Arabian amendments (A/C.3/L.1820), which offered a good compromise solution to the problem facing the Committee, and he was sorry that more delegations were not willing to accept a compromise. Actually, the allocation of seven meetings to an item as controversial as the creation of the post of High Commissioner would make it difficult to deal adequately with other matters of importance.

26. Mr. RIOS (Panama) urged delegations which, like his own, really wished to co-operate with the Chairman to allow the Committee to proceed to a vote on the proposals and amendments submitted, regardless of the way in which they would vote, since otherwise an interminable debate might ensue.

27. Mr. DIAZ CASANUEVA (Chile) said, in explanation of his vote, that he was surprised that the compromise suggestion made by the Chairman at the 1804th meeting in an attempt to reach a consensus on the organization of work had not been accepted. Although he did not deny that the item on the creation of the post of High Commissioner for Human Rights was an important one, he did not believe that it was the most pressing item on the agenda. His delegation would vote in favour of the Saudi Arabian compromise amendments (A/C.3/L.1820) designed to reconcile divergent views, since the Committee had a responsibility to consider the whole range of serious and urgent problems allocated to it.

28. Mr. GUNewardene (Ceylon) said, in explanation of his vote, that the Committee was witnessing a confrontation in which one side refused to accept any compromise at all and stubbornly maintained its view that seven meetings should be allocated to an item which interested it although that might mean that other matters on the agenda could not be considered. That was certainly not the best way to deal with questions of human rights. With regard to the consensus which the Committee had reached earlier on the organization of work, he drew attention to the spirit of accommodation in which some delegations had agreed that item 46 should be put in fourth place on the agenda. At the same time, he pointed out that the programme of work agreed upon at the beginning of the session could not be regarded as being more than provisional since it had to be modified subsequently to meet needs as they arose. The reason why the Committee had exceeded the time-limit agreed upon in the case of the items it had already discussed was because those items had concerned the most important questions. What was necessary now was to allocate the remaining meetings to the items not yet considered. He rejected the argument that some delegations had been instructed to take a firm stand on the allocation of seven meetings to item 46 since he was certain that all the representatives were able to exercise some degree of

discretion with regard to the action they took in the Committee. The Saudi Arabian amendment provided a logical solution to the problem. On the other hand, the French motion, which was dictatorial in nature and out of keeping with the spirit of compromise that should reign in the Committee, should be rejected by all the members.

29. The CHAIRMAN put to the vote the first of the Saudi Arabian amendments (A/C.3/L.1820) to the French procedural motion (A/C.3/L.1819).

*At the request of the representative of Senegal, the vote was taken by roll-call.*

*Ghana, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Ghana, Greece, Guyana, Hungary, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Mongolia, Nepal, Nigeria, Poland, Romania, Saudi Arabia, Somalia, Southern Yemen, Syria, Trinidad and Tobago, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Yemen, Yugoslavia, Zambia, Algeria, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chad, Chile, Cuba, Cyprus, Czechoslovakia, Ethiopia.

*Against:* Guatemala, Haiti, Honduras, Iran, Ireland, Italy, Japan, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, People's Republic of the Congo, Philippines, Rwanda, Senegal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Afghanistan, Argentina, Australia, Austria, Belgium, Canada, Colombia, Costa Rica, Denmark, Dominican Republic, El Salvador, Finland, France.

*Abstaining:* Guinea, Jamaica, Lesotho, Liberia, Malawi, Mali, Mexico, Pakistan, Peru, Portugal, Sierra Leone, Spain, Swaziland, Togo, Tunisia, Brazil, Cameroon, China, Ecuador, Gabon.

*The amendment was adopted by 44 votes to 36, with 20 abstentions.*

30. The CHAIRMAN put to the vote the second of the Saudi Arabian amendments (A/C.3/L.1820), as orally revised by its sponsor (see para. 13 above).

*At the request of the representative of Senegal, the vote was taken by roll-call.*

*Iraq, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Iraq, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Mali, Mongolia, Nepal, Nigeria, Poland, Romania, Saudi Arabia, Somalia, Southern Yemen, Syria, Trinidad and Tobago, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Yemen, Yugoslavia, Zambia, Algeria, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chad, Chile, Cuba, Cyprus, Czechoslovakia, Ethiopia, Ghana, Guinea, Guyana, Hungary, India, Indonesia.

*Against:* Nicaragua, Uruguay.

*Abstaining:* Ireland, Italy, Ivory Coast, Jamaica, Japan, Lesotho, Liberia, Madagascar, Malawi, Mexico, Netherlands, New Zealand, Niger, Norway, Pakistan, Panama, People's Republic of the Congo, Peru, Philippines, Portugal, Rwanda, Senegal, Sierra Leone, Spain, Swaziland, Sweden, Togo, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela, Afghanistan, Argentina, Australia, Austria, Belgium, Brazil, Cameroon, Canada, China, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iran.

*The amendment, as orally revised, was adopted by 44 votes to 2, with 55 abstentions.*

31. The CHAIRMAN put to the vote the French procedural motion (A/C.3/L.1819), as amended.

*The motion, as amended, was adopted by 48 votes to 6, with 39 abstentions.*

*The meeting rose at 1.45 p.m.*