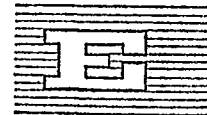


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL
E/CN.4/1984/SR.50
15 March 1984
ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Fortieth session

SUMMARY RECORD OF THE 50th MEETING

held at the Palais des Nations, Geneva,
on Monday, 12 March 1984, at 10 a.m.

Chairman: Mr. KOOIJMANS (Netherlands)

CONTENTS

Consideration of draft resolutions on the following agenda items:

- The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation
- Question of the human rights of all persons subjected to any form of detention or imprisonment
- Human rights and scientific and technological developments

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.6108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.84-16003

The meeting was called to order at 10.30 a.m.

CONSIDERATION OF DRAFT RESOLUTIONS ON AGENDA ITEM 9: THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION (E/CN.4/1984/L.81)

1. The CHAIRMAN recalled that the Commission had deferred its decision on draft resolutions E/CN.4/1984/L.21/Rev.1 and L.27 concerning agenda item 9. Following discussions held in the meantime, the sponsors had withdrawn those texts, which were now replaced by draft resolution E/CN.4/1984/L.81, proposed by the Chairman. He asked whether that draft resolution could be adopted without a vote.
2. It was so decided.
3. The CHAIRMAN invited delegations which wished to do so to comment on the resolution just adopted.
4. Mr. LECHUGA HEVIA (Cuba) said that although his delegation would have preferred a resolution more in keeping with the real situation in Grenada, it had wished to join the consensus, in which it saw a positive sign of the Commission's concern about that situation. Resolution E/CN.4/1984/L.81 would encourage the people of Grenada in its struggle to free itself from foreign occupation and to choose the political, economic and social system it thought best. The armed intervention by the United States in Grenada had been deplored by the General Assembly and condemned by the international community. It had brought death to many civilians and had caused great physical damage. The resolution adopted affirmed inter alia the right of the people of Grenada to hold free elections in order to choose its government democratically. However, democratic evolution was impossible so long as foreign military forces remained on the island and foreign political and economic pressure was exerted.
5. Mr. ZORIN (Union of Soviet Socialist Republics) said that his delegation had supported draft resolution E/CN.4/1984/L.81, but would have preferred stronger terms reflecting the tragic fate of a small country which was the victim of aggression and occupation by the world's strongest imperialist Power. Nevertheless, the fact remained that by adopting the resolution, the Commission associated itself with the condemnation expressed by the international community. The resolution recalled that the General Assembly had considered the question of Grenada, resulting in the adoption of its resolution 38/7. In its resolution, the Assembly had demanded the cessation of foreign intervention and the withdrawal of foreign forces from the island. Those demands had so far met with no response: the United States of America continued to occupy Grenada and spread terror among its population, torturing and killing patriots who were defending their country's independence. To attain its ends, it was utilizing certain Grenadans as its slaves and lackeys. In the face of that situation, it was fortunate that the Commission had associated itself with the general condemnation of an act of aggression which resembled banditry. At present, if the rights of the people of Grenada referred to in the resolution just adopted were to be respected, the United States of America must withdraw its forces and cease interfering in the internal affairs of Grenada.

6. Mr. BENDAÑA RODRÍGUEZ (Nicaragua) pointed out that in document E/CN.4/1984/L.21/Rev.1 his delegation had submitted a draft resolution concerning Grenada which was in keeping with a position already adopted by the Security Council, the General Assembly and the non-aligned countries. The resolution just adopted, which had made it possible to reach consensus, had the merit of referring to elementary principles, and especially that of refraining from the threat or use of force against the territorial integrity or political independence of any State, set forth in Article 4, paragraph 2 of the Charter. Defence of that principle should take precedence over any other consideration; a country's membership of NATO or its size was immaterial. All the delegations which by their efforts had helped to produce draft resolution E/CN.4/1984/L.81 were deserving of thanks, for they had enabled the Commission in its turn to condemn a country which was the only one to have voted against General Assembly resolution 38/7.

7. Mr. KHAMEL (Ukrainian Soviet Socialist Republic) noted that by its resolution E/CN.4/1984/L.81, the Commission had, after patient consultations, been able to take a position on the question of Grenada. His delegation, however, had accepted that text with some regret, deploring, among other things, the lack of an express reference to General Assembly resolution 38/7. The Commission's resolution merely recalled that the Assembly had reaffirmed the sovereign and inalienable right of the people of Grenada to self-determination. That implied the free choice of the country's political, economic and social system, without any foreign intervention or threat.

8. Unfortunately, since the adoption of the General Assembly's resolution, the situation had worsened, in spite of the assertions of United States propaganda. The United States claimed to have liberated Grenada, but it might be asked what it had liberated it from. In fact, it was keeping its troops there; the marines had been withdrawn and had been welcomed home as "heroes" - according to the propaganda of the United States - but they had been replaced by the 82nd Airborne Division, which was continuing to occupy the island. United States secret service agents were everywhere, and it was planned to use Grenada as a base for the CIA and a springboard for subversive activities against all of Central America. Draft resolution E/CN.4/1984/L.21/Rev.1 had proposed that the Commission should demand the withdrawal of foreign forces. Without such withdrawal, all that was stated in resolution E/CN.4/1984/L.81 would be no more than pious hopes. He also regretted that the resolution adopted by the Commission made no mention of the military intervention of the United States. In that connection, he referred to an article in the Wall Street Journal in which Mr. Schlesinger had said that by deciding to intervene in Grenada, the Reagan administration had flouted international law and had committed an act of stupidity with unpredictable consequences. Mr. Schlesinger had asked whether Hitler was an example for the United States to follow.

9. Mrs. PURI (India) said that her delegation and the delegations of the non-aligned countries had supported the resolution which had just been adopted, after consultations in which those delegations had been guided by the position taken by the non-aligned countries in recent discussions on the question of Grenada. Her delegation was pleased that it had been possible to reach consensus on resolution E/CN.4/1984/L.81.

10. Mr. FRAMBACH (German Democratic Republic) said that in a statement before the Security Council on 27 October 1983, the German Democratic Republic had demanded the discontinuation of all violations of the sovereignty of Grenada and the immediate withdrawal of the foreign invaders. In the same spirit, his country

had endorsed General Assembly resolution 38/7. His country's delegation considered that draft resolution E/CN.4/1984/L.81 had failed to take account of the continued illegal occupation of Grenada, and fell far short of the position taken by the Co-ordinating Bureau of the non-aligned countries at an emergency session held on 26 and 28 October 1983. The Co-ordinating Bureau had "condemned the armed intervention" of the United States of America and had called for "the immediate withdrawal of all foreign forces". It had "reaffirmed its solidarity with Grenada" and "called on all States to respect its sovereign and inalienable rights freely to determine its own political, economic and social system". He therefore deeply deplored the fact that it had not been possible to adopt draft resolution E/CN.4/1984/L.21/Rev.1.

11. Mr. SCHIFTER (United States of America), said that he did not wish to engage in polemics but he had noted differences of opinion among the delegations which had just spoken about the resolution adopted. In fact, some of those delegations had spoken more about another draft resolution, one which had not been adopted, and had taken occasion to indulge in allegations which were completely alien to the text adopted. Moreover, the fact should not be overlooked that there had been a dictatorship in Grenada. The leaders of that regime had been murdered, but those who had replaced them had been incapable of maintaining order in the island. Today, there was a provisional government in the island, and a freely elected government was to be established. Those were the things which mattered and not the allegations just heard, which everybody knew were fairy tales.

12. Mr. LI LUYE (China) said that his delegation had supported resolution E/CN.4/1984/L.81, reaffirming the right to self-determination of an independent country which was the victim of an invasion. China, which had unreservedly supported General Assembly resolution 38/7, hoped that the provisions of that resolution would be fully implemented, so that the military intervention - which unfortunately was continuing - would come to an end and Grenada would be able freely to exercise its right to independence and self-determination.

CONSIDERATION OF DRAFT RESOLUTIONS ON AGENDA ITEM 10: QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT (E/CN.4/1984/L.32/Rev.1; E/CN.4/1984/3; Chapter I-A, draft resolution XIV; E/CN.4/1984/L.69)

Draft resolution E/CN.4/1984/L.32/Rev.1

13. The CHAIRMAN said that Peru, which had been one of the sponsors of draft resolution E/CN.4/1984/L.32, and also Ireland should be added to the list of sponsors of draft resolution E/CN.4/1984/L.32/Rev.1. He asked whether the Commission was prepared to adopt draft resolution E/CN.4/1984/L.32/Rev.1 without a vote.

14. It was so decided.

Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/1984/3; Chapter I-A, draft resolution XIV; E/CN.4/1984/L.69: amendments to that draft resolution)

15. Mr. GOLEMANOV (Bulgaria) introduced his delegation's amendments (E/CN.4/1984/L.69) to draft resolution XIV, recommended by the Sub-Commission. He observed that the amendments would improve the text of the draft resolution, for they would better describe the human rights situation in Paraguay, express more precisely the measures expected of the Paraguayan Government and indicate what the Commission intended to do at its forty-first session.

16. Mr. GONZÁLEZ ALSINA (Observer for Paraguay) said that the mentioning of his country in draft resolution XIV concerning the "Question of the human rights of persons subjected to any form of detention or imprisonment" was selective and discriminatory. What the Working Group appointed by the Sub-Commission to study the question had recommended was the preparation and updating of an annual list of countries which imposed or maintained a state of emergency. By its content, draft resolution XIV departed from that recommendation. Moreover, the situation in Paraguay had already been considered under agenda item 12 (b) with his delegation's full co-operation, and on that occasion it had been expressly recognized that the Government of Paraguay was prepared to continue to co-operate with the Commission by communicating to it additional comments on the human rights situation in the country, as well as on a possible project to abolish the state of siege. His delegation, therefore, considered that draft resolution XIV was out of place - and, a fortiori, so were the amendments submitted by the Bulgarian delegation; it considered that that text literally contradicted the decision concerning Paraguay taken by the Commission only two or three days before, under agenda item 12 (b).
17. Mr. CALERO RODRIGUES (Brazil) said that the Commission should take no decision on Sub-Commission draft resolution XIV. The Sub-Commission should not submit draft resolutions on situations which the Commission itself was considering in accordance with resolution 1503 (XLVIII). His delegation and that of Uruguay were submitting a draft decision to that effect in document E/CN.4/1984/L.73. The Commission should therefore not take a decision either on draft resolution XIV or on draft resolution XII of the Sub-Commission.
18. Mr. GIAMBRUNO (Uruguay) said that his delegation was a sponsor of draft decision E/CN.4/1984/L.73 referred to by the representative of Brazil and that he wished to support what had just been said by **that** representative.
19. Mr. BEAULNE (Canada) objected that the proposal by the representative of Brazil was too general. It was difficult to see how the situation in Afghanistan, which was the subject of Sub-Commission draft resolution XII, could be connected with the situation in Paraguay, dealt with in draft resolution XIV. The amendments proposed by the Bulgarian delegation (E/CN.4/1984/L.69) were equally inappropriate, since they completely distorted the meaning of draft resolution XIV, which, if thus amended, would then be applicable to a whole series of situations involving human rights. The Commission had already taken a decision, in closed meeting, concerning the human rights situation in Paraguay. Although the Commission might perfectly well study several questions concerning various countries under different agenda items, it could not consider the situation in Paraguay, which had already been studied in closed meeting. In short, his delegation opposed the amendments proposed by the Bulgarian delegation and the proposal by the Brazilian delegation, which tended to mix together the situation in Paraguay and the situation in Afghanistan.
20. Mr. CHERNICHENKO (Union of Soviet Socialist Republics) said he was not sure that he had grasped the position of the Canadian delegation, which seemed, on the one hand, to want to preserve the procedure established by the Economic and Social Council in its resolution 1503 (XLVIII) and, on the other, to adopt a selective approach with respect to certain countries. Sub-Commission draft resolution XIV created some procedural difficulties which would inevitably recur, and it was better to settle them once and for all. The Brazilian delegation's proposal would prevent the Commission from running into those difficulties again.

21. The Canadian delegation seemed to be disturbed by the fact that the Commission was studying one draft resolution of the Sub-Commission under agenda item 10 and another under agenda item 12, although such cases had occurred before. On the other hand, the Sub-Commission was not entitled to modify resolutions coming from higher bodies and that was what it was doing by infringing on the procedure established by the Economic and Social Council in its resolution 1503 (XLVIII). Everyone was aware that his delegation was opposed to that procedure, but since it had been adopted, it had to be observed. If the Commission adopted resolutions submitted by the Sub-Commission in disregard of resolution 1503 (XLVIII), it was all up with procedure. That question should be settled and the Brazilian delegation's proposal was a good way of doing so.

22. Sir Anthony WILLIAMS (United Kingdom), reviewing the situation, said that the Commission had before it, first, a draft resolution concerning Paraguay, a country about which a decision had already been taken by way of the confidential procedure, and, secondly, under agenda item 12, another draft resolution of the Sub-Commission concerning the situation in Afghanistan, which had been studied in closed meeting but about which no decision had been taken. What was more, under agenda item 19 the Commission would have before it a draft decision (E/CN.4/1984/L.73) calling on the Sub-Commission to refrain from submitting draft resolutions for adoption by the Commission which concerned situations that were under consideration by the Commission under Economic and Social Council resolution 1503 (XLVIII) - a draft to which his delegation would return. To avoid any confusion, his delegation suggested that the Commission should stick to the text submitted under agenda item 10, i.e. the Sub-Commission's resolution XIV, which, for reasons which would take too long to explain at that stage, did not seem to him inconsistent with the confidential procedure established by Economic and Social Council resolution 1503 (XLVIII). It was also necessary to examine the amendments submitted by the Bulgarian delegation, which, in the opinion of his delegation, went far beyond what the Commission could adopt in view of the confidential procedure. He urged the Commission not to make matters more complicated by raising issues which in any case would be considered later.

23. Mr. BORCHARD (Federal Republic of Germany) said he shared the reservations expressed by various delegations concerning the Brazilian delegation's proposal, which it further considered as also relevant to agenda item 19, under which the Brazilian delegation had submitted draft decision E/CN.4/1984/L.73. To adopt the Brazilian proposal would amount to taking a decision on draft decision L.73, and his delegation thought it much wiser to limit the debate to agenda item 10, i.e. to consideration of the Sub-Commission's draft resolution XIV and the amendments thereto which had been submitted by the Bulgarian delegation and concerning which his thinking was the same as that of the Canadian delegation.

24. Mr. HAYES (Ireland) thought that the best way of dealing with the complicated situation would be to defer consideration of Sub-Commission draft resolution XIV, as well as the amendments submitted by the Bulgarian delegation, until such time as the Commission acted on draft decision E/CN.4/1984/L.73, with the understanding that the Sub-Commission's draft resolution XII, submitted under agenda item 12, would be considered only after draft decision L.73.

25. Mr. CALERO RODRIGUES (Brazil) agreed that consideration of Sub-Commission draft resolution XIV should be deferred until the Commission acted on draft decision E/CN.4/1984/L.73, even though he had originally asked that the Commission should take no decision on draft resolution XIV, nor on draft resolution XII. However, he assumed that if draft decision L.73 was adopted, the Commission would be consistent and would decide to take no action on those two draft resolutions.

26. The CHAIRMAN said that if there was no objection, he would take it that the Commission wished to approve the proposal of the Irish delegation that consideration of Sub-Commission draft resolution XIV and the amendments submitted thereto by the Bulgarian delegation (E/CN.4/1984/L.69) should be deferred until it had acted on the draft decision submitted by the Brazilian and Uruguayan delegations (E/CN.4/1984/L.73).

27. It was so decided.

CONSIDERATION OF DRAFT RESOLUTIONS ON ITEM 15: HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS (E/CN.4/1984/L.37, L.47, L.53, L.54 and L.57; E/CN.4/1984/3: Chapter I-A, draft resolution XVII)

28. Mrs. DJORDJEVIC (Yugoslavia), introducing draft resolution E/CN.4/1984/L.37, reviewed the main points in that draft and stressed that the same ideas were contained in resolution 1983/41 adopted by the Commission at its thirty-ninth session. She hoped that the Commission would unreservedly approve the new text as it had approved the corresponding text in the preceding year.

29. Mr. BYKOV (Union of Soviet Socialist Republics), introducing draft resolution E/CN.4/1984/L.53 on behalf of its sponsors, who had been joined by the Byelorussian Soviet Socialist Republic, said that it was motivated by a desire to strengthen peaceful co-operation, maintain international peace and security, preserve future generations from the scourge of war and respect all human rights, in particular the right to life. In the preamble to the draft resolution, reference was made to a number of United Nations documents which were known to all.

30. After reading out the proposed text, he said that the progress of science and technology brought with it a formidable potential for improving life on earth, eliminating hunger, illiteracy and poverty, and combating disease. To that end, it was necessary to use man's genius for constructive and not destructive purposes, in spite of the tense international climate which now prevailed. His delegation hoped that the draft resolution, which was in conformity with previous decisions of the General Assembly on the same subject, in particular the final document of the General Assembly's tenth special session devoted to disarmament, and with the earlier decisions of the Commission, would be adopted by consensus.

31. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic), introducing the draft resolution contained in document E/CN.4/1984/L.54, said that the sponsors of the draft wished to draw the attention of the Member States of the United Nations and the specialized agencies to the importance of implementation of the principles set forth in the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, adopted by the General Assembly in

1975; they also drew attention to the study which the Sub-Commission was to prepare on the use of the achievements of science and technology to ensure the right to work and development. After reading out the text of the draft resolution, he expressed the hope that it would be adopted by consensus.

32. Mrs. PURI (India), in introducing draft resolution E/CN.4/1984/L.57, pointed out that its sponsors had not wanted merely to add to the number of resolutions which the Committee had already adopted on the question of human rights and scientific and technological developments. They had wanted to draw attention expressly to the essential aspects of that question. After reading out the text of the proposed resolution, she stressed the importance of the recommendations of the group of international experts which had considered the question of the balance which should be established between scientific and technological progress and the intellectual, spiritual, cultural and moral advancement of humanity (E/CN.4/1199 and Add.1). The experts had emphasized, among other things, that it was impossible not to take account of the link between human rights and scientific and technological developments, and that some of those developments actually constituted a danger to the rights of the individual, the welfare of society and the human condition in general. It was therefore indispensable, in their opinion, to guide scientific and technological progress in a positive direction for mankind, especially by educational activities at all levels. The experts had added that the international community had to help in the evaluation of the achievements of science and technology in the interests of mankind and that it was necessary to define more precisely the duties of individuals towards society and the rights of future generations in that regard. The Commission should consider among other things the question of protection against the effects of atomic energy, the consequences of medical discoveries and genetic manipulations, the use of certain substances to alter mental processes, the problem of prolonging life and the social choices associated with health and medical care.

33. She hoped that the Commission would be able to adopt the draft resolution by consensus, with a view to considering those aspects of the question at its forty-second session.

34. The CHAIRMAN said that, if there was no objection, he would take it that the Commission was prepared to adopt the draft resolution in document E/CN.4/1984/L.37 without a vote.

35. The draft resolution (E/CN.4/1984/L.37) was adopted without a vote.

36. The CHAIRMAN asked the Commission to take a decision on the draft resolution in document E/CN.4/1984/L.53.

37. Mr. SCHIFTER (United States of America) moved that the Commission should take no decision on the draft resolution in question. The whole world was convinced of the importance of ensuring the right to life and of efforts towards disarmament; but it was not for the Commission to adopt a resolution on specific points concerning questions of disarmament, which at the present time were being considered by other United Nations bodies.

38. Mr. BEAULNE (Canada) said that his country was obviously not opposed to strengthening respect for the right to life. However, it was not the responsibility of the Commission to decide on questions which came within the competence of other bodies, such as the Security Council for questions concerning nuclear war, or the Conference on Disarmament for those concerning the arms race and disarmament. His delegation supported the United States motion.

39. Mr. MACCOTTA (Italy) said that he also supported the motion.

40. Mrs. PURI (India) questioned the validity of the arguments of the delegations which wanted the Commission to refrain from taking a decision on draft resolution E/CN.4/1984/L.53. That text came entirely within the scope of the question of human rights and scientific and technological developments. If it were accepted that one United Nations body could not examine a matter which was also being dealt with by another body, it would no longer be possible to study anything at all. The sponsors of the draft resolution in question emphasized that nuclear and chemical weapons, in particular, represented a threat to all human rights and expressed their concern in that regard. The Indian delegation would oppose the motion of the United States delegation.

41. Mr. LECHUGA HEVIA (Cuba) said that the study of the question of the right to life was not necessarily limited to the United Nations bodies dealing with questions of disarmament. It might be recalled that the General Assembly itself had adopted several resolutions on the question. His delegation would therefore oppose the motion of the United States delegation to take no decision on draft resolution E/CN.4/1984/L.53.

42. Mrs. ABDALLA (Syrian Arab Republic) endorsed the arguments of the representative of India. She asked how anything could be done to preserve human rights if those rights were threatened by nuclear war? It was the Commission's duty to join its voice to those which were seeking to warn mankind of that danger. Her country therefore approved of draft resolution E/CN.4/1984/L.53.

43. Mr. KLENNER (German Democratic Republic) said he was extremely surprised by the arguments of the United States and Canada. If the Commission refrained from considering the question of the right to life, it would be acting contrary to its terms of reference.

44. Sir Anthony WILLIAMS (United Kingdom) said that he supported the motion of the United States delegation concerning draft resolution E/CN.4/1984/L.53. It was, of course, the function of the Commission to concern itself with the question of the right to life. However, in the text proposed to the Commission, that idea was mentioned - and in terms which had often been used in the past - only in one operative paragraph while the main stress was laid on the strengthening of peace and on economic and social development, an appeal being made to the international community to take the necessary measures to those ends. His delegation considered that, with respect to substance, the draft resolution in question did not fall within the competence of the Commission, which was certainly not the most appropriate body to launch such an appeal.

45. Mr. MASFERRER (Spain) pointed out that the Commission on Human Rights was not the Third Committee of the General Assembly and that the observance of human rights was not assured by peace in itself, but rather by the adoption of legal and political measures at the national and international levels. Peace was a broader concept, which included the right to security and which came within the competence of bodies other than the Commission.

46. Mr. SCHIFTER (United States of America) said he had never suggested that the question of the right to life was not within the field of human rights. However, since questions affecting disarmament came within the competence of other bodies that were exclusively concerned with disarmament, the Commission ought not to take a decision on the matter.

47. Mr. COLLIARD (France) also considered that certain elements of draft resolution E/CN.4/1984/L.53, particularly those concerning disarmament, did not come within the Commission's jurisdiction.

48. Mrs. PURI (India) pointed out that, along with the right to life, the draft resolution before the Commission dealt also with other rights that might be affected by a nuclear threat, such as the right to peace and the right to economic and social development.

49. The CHAIRMAN invited the Commission to take a decision on the motion of the United States delegation.

50. At the request of the representatives of the United States of America and the Union of Soviet Socialist Republics, a vote was taken by roll-call.

51. The Syrian Arab Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Canada, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Mauritania, Netherlands, Philippines, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Against: Argentina, Bulgaria, Cyprus, Cuba, German Democratic Republic, India, Jordan, Libyan Arab Jamahiriya, Mexico, Mozambique, Nicaragua, Pakistan, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Yugoslavia

Abstaining: Bangladesh, Brazil, Cameroon, China, Colombia, Finland, Gambia, Kenya, Rwanda, Senegal, Togo, Zimbabwe.

52. The motion of the United States of America was rejected by 17 votes to 14, with 12 abstentions.

53. The CHAIRMAN invited the Commission to take a decision on draft resolution E/CN.4/1984/L.53.

54. At the request of the Union of Soviet Socialist Republics, a vote was taken by roll-call.

55. Ireland, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Bangladesh, Brazil, Bulgaria, China, Cyprus, Colombia, Costa Rica, Cuba, Gambia, German Democratic Republic, India, Jordan, Kenya, Libyan Arab Jamahiriya, Mexico, Mozambique, Nicaragua, Pakistan, Rwanda, Senegal, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Yugoslavia, Zimbabwe

Against: Canada, France, Germany, Federal Republic of, Italy, Netherlands, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Cameroon, Finland, Ireland, Japan, Mauritania, Philippines, Togo.

56. Draft resolution E/CN.4/1984/L.53 was adopted by 28 votes to 8, with 7 abstentions.

57. Mr. EKBLÖM (Finland), explaining his delegation's vote on draft resolution E/CN.4/1984/L.53, said that it had abstained because the text contained many elements which were being considered by other more competent United Nations bodies and elements which were unacceptable.

58. Mr. LI LUYE (China) explained that his delegation had voted in favour of the draft resolution, since the Chinese Government and people, like all peace-loving peoples, appealed for a real and complete disarmament that would promote détente and safeguard the rights of all peoples.

59. Mrs. COLL (Ireland) observed that her delegation had abstained from the vote because the text, far from being based on the Commission's resolution 1983/43, in favour of which she had already spoken, contained new elements which were more precisely within the competence of the General Assembly's First Committee and of United Nations bodies concerned with the practical aspects of disarmament.

60. Mr. BODDENS HOSANG (Netherlands) said that his delegation had voted against the draft resolution because it did not come entirely within the scope of the item under consideration and went beyond the Commission's powers. His delegation, which had urged the Commission not to take up questions strictly related to disarmament - since they came within the jurisdiction of other bodies whether connected with the United Nations or not - considered operative paragraph 5 inappropriate. Unlike the Commission's resolution 1983/43, the present text failed to mention the need to ensure that, in matters relating to the right to life, everyone must have the right to freedom of expression, peaceful assembly and freedom of association and to take part in public affairs - the only means of enabling peoples to distinguish between truth and propaganda.

61. Mr. COLLIARD (France) said that France, a peace-loving country, naturally defended the right to life. His déléga-tion, therefore, shared the views expressed in operative paragraph 2. It had voted against the draft resolution, however, because in several of its paragraphs it dealt with questions concerning disarmament which were normally dealt with in other United Nations bodies - such as the Security Council, the First Committee of the General Assembly or the Conference on Disarmament - and which, owing to their specific nature, were beyond the competence of the Commission. Moreover, the draft referred to documents which his delegation had voted against.
62. His delegation had already had occasion, in the United Nations bodies concerned with questions of disarmament, to express its objections with respect to the argument set forth in operative paragraph 5.
63. Mr. MAHONEY (Gambia) said that his delegation had felt compelled to stress the priority nature of the right to life, the exercise of which depended on the maintenance of peace, and in particular the prevention of nuclear war. His delegation, being in favour of the basic ideas of the draft resolution just adopted, had voted for it. However, if there had been a separate vote on operative paragraph 5, it would have abstained while voting for the draft resolution as a whole.
64. Mr. CHARRY SAMPER (Colombia) said that his delegation had voted for the draft resolution because it believed that all United Nations bodies should make proposals in favour of peace and disarmament. In that connection, he referred to paragraph 36 of the political declaration adopted by the Heads of State or Government of the non-aligned countries at New Delhi in March 1983.
65. Colombia, which was a peaceful, peace-loving and peace-making country, was worried by the fact that the increasing number of texts in favour of disarmament seemed to be having no effect on the dangerous intensification of the arms race, any more than the declarations in favour of respect for the sovereignty and territorial integrity of States were reducing the regrettable cases of territorial occupation and of the violation of sovereign rights in a world in which the great Powers were settling their disputes through the intermediary of third-world countries. The arms race was threatening co-existence and the survival of the human species. For that reason, his delegation was in favour of establishing what might be called a new international technological order, in which science and technology would not be made to serve war and destruction.
66. Mr. SOLEY SOLER (Costa Rica) agreed that certain parts of the text adopted came within the competence of other United Nations bodies, but noted that the Commission had decided at previous sessions to concern itself with that same question.
67. The Costa Rican delegation had voted in favour of the draft resolution, but if a separate vote had been taken on operative paragraph 5, it would have abstained because of that paragraph's lack of precision.
68. Mr. SEKULE (United Republic of Tanzania) said that his delegation had voted in favour of the draft resolution because, in its opinion, peace, development and the wise use of scientific and technological progress underlay the exercise of the right to life and, in fact, of all human rights. It agreed, however, that some elements of the text might fall within the competence of other more specialized bodies than the Commission.

69. The CHAIRMAN invited the Commission to take a decision on draft resolution ~~E/CN.4/1984/L.54.~~

70. Draft resolution E/CN.4/1984/L.54 was adopted by 33 votes to none, with 10 abstentions.

71. The CHAIRMAN invited the Commission to take a decision on draft resolution E/CN.4/1984/L.57. He stated that, if there was no objection, he would take it that the Commission wished to adopt the draft resolution without a vote.

72. It was so decided.

73. The CHAIRMAN invited the Commission to take a decision on draft resolution XVII recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/1984/3, Chapter I-A). The administrative and programme-budget implications of that draft resolution were indicated in document E/CN.4/1984/L.47.

74. Mr. CALERO RODRIGUES (Brazil) said he was puzzled by the estimated costs of editing, typing, reproducing and distributing the study - which were much higher than those for other studies. He wondered whether it would not be possible, in the interests of economy, to publish the study only (E/CN.4/Sub.4/1983/17), without Addendum 1, which was a collection of the documentation used by the Special Rapporteur. If so, it would be advisable to delete the present foot-note 31 and, to insert in operative paragraph 2 of the draft resolution, after the title of the study, a referral to a foot-note reading as follows: "31/E/CN.4/Sub.2/1983/17".

75. Mrs. OGATA (Japan) noted that draft resolutions on the publication of studies were generally of two kinds: some asked for the publication and the widest possible distribution of the study while others requested the publication and the widest possible distribution of the study in all the official languages of the United Nations. Her delegation would like to know, for both cases, how many copies were published and the cost of translation, and to have details on the means of distribution and the number of copies published which were utilized.

76. Mr. NYAMEKYE (Deputy Director of the Centre for Human Rights) said that the cost of publishing the study in the way proposed by the Brazilian delegation would amount to approximately \$US 36,000.

77. In reply to the questions of the Japanese delegation, he explained that publications were produced in the following quantities: 175 in Arabic, 120 in Chinese, 1,700 in English, 750 in French, 225 in Russian and 350 in Spanish. The estimated costs before the Commission did not include the cost of translation, but concerned the publication of studies or reports which were already available in the required languages. Lastly, with regard to means of distribution and utilization of the copies published, before replying, the secretariat would have to consult the services concerned.

78. Mr. BODDENS HOSANG (Netherlands), recalling the Commission's decision not to consider the item referred to in the draft resolution at its next session, said that the words "at its forty-first session" in operative paragraph 3 should be replaced by the words "at its forty-second session".

79. Mr. BYKOV (Union of Soviet Socialist Republics) emphasized that questions asked about the budget-programme implications of the publication of studies deserved detailed answers. Referring to rule 28 of the rules of procedure, he proposed that consideration of draft resolution XVII of the Sub-Commission on Prevention of Discrimination and Protection of Minorities should be deferred pending submission by the secretariat of a written report on the financial and budget-programme implications of the draft resolution.

80. The CHAIRMAN said that, if there was no objection, he would take it that the Commission wished to adopt the USSR proposal.

81. It was so decided.

The meeting rose at 1.10 p.m.